



Shelly Katz—Black Star

UPI

A test shot from the grassy knoll matched Weiss's reading of a telltale tape

# Rush to Judgment

For two costly years, the House Select Committee on Assassinations had slogged bumpily toward the same judgment reached by the Warren Commission long ago: that a psychopath named Lee Harvey Oswald acting alone had assassinated President John F. Kennedy. But at the very eve of its dissolution last week, the committee put on its own untidy and, some thought, underdone rush to judgment in a diametrically opposite direction. What tipped its verdict, with a no-conspiracy report already on paper, was a last-moment scientific analysis purporting to place a second gunman at the scene of the crime in Dallas's Dealey Plaza. With the loose threads still dangling, the committee issued a summary report accepting the two-gun hypothesis—and concluding that Kennedy "was probably assassinated as a result of a conspiracy."

**Bounty:** The \$5.8 million inquiry thus left behind more mystery than it was chartered to solve, in the JFK case and in the murder of Martin Luther King as well. The committee subscribed to the official view that Oswald and James Earl Ray were, respectively, the assassins. But it found a "likelihood" that King, like Kennedy, was the victim of a conspiracy—and dropped the matter there. The committee flatly cleared any government agencies of implication in either case, and exonerated Moscow and Havana and the Mafia and the anti-Castro Cuban underground, as groups, in the Kennedy killing. Having thus laid waste to most of the popular conspiracy theories, the panel shut down and bucked the whodunit to the Justice Department—with barely a clue as to where to begin.

That any such search would lead any-

where, sixteen years after Kennedy's death and eleven years after King's, was unlikely in the extreme. The King conspiracy theory rested on a circumstantial guess: that Ray might have heard about and set out to get a \$50,000 bounty allegedly placed on King's head by two St. Louis-area racists—both now dead. The Kennedy scenario hinged almost entirely on expert testimony that a long-buried Dallas police tape shows to a 95 per cent or better certainty that JFK's motorcade was caught in a cross fire between Oswald to the rear and a second gunman on the celebrated "grassy knoll" just ahead. But the trail from there was old and cold in both cases, and neither speculation, science nor the committee itself could point the way ahead.

The committee's pell-mell U-turn in the Kennedy case came on the expert testimony of Mark Weiss, 36, and Ernest Aschkenasy, 49, acoustics analysts from Queens College in New York, who appeared in the closing weeks of the inquiry. The two had been called in for a second opinion on a stasticky Dictaphone belt of transmissions from a police motor-

Blakey, Stokes: A case for conspiracy

AP photos



cycle thought to have been in Dealey Plaza with its radio switch stuck in an "on" position.

The tape had been studied earlier by a Cambridge, Mass., expert, Dr. James Barger, who filtered out four echo patterns suggestive of gunfire, matched them against test firings involving guns and microphones spotted along JFK's route and returned a hedged 50-50 bet that one shot came from the grassy knoll. His word was too iffy to build a murder plot around; the committee called in Weiss and Aschkenasy—and went ahead drafting a report finding "insufficient evidence," scientific or otherwise, of a conspiracy.

The committee had assembled in executive session a week before Christmas to sign off on that finding when chief counsel G. Robert Blakey delivered the startling word that the Weiss-Aschkenasy replay had advanced the odds on a second gun from 50-50 to 95-5. The two acoustics analysts had applied disarmingly simple science, working in their own homes with a map of Dealey Plaza, some string and thumbtacks to measure distances, an oscilloscope to show sound waves, a pocket calculator, some weather reports from Nov. 22, 1963—and what Weiss described later as "simple, pure basic physics and geometry." Burger had already found echo patterns supporting the Warren Commission judgment that three shots came from Oswald's sixth-floor perch in the Texas School Book Depository. But buried under the motor noise, Weiss and Aschkenasy detected what they called the "fingerprint" of another shot—third in the sequence of four—almost surely fired from behind a picket fence atop the knoll.

**Turnabout:** The two experts had barely left the stand when the committee returned to secret session—and, with a scant six hours' debate, reversed the conclusions of two years. The acoustics evidence in fact sorted oddly with much of the inquiry record—the freshly riveted evidence that Oswald fired the only shots that hit Kennedy or anything else; the fact that the supposed second gunman, gun and bullet all evanesced without a sighting or a trace; that only four of 178 known earwitnesses thought they had heard shots from both the depository and the knoll.\* Neither was the committee itself entirely sure of the state of the art of acoustics analysis. Buried deep in its report was a gingerly recommendation that the Justice Department first commission an expert study of its merits, and only then decide whether to reopen the case.

There were, moreover, anomalies in the tape itself—questions, often answer-

\*Twenty-one thought all the gunfire came from the knoll—an impression that squares neither with the tape analysis nor with the great majority of witnesses.

# Why Al Haig Resigned

**G**en. Alexander M. Haig Jr. has always understood the craft of politics. As commander of U.S. and NATO forces in Europe, he has lobbied effectively for bigger military budgets and better cooperation between the U.S. and its European allies—building a reputation as the best NATO commander in years. But he has chafed over what he saw as Jimmy Carter's soft-line approach to the SALT talks, Soviet military buildups in Eastern Europe and Communist incursions in Africa and central Asia. Last week, at his headquarters in Mons, Belgium, Haig suddenly announced that he would re-

of developments in the SALT talks. They also said he had been dismayed last year when the President abandoned production of the neutron bomb, politically wounding West German Chancellor Helmut Schmidt. Haig had persuaded Schmidt to override opposition in his own Social Democratic Party and to support the weapon. Finally, from conversations with European intelligence and political leaders, Haig came to sense that they were losing confidence in Washington's leadership and resolve to stand up to the Soviet Union.

