

# Rifles, Bullets and Stage Is Set for the Mystery of the Sea

*This is the first of a three-part series on the Kennedy assassination by David R. Wrone, University of Wisconsin-Stevens Point associate professor of history.*

By DAVID R. WRONE

The official investigation of the Nov. 22, 1963, assassination of President John F. Kennedy by a seven-man special commission headed by the Chief Justice of the Supreme Court Earl Warren found an itinerant janitor named Lee Harvey Oswald guilty. Oswald fired three shots with his 6.5-mm Mannlicher-Carcano rifle, hit Kennedy twice, killing him and wounding Gov. John Connally of Texas who was riding in the car.

Almost immediately a number of critics arose who challenged the findings. In the 12 years since the murder, the number of critics has continued to grow and there is no sign of a tapering off. Out of this mass of information, a myth emerged that the Warren Commission had found much evidence of a sinister nature and had sealed the records of this discovery in the National Archives where the mystery must slumber until the year 2039.

A grain of truth appears to support this popular belief, for the National Archives does in fact have some Warren Commission files that are closed to the public. Some documents are classified "top secret" and other documents have restrictions placed upon their use.

Recently, critics of the Warren Commission findings have fought and lost a legal battle that reached to the Supreme Court over this precise issue, yet the national press and media did not report it. By following the bramble-strewn path of the critics, the "mystery" in the Archives will be explained and the fundamental character of the Warren Commission, its staff, and attorneys, will be starkly revealed.

It is essential for a basic understanding of the Warren Commission findings to know that the critics can be divided into the irresponsible, or pseudo, and the responsible.

The pseudo-critics are the more numerous, and they can easily garner headlines. While a few have made modest contributions to the critical picture of the official findings, most have done nothing at all. It is significant

that they avoid the long hard hours of research in the available documents in the National Archives. They all embrace wild speculative theories of conspiracy and distort much of the evidence that is sound. It is primarily their superficial sallies into criticism and their showmanship approaches to this vital public question that has created this mystery about the

documents in the Archives and contributed to the confusion in the public mind over the assassination.

On the other hand, a few responsible critics have worked long and hard carrying out research to provide us with a clear picture of the assassination and its investigation. We shall stay only with the responsible critics and follow their research until it leads us to the resolution of the secrecy question.

By the autumn of 1966, the responsible critics had come to the following reluctant and careful judgment of the Warren Commission and its conclusions: Lee Harvey Oswald did not shoot President John Kennedy or anyone else that day in Dallas. Clear and overwhelming evidence exists in the public domain to establish this fact.

By staying with just one aspect of the voluminous evidence — the rifles and bullets associated with the assassination — we can trace it into the Archives and then into the federal courts where the explanation for the mystery was resolved.

The Warren Commission concluded Lee Harvey Oswald killed President Kennedy with three shots from a 6.5-mm Mannlicher-Carcano scoped rifle found on the sixth floor of the Texas School Book Depository near the "sniper's nest." No other rifle could have been involved and their findings be true.

Responsible critics, however, count three rifles associated with the Book Depository and, if one includes the controversial case of mistaken identity and the stage prop used by a national television crew, five possibilities must be considered.

In addition, six other rifles appear at various times throughout the investigation which the Commission and its attorneys resolutely ignored, never located or explained away.

While these latter instances may seem to be irrelevant, this is not always true. If these 11 are tallied with the number of rifles used by the assassins (the number is unknown, but must be at



*The President and Mrs. Kennedy were seated in their open limousine as the motorcade moved through downtown Dallas en route to the Trade Mart. The President and Texas Gov. John Connally (seated in front of the President) were shot moments after this photo was taken.*

NEA Photo

# Lots of Doubt

## led Documents in the Archives

least two), 13 or more rifles are involved in some way. This does not include the weapons associated with the murder of Dallas Police Officer J. D. Tippit that day.

Critics center their attention on the three rifles and two mistaken rifles associated with the Book Depository, because they provide a crucial link to the Commission's conclusions.

Rifle No. 1 is the case of mistaken identity, a question raised as early as 1965. Among others, Deputy Constable Seymour Weitzman, Deputy Sheriff Eugene Boone and Police Captain Will Fritz of Dallas identified a rifle discovered on the sixth floor as a German 7.65-mm Mauser with a 2.5 Weaver scope.

Although Weitzman, who used to sell rifles for a living, made the initial discovery, the Commission never questioned him at a hearing or gave him the rifle to examine. Instead, it relied only upon his statement as typed by the investigating authorities and ques-

tioned those to whom he had spoken. The Commission attorneys also withheld many descriptions of the rifle and misrepresented other information concerning Weitzman's discovery.

