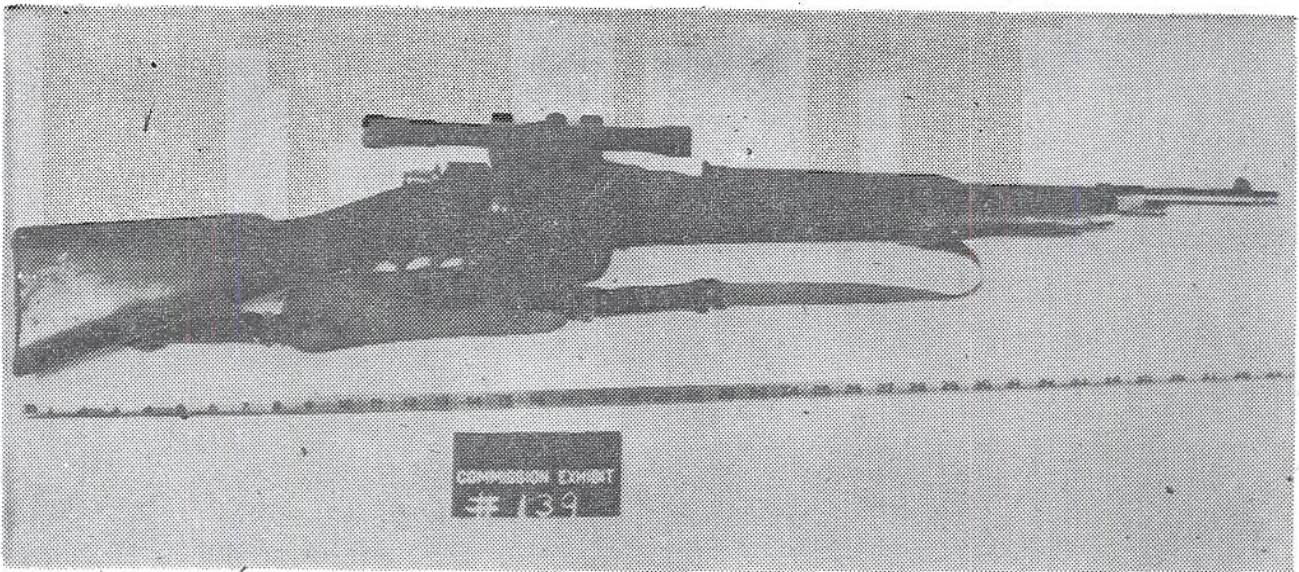


The Garrison Theory Vs. The Warren Report

-See Story on Page 13

Witnesses Give Different Accounts.

Did Lee Oswald Really Kill



DID OSWALD USE THIS RIFLE TO ASSASSINATE PRESIDENT KENNEDY?
Warren Report says yes . . . District Attorney Garrison says no.

—AP WIREPHOTOS.

Kennedy?

NEW ORLEANS
STATES-ITEM

Saturday, June 10, 1967 ★ ★ ★ ★ THIRTEEN

By JACK WARDLAW

Did Lee Harvey Oswald really kill President John F. Kennedy in Dallas on Nov. 22, 1963?

This has become the crux of the controversy over District Attorney Jim Garrison's investigation of the assassination, now more than six months old.

At first, Garrison was seeking only to prove that a New Orleans-based conspiracy was behind the assassination. But in recent weeks the DA has taken up the events at Dallas itself and says "Lee Harvey Oswald did not even shoot President Kennedy. He did not fire a shot from the book depository building. There's no question about that any more at all." He says there were at least two other riflemen firing from the President's right.

THIS MOVES GARRISON FAR AHEAD of previous critics of the Warren Commission report, which concluded that Oswald, acting alone, killed the President. The critics, led by author Mark Lane, were content to pick holes in the Warren Report but stopped short of offering conclusions of their own.

The Warren Commission reported that its conclusions were based on testimony so extensive that it fills 27 volumes, available to anyone at the New Orleans Public Library. The conclusions, whether valid or not, are positive. They leave no room for doubt.

