

## RIDDLES IN THE WARREN REPORT

# Oswald case: Still mystery

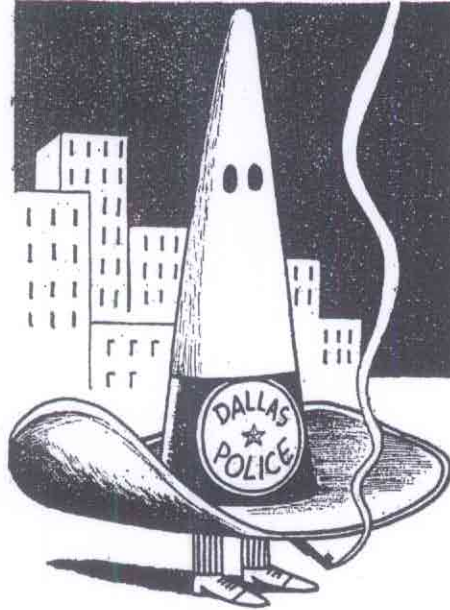
**D**ID LEE HARVEY OSWALD murder John F. Kennedy in Dallas, Texas, Nov. 22, 1963? The Warren Commission report on what is probably the most exhaustive criminal investigation in history charges, to the surprise of almost no one, that he did—alone, unaided and without apparent motive. The nation's press, as expected, accepted the massive Report, released Sept. 27, with few reservations, if any.

Many of the questions and contradictions brought forward during the ten months since the President was assassinated, however, still remain—all the more glaring because the Report has frozen them into an official version of the slaying. The answer to what is perhaps the most relevant question of all—why did Oswald commit the crime—was arrived at by the technique of post-mortem psychoanalysis: "Oswald was profoundly alienated from the world in which he lived . . ." He may have been motivated by a "deep-rooted resentment of all authority, which was expressed in hostility toward every society in which he lived . . ." or possibly his "urge to . . . find a place in history . . ." or his "commitment to Marxism and Communism as he understood the terms."

Another conclusion of profound significance has been disputed by the man nearest to Kennedy when he was shot, Texas Governor John Connally. The Warren Commission maintained in its final version of the shooting sequence (two previous hypotheses, given as fact by Commission sources at the time, were disregarded when it became apparent that such theories cast doubt on the official presumption of Oswald's guilt) that Connally was wounded by a bullet that had previously passed through the President's body. After the Report became public, Connally declared that it was still his belief that the latest Commission analysis of the shooting (first leaked to the press late in May) was incorrect.

The Governor and his wife, who was sitting beside him in the jump seats in front of the President, state that the first bullet hit Kennedy, that the second bullet entered the Governor's back (independent of the first bullet) and that the third bullet struck and killed the President. Connally's recollection of events, of course, does not account for the bullet which investigators now admit struck a curbside near the motorcade. This would mean that there were four bullets, as some eyewitnesses have testified, and that—given the time in which it would have taken to discharge the bolt-action Italian rifle—Oswald could not conceivably have been the lone gunman. The Commission Report concludes that the Connallys were mistaken.

**THOUGH IT** has been denied vigorously that Oswald was in the employ of either the FBI or CIA, the Report dealt inadequately with the startling fact that Oswald—a former defector to the Soviet Union, a man who renounced his allegiance to his country, a self-proclaimed Marxist—was granted a passport in June, 1963, for travel in Eastern Europe after



a 24-hour wait. The Commission findings state: "During this period [a year after returning from the U.S.S.R.], Oswald began to evidence thoughts of returning to the Soviet Union or going to Cuba. On June 24 he applied for a new passport, which he received on the following day."

It has been speculated by critics of the government position that the passport was issued to a man of Oswald's character only because the U.S. had a profitable interest in his new venture abroad. Why else, they argue, was the passport granted with such speed—when passports are denied or delayed for far less inflammatory persons on various political pretexts; and especially since one provision of the passport application read, "I have not . . . ever sought or claimed benefits of any foreign state." Oswald, it would appear, was ineligible under this clause and would have had to append a supplementary statement explaining his qualification under oath—a process that most certainly would have taken more than 24 hours to approve.