The three officers, however, let stand for the historical record that they had improperly confused the German-made gun with the Italian Carcano.

Their accounts were not subjected to the careful scrutiny that a murder of a President warrants, and the same attorneys responsible for this failed to correlate information from other sources and witnesses.

As critic Sylvia Meagher noted in 1967, in a work based on the 26 volumes of **Hearings and Exhibits** released by the Warren Commission:

"After studying the testimony and documents, I have no confidence in the official account of how the confusion about a Mauser originated. The facts have been misrepresented. The investigation has been incomplete and unsatisfactory, by objective standards. Relevant documents have been

withheld. The question of the identity of the rifle found in the Book Depository still awaits a conclusive determination."

After the Dallas police had arrested Oswald, he gave them information about two rifles he had seen previously in the Texas School Book Depository, Nos. 2 and 3. The verbatim transcript of this information is included in the report of the Warren Commission, but it is not indexed nor referred to. The Warren Commission ignored this evidence that should have destroyed its entire investigation and the conclusions reached in its report.

A dummy rifle without a scope was used the afternoon of the assassination by a national television crew to film the discovery of the "murder weapon." This is No. 4.

Apparently, journalists possess a code of conduct that varies considerably with the code the general public lives by. At the time of the discovery of the alleged murder weapon, the television crew found the crowd around the exit of the Book Depository to be too thick to permit good coverage. The crew sent to their studio for a prop rifle. They then staged a discovery scene for the unsuspecting national viewing audience. Local amateurs photographed them. The amateur film became incorporated later into a locally produced souvenir film.

Several of the irresponsible critics,

confusing the film with reality, later suggested the government suppressed evidence. The government suppressed evidence, to be sure, but the Dallas Associates souvenir film and the television clip were not evidence, but frauds.

### *The Mannlicher-Carcano*

Rifle No. 5 on the list is the 6.5-mm Italian-made Mannlicher-Carcano found in the School Book Depository by police officers. The Warren Commission stated that this rifle, and no other rifle, killed President Kennedy, and that Lee Harvey Oswald owned the rifle.

At this point, the responsible critics feel they are enduring the labors of ancient Sisyphus in making rebuttals to the Commission assertion that Oswald possessed the rifle. There is no evidence whatsoever presented by the Commission to substantiate such a charge.

An outline of the rifle's history is sufficient to refute the allegation. A Chicago sporting goods store shipped "a rifle" to one "Alex J. Hidell" in Dallas. Oswald was not proven to have received a rifle through the mail, nor was the Klein rifle ever placed in his possession.

Contrary to the statements of many  
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# Rifles, Bullets, Doubts

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irresponsible critics, Oswald's fingerprints did not appear on the rifle found in the Book Depository and identified by the Commission as the 6.5-mm Carcano. The Carcano's serial number is given great importance by the Commission staff, yet it is merely a model number stamped on thousands of the mediocre World War II guns, not the identifying serial number of a particular rifle.

Lee Harvey Oswald's wife, Marina, told the Secret Service that the Carcano was not Lee Harvey's rifle. She later swore otherwise.

In addition to finding that the Commission failed to place the rifle in Oswald's possession, the responsible critics discovered that the rifle was in such faulty physical condition that it strongly substantiates charges of a conspiracy.

The scope was mounted for a left-handed man; Oswald was right-handed. The bolt opened with difficulty and the "pressure to operate the bolt was so great," according to testimony, that it "tended to move the rifle off target." The trigger operated in two stages, requiring two pressures and thus a jerk when firing a shot. The telescopic sight was defective. The firing pin was rusty, weak and fragile. Federal firearms experts testing the weapon for the Commission had to repair the gun and add shims under the scope before test-firing it.

Most importantly, the Commission could not show that Oswald had practiced with the Carcano or with any other rifle. Practice was an absolute necessity and there is not one piece of evidence to this effect.

The Commission failed to establish a most crucial aspect of the evidence linking Oswald to the extraordinary marksmanship that he would have had to display if he was, in fact, the assassin. All they had was a 10-year-old score that Oswald had made while a Marine. This was mediocre. The Commission, though, proclaimed in its report that this score demonstrated Oswald's proficiency to perform a task the nation's best marksmen thought to exceed the limit of their own abilities.