The testimony itself is another matter. Among the 400-odd persons in Dealey Plaza the day Kennedy was shot, there were many people who got many different impressions of what happened.

After sifting through all the testimony relating to the events in Dealey Plaza, the medical reports and the ballistics tests, this reporter is left with these conclusions:

1. There is ample testimony to support theories other than the conclusions reached by the Warren Commission.
2. There is ample evidence to cast doubt on the opinions expressed by Garrison as to how the assassination took place.
3. If the same standards of criticism are applied to the Warren Commission's conclusions as to Garrison's statements, there is ample room for doubt there, too.

In fairness to the DA, it must be pointed out that he is for the present unable to defend his stand because of stiffened court guidelines on statements to news media. Thus, his quotes are not necessarily in exactly the context he might prefer.

Here are the principal elements of the Warren Commission's case that Oswald did the shooting:

After the President was shot, a high-powered rifle belonging to Oswald was found on the sixth floor of the Texas Book Depository building where he worked. Several witnesses said they saw a man with a rifle at a sixth floor window, and three said they saw the man fire the rifle at the time of the assassination. Three empty cartridges were found at the window, and ballistics tests showed they were fired in Oswald's rifle. A bullet found later at the hospital where the President and Texas Gov. John Connally were treated was also fired from that rifle, experts testified. So were two small bullet fragments found in the presidential car, according to an FBI ballistics expert. Medical testimony indicated the wounds on the President and Gov. Connally were consistent with their having been inflicted from that window with the type of gun and ammunition. Oswald's palmprint was found on the rifle, and on boxes of books piled around the sixth floor window. Negroes on the fifth floor testified that they heard shots above them, heard shells fall to the floor, and debris was shaken down onto the head of one of them.

On the other hand, these elements appear to be missing

from the Commission's case:

Oswald cannot be positively placed on the sixth floor at the time of the shooting. He was seen a few minutes after the shooting on the second floor, calmly getting a soft drink. None of the witnesses who saw a man in the window was able to positively identify Oswald as that man. A Negro employe ate his lunch on the sixth floor shortly before the assassination and saw nothing of Oswald. Oswald's palmprint was on a part of the rifle that cannot be touched unless the rifle is dismantled; in other words, the palmprint was not made while shooting the gun.

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GARRISON SAYS OSWALD WAS "FIRST A DECOY, then he was a patsy and then he was a victim." He has



ELM ST. IN DALLAS . . . SITE OF PRESIDENTIAL ASSASSINATION
Grassy Knoll and Wall at Upper Left.

never said specifically whether he believes Oswald stood at the window as a decoy and did not fire, or if someone else fired from the window. But three witnesses thought they saw a gun fired from the window. And it would not have been easy for an individual not connected with the book depository to have gotten in, done the shooting, and escaped without being seen.

The next difference of opinion revolves around the shots themselves. Did they come from the window? Here is what Garrison told an Associated Press interviewer:

"The President was killed by a fatal bullet that was fired from the front. There was a crossfire situation set up, which involved at least two pairs of men in the front — apparently two men behind the stone wall and two behind the picket fence, which is a little bit in back of the stone wall."

(The stone wall and picket fence were atop a grassy knoll down the street and to the right from the motorcade as it proceeded down Elm st.)

"The role of the second man in each case was to pick up the actual cartridges, taken on the bounce, so to speak, so that the cartridges could be disposed of as quickly as the guns, which were apparently tossed in the back of cars. There were cars parked immediately behind.

"In addition to the men in front, they had at least one man in the back who was shooting, although it is becoming increasingly apparent that he was not shooting from the sixth floor of the book depository."

The Warren Commission contends that there is "no credible evidence" that shots came from anywhere except the sixth floor of the book depository building.

WHAT DOES THE TESTIMONY SHOW? In the first place, there was a wide difference of opinion among eye-witnesses on the source of the shots. In fact, more of those who testified thought they came from the direction of the grassy knoll than from the book depository, and this included testimony by trained observers such as Secret Servicemen and law officers. There is considerable testimony that law enforcement officials converged on the knoll area after the shooting in the belief that the shots originated there.