According to Thomas Buchanan, author of *Who Killed Kennedy?*, in a radio interview over the NBC network Sept. 27, Oswald's name was sent from the State Department office in New Orleans to Washington along with 23 other names. At this point, the Report states, Oswald's request was routinely approved with the others. Buchanan says, however, that the letters "NO" appeared after Oswald's name. The author says that the Commission explained this notation by indicating that the "NO" represented New Orleans, not an initial rejection. According to Buchanan, none of the other

names was so designated. Why did a passport official initial the point of origination of the request following Oswald's name but not after the others when the entire list was from New Orleans?

**BOTH THE FBI** and CIA have denied that Oswald was in their employ. This has been questioned by Mrs. Marguerite Oswald, mother of the murdered suspect. She is convinced that her son was sent to the Soviet Union by the U.S. government, and she reaffirmed her belief in a CBS television program Sept. 27.

A further question in the Report concerns the only two persons who were close enough to Oswald the morning of Nov. 22 to estimate the size of the package the 24-year-old ex-Marine brought to work with him from the home of his wife and family in Irving, Texas. The FBI and Warren Commission say that the package contained the rifle allegedly used to assassinate Kennedy. Oswald, before he was shot to death in police custody by nightclub manager Jack Ruby, said the package contained window shades for the room he rented in Dallas.

One witness was Buell Wesley Frazier, the man who drove Oswald to work at the Texas School Book Depository. The Commission Report states: "Frazier recalled that one end of the package was under Oswald's armpit and the lower part was held with his right hand so that it was carried straight and parallel to his body."

The rifle Oswald allegedly possessed was 40.2 inches long. Broken down, its largest component—the wooden stock—was 34.8 inches long. A normally proportioned man six feet tall can carry an object 24 inches long between his shoulder and his palm. Oswald was five-feet eight inches tall.

The other witness, Frazier's sister, Mrs. Linnie Mae Randle, estimated that the package was about 28 inches long.

**THE REPORT** discredited their sworn testimony in these words: "The Commission has weighed the visual recollection of Frazier and Mrs. Randle against the evidence here presented that the bag Oswald carried contained the assassination weapon and has concluded that Frazier and Randle are mistaken as to the length of the bag. Mrs. Randle saw the bag fleetingly and her first remembrance is that it was held in Oswald's right hand 'and it almost touched the ground as he carried it.' Frazier's view of the bag was from the rear. He continually advised that he was not paying close attention."

The episode is but one instance of the Commission's rejection of testimony that did not complement the official theory of Oswald's guilt. Incidentally, according to Joachim Joesten, author of *Oswald: Assassin or Fall Guy?*, Oswald's room was in need of curtains.

The surprise of the Report was the testimony of Howard Brennan, who said he saw Oswald fire the shots. Brennan, a 45-year-old steamfitter, said he was sitting on a concrete wall directly across from the Depository, about 120 feet away.

As the motorcade passed, Brennan said, he heard a noise which he thought was a backfire and then according to the Report: "Something just right after this explosion made me think that it was a firecracker being thrown from the Texas Book Store. And I glanced up. This man that I saw previous [Brennan said he saw a man in the window before

the President's arrival] was aiming for his last shot.

"Well, as it appeared to me he was standing up and resting against the left window sill, with the gun shouldered to his right shoulder, holding the gun with his left hand and taking positive aim and fired his last shot. As I calculate, a couple of seconds.

"He drew the gun back from the window as though he was drawing it back to his side and maybe paused for another second as though to assure himself that he hit his mark, then he disappeared."