Furthermore, the physical characteristics of the alleged assassin's lair in the School Book Depository

be linked by sheer inference alone. The one bullet is known as "Commission Exhibit 399." Its history is bizarre. A hospital attendant found it in a hallway where the stretchers from several emergency room cases were temporarily parked in the vicinity of Gov. Connally's empty stretcher. Although it had allegedly passed through two bodies, made seven wounds, smashed two bones, had zigged, zagged and yawed contrary to Newton's laws of motion; it was pristine.

If the bullet was found on the wrong stretcher, a conspiracy murdered John Kennedy. A profound question exists. The attendant who found the bullet said he "could not sleep nights if (he) swore to what was demanded of (him)" by the FBI and "state who had been on the stretcher."

The bullet was traced to the Carcano, but was never connected with the crime; i.e., it was never proven that the bullet passed through the bodies of the two victims.

The Federal Bureau of Investigation spectrographically analyzed and compared the bullets and fragments of bullets found exterior to the bodies of President Kennedy and Gov. John Connally of Texas with the fragments and traces of bullets found inside both men to determine whether or not they came from one particular batch made by one particular manufacturer.

If the tests were properly done, they could uphold the Warren Commission conclusions. The FBI special agent who testified before the Commission disqualified himself and would only say that the tests showed the bullets and fragments to be "similar in metallic composition." The tests themselves and the data upon which they were based were not given to the Commission, nor was the Special Agent who had performed the tests questioned by staff attorneys on the subject.

The FBI provided only a summary statement of the test results. It did not say the bullets and fragments were identical; "similar" means only that they were bullets.

Critics then confronted the FBI with the difficulties inherent in the summary statement. The FBI would not permit any citizen, scholar or professional criminologist to view the analyses,

They did not, however, have any inkling of who had killed him or what forces or ideology had backed the plot. They followed only the evidence as they had found it and it did not contain that information.

The American people still did not know who had shot their President, could not judge and were prey to the mass of rumors and emotion that ignorance had raised among irresponsible critics and commercial buccaneers to supplant knowledge.

Among the 300 cubic feet of documents resting in the National Archives, a small group of responsible critics had encountered hundreds of pages of classified material, some stamped "top secret" that were unavailable to researchers. In these restricted Warren Commission files, there lay possibly the evidence that would end the mystery of the assassination.

## Mystery in the Archives

In the decade following the death of President Kennedy, six major positions can be discerned among pseudo-critics and apologists of the Warren Report on the question of the sealed documents in the National Archives.

• The first explanation put forward attempted to shift the blame for the secrecy upon the Kennedy family. Carefully prepared news stories reiterated the point that something mysterious had occurred in Dallas that the family wished to keep secret, perhaps, to promote some crass political end.

Two typical examples are: David Wise, a Washington journalist who is co-author of a popular work on the machinations of the Central Intelligence Agency, wrote an article for the Saturday Evening Post that centered on the secrecy aspect of the records and thrust the blame upon the Kennedy family and President Johnson. A similar charge is to be found in the sensationalized story by Fred Graham appearing in the New York Times. He puffs the Kennedy secrecy story. Needless to add, the popular press and some elements of the general public also tend to hold this belief.

culprit; that the CIA murdered the President and then controlled the Warren Commission as well as its records.

• A fifth reason was charged by Attorney General Ramsey Clark when he said on a public television network that the Archives sealed the records as part of their policy.

• The sixth explanation functions more as a posture for disbelief that a public institution could have erred so radically in its responsibility. According to this view, the men who served on the Warren Commission acted from the highest motives under the most trying circumstances; it consigns critics to the wild and irrational never-satisfied emotional element so frequent in American life and letters.

Proponents of this view insist the secrecy question is immaterial and should be completely ignored. This distinctive trait is exemplified by the activity of Harrison Salisbury, an editor of the New York Times. He strenuously upholds the Warren Commission's conclusions by directing literary attacks upon the responsible critics with the kind of fervor one expects from a reader of apocalyptic books. He also works under some illusion about the role of the New York Times in investigating the murder.

Eric Severeid of the Columbia Broadcasting System is also an example of a peculiar outlook. He explained to a nation-wide viewing audience that those men who do not back the judgment of the Warren Commission members are simply "stupid."

That a President of the United States can be shot dead on the streets of the nation he governed and the foul deed can be masked by callous forgeries, perfidious conduct, studied deceit and broken oaths shames the history and fine tradition of the nation. It belies all he stood for as a man and as our President. It invites — yes strongly suggests — comparison with the political actions of Imperial Rome or Germany of the mid-1930s.

Critics who follow the principle of