Several witnesses said they saw people fleeing the knoll. Two saw puffs of smoke amid the trees atop the knoll. Police found no one there, but did find tracks — leading in opposite directions. There was a mass of cars parked behind the knoll, and this is apparently where Garrison feels the guns were stashed. There is no testimony that these cars were searched.

The "evidence" of shots from the knoll, as presented to the commission, is pretty thin. But what of the commission's contention that the shots came from the depository and only there? There are difficulties with the medical and ballistics testimony that cannot be ignored.

Here is the commission's account of the shooting:

Three, and only three, shots were fired, all from the book depository window. Two of them hit their mark, one missed. The commission takes no position as to which shot missed.

One shot struck President Kennedy in the neck, narrowly missing his spine, ripped through his body without hitting any bony structure and exited from his throat after ripping through his larynx. This same shot slammed into Gov. Connally's back, shattered a rib and came out near his right nipple. It then tore through his wrist, palm side downward, and penetrated his thigh.

The bullet that did all this turned up on a cot at Park-

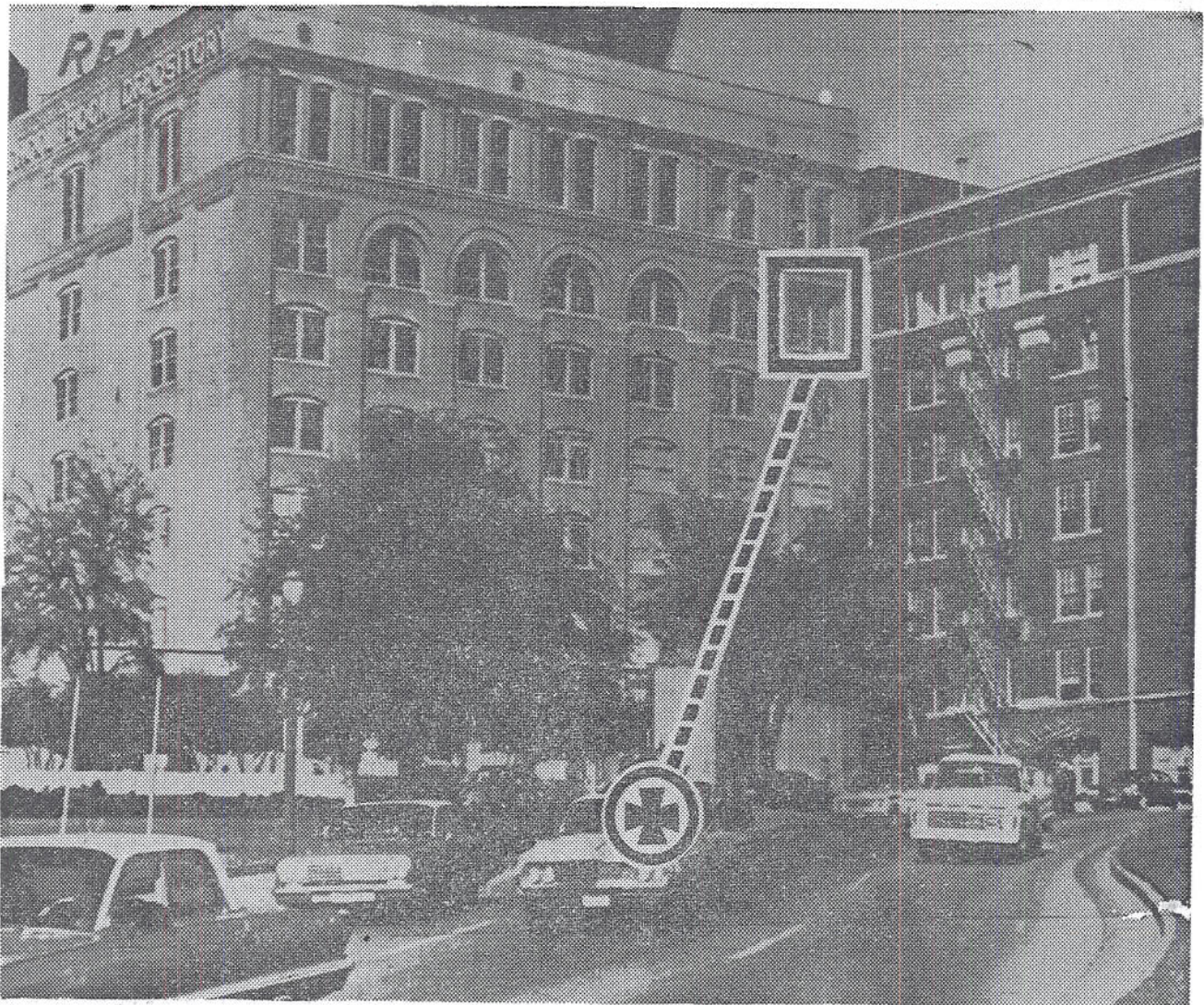
land Hospital, undamaged in any way and missing only 1.4 to 2.4 of its original 160 to 161 grains of metallic weight.