ACCORDING to the Report, Brennan reached a policeman and described the man in the window, which apparently was the basis for the first police radio alert for a suspect who was "white, slender . . . and in his early '30s." At a police lineup later, Brennan made a tentative identification of Oswald. Because the alleged eyewitness was unable to give positive identification, the Commission did not accept his testimony as absolutely conclusive. Brennan said later that he could have given positive identification of Oswald at the time but was afraid, because of "Communist activity," that "if it got to be a known fact that I was an eyewitness, my family or I . . . might not be safe."

The Report also published the testimony of policeman M. L. Baker who, with building superintendent Roy Truly, encountered Oswald minutes after the assassination in a second-floor lunchroom. "He never did say a word or nothing" Baker said. "He didn't seem to be excited or overly afraid or anything." Oswald's composure (he had, if the Report is to be credited, just shot the President and the Governor of Texas, "paused," secreted his rifle, raced to the back of the building and down four flights of stairs), is at extreme odds with the description of him as a highly emotional, violent man.

THE REPORT discredited one outstanding piece of evidence that would tend to prove Oswald did not fire a rifle on Nov. 22. This was the paraffin test, conducted by Dallas police hours after Oswald allegedly shot the President—the results of which were negative ("no paraffin found on exhibit one," a plaster cast of Oswald's cheek). The test was dismissed as inconclusive.

The Commission decided that Oswald attempted to murder former Maj. Gen. Edwin Walker in Dallas on the night of April 10, 1963, mainly on the basis of testimony from Mrs. Marina Oswald, who said her late husband acknowledged this to her.

Walker, a rightist who was relieved of command in Germany because he distributed John Birch Society literature to the troops, was the apparent object of an assassination attempt while he was sitting at his desk at home. It has never been proved that the bullet which narrowly missed Walker issued from the rifle allegedly owned by Oswald. More than one commentator has remarked on the irony that Oswald, a mediocre marksman in the Marine Corps, was presumably possessed of the most unusual ability to discharge accurately several bullets in rapid order at a moving target at least 200 feet away under unnerving conditions, while seemingly unable to hit a stationary target a much shorter distance away.

Marina Oswald also told the Commission that her husband told her he was going to shoot former Vice President Nixon, but this the Commission attributed to a misunderstanding on her part.

The Report does not contain any direct recording of the testimony Oswald must have given during his almost two days in police custody. Presumably the police did not take notes on the man who was soon to be tried for the crime of the century.

Mark Lane, chairman of the Citizens' Committee of Inquiry (156 5th Ave., New York)—the private group which is conducting its own investigation of the assassination on the assumption that Oswald was not the assassin—spoke at press conference on Sept. 27 simultaneous with the release of the Report.

His most dramatic charge was that he was in possession of "a statement from a woman who actually witnessed the murder of Patrolman Tippit (whom Oswald is accused of murdering while fleeing the Kennedy assassination scene) and who was ordered by the Dallas police not to tell anyone about what she had seen." Lane said the woman gave a description of the killer at variance with the appearance of Oswald. The civil liberties lawyer noted that the Report mentions only one woman eyewitness to the slaying—Mrs. Helen Markham—but does not include the testimony of the other eyewitness. Mrs. Markham, according to material collected by Lane, had originally described Tippit's killer very much as did the second woman witness.

The Commission will publish a score of volumes dealing with specific testimony on the case in a few weeks. It is expected that these documents, some of which cast doubt on the assumption that Oswald was the lone and unaided assassin, will provide a great deal of controversy.

—J. A. S.

### *Duty seen and done?*

*C. L. Sulzberger comments on the Warren Report in the New York Times Sept. 28:*

The commission dismisses the theory that Oswald "must have received aid from one or more persons or political groups ranging from the far left to the far right of the political spectrum, or from a foreign government, usually either the Castro regime in Cuba or the Soviet Union."

This conclusion is primordial. It was essential in these restless days to remove unfounded suspicions that could excite any latent jingo spirit. And it was necessary to reassure our allies that ours is a stable, reliable democracy.