Haig might choose to press such differences publicly after he leaves NATO, and some Administration strategists worry that he might throw a wrench into the SALT ratification debate in the Senate. "He's not any old general," said one of them. "This is the NATO commander." Others wondered if the four-star general had bigger things in mind. In Paris last November, Haig caused a small sensation by spending 90 minutes with former President Richard Nixon, who reportedly urged him to go into politics. He also raised a few eyebrows when he turned up at a meeting of 50 prominent Republicans in Boston last month and gave a lecture criticizing U.S. defense policy. "When I walked in the door, people greeted me with the question, 'Don't you think he would make a great Presidential candidate?'" said Massachusetts state Rep. Andrew Card.

**Critics:** If he does choose to run, Haig will have to overcome his guilt-by-association with Nixon as White House chief of staff in the dying days of the Nixon Presidency. Admirers credit him with stabilizing a highly volatile crisis and persuading the President to resign. Critics accuse him of engineering the firing of Watergate Special Prosecutor Archibald Cox and of directing the take-over of the offices of U.S. Attorney General Elliot Richardson and the Cox investigators during the Saturday Night Massacre. There is also talk that Haig helped to arrange the Nixon pardon.

"What he must do is come home, mess around a little in organized politics, make a speech here and there and test the water," said one GOP strategist in Washington. Friends believe that he may return to Philadelphia, his hometown, to run for the Senate seat of Republican Richard Schweiker, who announced last week that he would not run for re-election in 1980. Others said the general might simply find a soft spot in industry and mend a soldier's fortunes with a corporate president's big salary. The one thing Haig did not seem likely to do soon was pick up the pen. "I don't think Al wants to write his book yet," chuckled an old friend. "I think he wants to live a few more chapters first."

—TOM MATHEWS with DAVID C. MARTIN in Washington, ARNAUD de BORCHGRAVE in Geneva and bureau reports



Jean Guyaux

Haig: Coming home to speak out?

tire on June 30. "He is restoring his freedom of action and putting a lot of people on notice that he is available," said one Administration topsider. "He's a very ambitious guy and he sees a big future in business or politics—or both."

**Polite Note:** Haig, 54, had been restless for some time. Last February, he told Carter that he wanted to resign, but in June he agreed to serve one more year. Then last week, Haig wrote a polite note to the President, Defense Secretary Harold Brown and the Joint Chiefs of Staff reaffirming that he would leave next June.\*

Friends said Haig was annoyed that Carter had not kept NATO fully abreast

\*Among his likely successors are Gen. George Blanchard, commander of the U.S. Army in Europe; Gen. William Knowlton, U.S. representative to the NATO Military Committee; Gen. Bernard Rogers, Army chief of staff, and Haig's present deputy, Air Force Gen. Robert Huvser.

able, that went unanswered in the deadline rush and embarrassed the committee afterward. H.B. McLain, identified from photos as the motorcycle cop involved, was permitted to hear the tape only after he testified and instantly concluded that he was the wrong man; the recording, he said, should have but didn't pick up the scream of his own siren immediately after the shooting. Other Dallas police sources argued that other sounds on the tape—a carillon ringing, a person whistling—suggest that the open-mike might not have been in Dealey Plaza at all. Blakey answered that McLain's memory was rusty and that the tape picked up some stray sounds from other police radios. But few of these questions were addressed in open session, no further consulting opinions were sought on the solidity of the tests and no alternatives to the two-assassin hypothesis were seriously advanced.

The testimony did make a strong case that something suggestive of gunfire was captured on the Dictaphone belt. "For me to accept that that tape is not correct, I'd have to believe in the oath fairy," bristled Blakey. Only one committee member, Pennsylvania Democrat Robert Edgar, voted against the report because of doubts about acoustical analysis. "I think," declared Edgar, "that the committee] jumped too quickly."

**Assumptions:** What troubled the losing minority far more was what a 5-to-2 majority elected to make of the study: that it established not only a second gunman but a "probable" conspiracy between the phantom on the knoll and Oswald. The winners, led by Blakey and chairman Louis Stokes, carried the day with a textbook analogy: that two robbers bursting through separate doors into the same bank at the same time are probably in cahoots. But ranking Republican Samuel Devine argued that connecting two gunmen in a crowd of 10,000 people was an unsupported "assumption based on an assumption." And Richardson Preyer, who chaired the JFK subcommittee, betrayed a twinge of unease at the unadorned word "conspiracy." "It could," he said, "be a conspiracy of two nuts."

The failure of the committee was precisely that it cried conspiracy with so much haste, so little deliberation—and such scanty guidance for any new attempt to pick up the pieces. The Justice Department said it will await the committee's 600-page final report and 40 volumes of evidence, due March 30, before deciding whether to do anything. What it is likely to find in that thicket of rose is the best-drawn case yet against Oswald and Ray—and a surrounding cloud of rumor, circumstance and underexamined science proposing that they did not act alone.

PETER GOLDMAN with ELAINE SHANNON and DIANE CAMPER in Washington and LEA DONOSKY in Dallas