



On November 22, 1963, in Dallas, Texas, President Kennedy was assassinated as his motorcade passed through the city. Less than one hour later Lee Harvey Oswald was arrested for the murder of police officer Tippit. Two days later Oswald was killed by Jack Ruby. President Johnson then appointed the Warren Commission.

# WHO <sup>else</sup> KILLED KEN

by LEN DEIGHTON

"THIS spoon is the motorcade and I'm the Depository Building. . . ." An urgent wave of interest and concern about the Warren Commission's Kennedy Assassination Report is sweeping America.

Doubts about the Commission's conclusions are hardening into ill-ease as the most coldly forensic book on the subject—Mark Lane's *Rush to Judgment*, published in London today\*—climbs the U.S. best-seller list.

Backed by this and books like *Inquest* by Edward Jay Epstein—also published today\*—(which began life as a master's thesis in government at Cornell University), men like Professor Richard H. Popkin, Professor of Philosophy at the University of California say: "This material suggests not that the 'official theory' is implausible or improbable, or that it is not legally convincing, but that by reasonable standards accepted by thoughtful men, it is impossible. . . ."

These are some of the points made:

The description of the assassin—Oswald's description was broadcast by the Dallas police just before 12:45 p.m. (15 minutes after Kennedy was shot).

Police Chief Jesse Curry said Oswald became a suspect "after the police found the rifle on the sixth floor. . . ."

But the rifle on the sixth floor wasn't found until 1:22 (more

than half an hour after the broadcast description had gone out).

So how did the broadcast description originate?—The Commission conceded that it did not know the answer, but it indicated a willingness to hazard a guess. "Most probably," the report said, Howard L. Brennan was the source of the description.

Brennan was across the street 107 feet from the base of the Depository and as Dallas police captain Fritz (who was in charge there) said: ". . . you can't tell five or six floors up whether a man is tall or short."

## RIFLEMAN

Brennan remembers telling Sorrels—a Secret Service man—what the rifleman at the window looked like. He talked to Sorrels on the Book Depository steps within 10 minutes of the shots.

Sorrels, however, testified that he was in the lead car which rushed to the hospital ahead of the Presidential limousine. It was after watching Kennedy and Connally carried into hospital that he went back to the Depository. Sorrel couldn't have talked with Brennan before 1 p.m. (15 minutes after the description was broadcast).

But the broadcast description

was precise: "White, slender, weighing about 165 lbs., about 5ft. 10in. tall." And Brennan admitted that his sight was "not good" when before the Commission.

The Police car at 1026 North Beckley. — At about 1 p.m., between the killing of the President and a few minutes before the death of Patrolman Tippit in a police car, Oswald entered his rooming house, went to his room, and left after three or four minutes.

The housekeeper said that during this time a police car drew up outside the house, sounded a tit-tit on the hooter and drove away just before Oswald came out.

The Commission said "Investigation has not produced any evidence that there was a police vehicle in the area. . . ." The housekeeper, however, was quite specific saying it was marked "Police Car No. 207." The Commission replied: "Squad car 207 was at the Texas School Book Depository Building," relying solely on the statements and assignments of various men and cars on November 22.

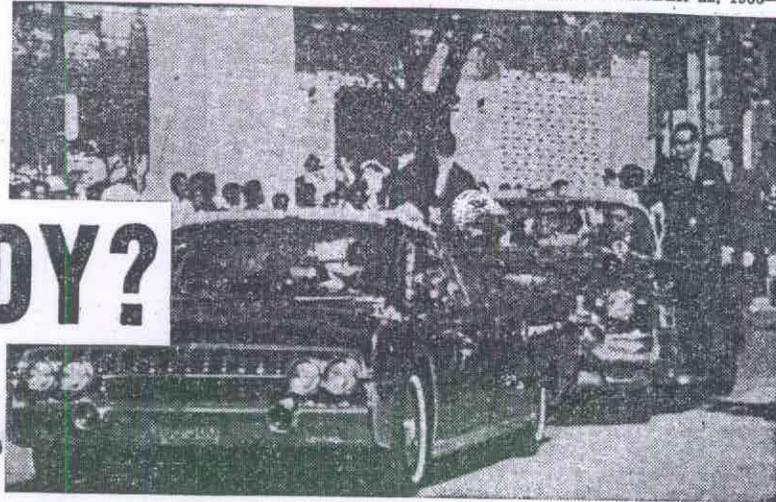
## NOT ASKED

The officer assigned to car 207 told the FBI that he arrived at the Depository just after 12:45 p.m. and parked outside. He gave the keys to a sergeant and then remained in the building for more than three hours. The sergeant testified twice before the Commission counsel but it was not asked if he had driven the automobile to North Beckley Avenue or if any other person had access to car 207 at 1 p.m.