This theory is perhaps the weakest link in the Warren Report. It flies in the face of testimony of witnesses upon whom the commission relies heavily in other instances. If you figure it out mathematically, it is downright impossible on two counts:

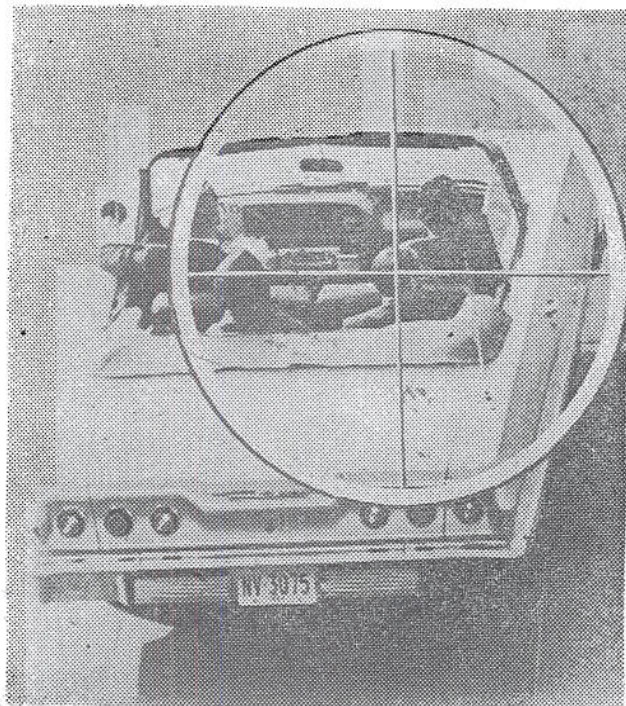
1. More than three grains of metal were found in the wrist and thigh wounds of Gov. Connally, which just doesn't subtract from 161 and leave the weight of the bullet found on the governor's cot.

2. The time sequence doesn't jibe with the recollections of Gov. Connally as to when the shot nailed him in the back. This is a complicated argument and does not make sense unless you fully absorb the following points:

A. THE FBI'S BALLISTICS EXPERT testified that any shot which hit Kennedy from the angle of the window had to wind up either inside Kennedy, inside some other oc-



OFFICIAL VIEW OF SNIPER'S SHOTS . . . DA DISAGREES WITH THEORY



WHAT KILLER MIGHT HAVE SEEN Approximate view reenacted.

cupant of the car, or inside the car. Three bullets were fired and less than 1½ were ever found — one in the hospital, and two fragments totaling less than half a bullet in the car. None was found inside Kennedy or any other passenger.

B. The only way that this can be explained (under the commission's preconditions) is that one of the three shots missed, one went through both Connally and Kennedy and dropped out of the governor's clothing onto the hospital cot, and the third hit the base of Kennedy's skull and shattered into fragments.

C. The FBI gun expert says the fastest (not the normal time but the most rapid by an expert gunman) the bolt of Oswald's rifle can be worked and the gun fired is 2¼ seconds.