After Oswald left the rooming house he was last seen standing at a bus stop waiting for a northbound bus. Some eight or ten minutes later Tippit was killed a mile south.

A difficulty that the Commission faced was that the Government released its conclusions before securing the facts, and even with the best will in the world there was a natural tendency for witnesses to help the Commission by supporting the Government's

# NEDY?



story. As one witness said when asked how many shots he heard: "I heard one more than was fired."

**The timing of the shots.**—This is a vital part of the Commission's case, for the exact time between the first shot and the last shot is known from the piece of film of the assassination. Therefore, unless there is time for all the damage to be accounted for the only conclusion is that there was another assassin with an additional rifle.

It is very difficult to credit any marksman with the ability to fire three shots from a Mannlicher-Carcano rifle within 5.6 seconds, and even this timing is only possible if we accept the Commission's contention that one bullet went through Kennedy's neck, out again, and into Governor Connally's back, wrist and thigh.

Quite apart from the fact that both Connally and his wife clearly state that it was a different shot, with a pause long enough for him to look toward the President and then pivot back to his left before feeling the bullet hit him, the condition of the bullet is quite out of keeping with the damage done to bone.

The trajectory of the bullet that went into the President's throat is one of Lane's most telling points. The autopsy sketches and Kennedy's clothing put the bullet hole at six inches below Kennedy's collar (although the Commission describe the wound as "near the base of the neck"). The corresponding wound for the same bullet is the hole just behind the knot of his tie.

Quite apart from any argument about which were exit or entry wounds, such holes are not consistent with a bullet fired from six storeys above ground. They are consistent with a theory that shots were fired from a grassy knoll ahead of the car. (And don't say the President might have been leaning forward; the movie proves he wasn't.) These photos of the clothing were not included in the Warren Report (nor in any of the 26 volumes

of evidence. Mr. Epstein's Inquest is best read after *Rush To Judgment*, for it gives a close-up look at the Warren Investigating machine. It is a picture of busy men, their slipshod methods in part accounted for by the absence of senior officials attending their everyday business, and by constant hurrys-ups from above.

## HOSTILE

When they were there however, the members of the Commission had no doubt that their function "was to dispel rumours," and "show the world that America is not a banana republic where a government can be changed by conspiracy."

So right from the beginning it was hostile to stories like the one that Oswald was an FBI agent. The story came from no lesser persons than the Attorney-General of Texas and the Dallas District Attorney; it gave Oswald's FBI number—179—and his rate of pay—200 dollars per month.

The Dallas D.A. was an ex-FBI man himself; he heard also that Oswald's notebook had contained the phone number of a Dallas FBI agent but that the FBI omitted this item from the facts when forwarding the notebook contents to the Warren Commission.

The Warren Commission's

reaction was anger, not against the FBI but against the story itself. "We have a dirty rumour," says J. Lee Rankin, General Counsel for the Commission, "and it must be wiped out insofar as it is possible to do so by this Commission."

It is wiped out by the simple process of giving the FBI a chance to deny that Oswald was one of their employees. Although the FBI admit that they left out the phone number when forwarding the Oswald notebook contents, the whole thing quietly died and was never, never mentioned again.

When the Warren Report was first published, many prestigious and public-spirited commentators, reassured by the credentials of the participating members, rushed to endorse unequivocally the findings of the Commission. These same commentators now find themselves in the difficult position of reconciling Lane and Epstein's careful and unanswerable research with their own former enthusiasm for the Warren Report.

Personally, I never had much time for books written by committee; fiction by committee is terrible.

\* *RUSH TO JUDGEMENT*, by Mark Lane. Bodley Head, 42s.  
\* *INQUEST*, by E. J. Epstein, Hutchinson, 30s.