D. A film taken of the assassination, which runs at 18.3 frames a second, shows Kennedy reacting to the first shot at frame 225, indicating that he could not have been hit earlier than frame 210. Gov. Connally, due to his position in the car, could have been hit only up to frame 240 and still be consistent with the angle from the depository window. This gave rise to the theory that the same bullet hit Connally and Kennedy.

E. But Gov. Connally specifically remembers hearing the first shot, turning to his right, and THEN being hit by a bullet in his back. Since bullets travel faster than sound, he could not have heard the shot that hit him. And by the commission's own arithmetic, he could not have been hit by the second shot because it could not have been fired until frame 247 at the earliest.

THE COMMISSION RESOLVES THIS dilemma by deciding that the governor must have had a delayed reaction to the shot. In other words, he was hit and didn't know it. At several of the commission's own medical experts had serious doubts about this. Dr. R. R. Shaw, who operated Connally, said that on the basis of the films "I think it hard to say that the first bullet hit both men." On the delayed reaction, he said "when a bony substance is hit, reaction usually is quite prompt." The shot broke Connally's

There are other difficulties. A Secret Serviceman in the car with Kennedy said he heard the President say "My God, I am hit," after the first shot. But the doctor who performed the autopsy said the shot which tore through JFK's larynx probably rendered him speechless. And the fatal shot, which ripped the top of the President's head off, caused him to slump to the left and spattered blood and tissue over persons to his left. This is not consistent with a shot from the rear, but would be consistent with a shot from the right, i.e. the grassy knoll.

What of Garrison's theories? If anybody was shooting from the knoll, he made a fantastically quick escape. And he had to do it on foot, because the only way out of the parking lot was blocked by the motorcade.

The commission's whole structure of logic to justify all the shots coming from the depository window becomes unnecessary if you assume that any one of the shots came from somewhere else. But two gunmen means a conspiracy, and the commission ruled out the possibility of a conspiracy.

GARRISON ALSO HAS A HANDY EXPLANATION for the bullet problem. He says the bullets were frangible. (Frangible — "capable of being broken" — Webster.) He said it this way:

"It appears they used frangible bullets. They are forbidden by the Geneva treaty, but are the kind of bullets that are quite often used — or would be used — for an assassination project by intelligence forces or forces employed by an intelligence agency, because there is assurance even beforehand that there will be no bullets remaining, with any of the landmarks of the guns to help authorities identify the guns. Frangible bullets explode into little pieces."

Last week, a gun expert in Dallas disputed this, saying that frangible bullets explode on contact and do not penetrate. And Comdr. James J. Humes, who performed the JFK autopsy, reported nothing that would indicate any fragmenting inside the body.

(However, it should be pointed out that the commission failed to examine his photos or X-rays. They are hidden in the National Archives and cannot be inspected.)

The "magic bullet" which allegedly went through both Kennedy and Connally was planted in the hospital, Garrison claims, presumably as a part of the plot to make a patsy of Oswald.

PERHAPS THE MOST DAMAGING TESTIMONY to Garrison is the assertion by the FBI's ballistics expert that the bullet fragments found in the presidential car were fired from the Oswald rifle to the exclusion of all other firearms. Unless this testimony is dead wrong, it strongly indicates that **SOMEBODY** fired a bullet from the Oswald rifle into the President's car.

In summary, here are the other major pros and cons in the testimony relating to the slaying:

—There was no testimony whatever that anyone saw any gunman at the Dealey Plaza scene other than one in the school depository window.

—There was no positive identification of Oswald as the man holding a gun in the window.

—Three empty cartridges were found by the sixth-floor window of the schoolbook depository from which the Warren Commission said the shots were fired. The cartridges fit the rifle which was found between paper packing cases on the sixth floor.

There is much more testimony which bears on the credibility of both the commission's conclusions and Garrison's theories. But the sum of the testimony indicates, to this writer, that in order to accept either version it is necessary to ignore or impeach a goodly amount of expert and eyewitness testimony.

The additional evidence which Garrison says he possesses could prove interesting.