

WR

If He Had Lived, the Evidence

WASHINGTON — (UPI) — Had Lee Harvey Oswald lived, a court of law would have been the arbiter of his guilt or innocence in the assassination of John F. Kennedy.

Because he died there could be no trial. It became a function of the Warren Commission to issue for history a finding in the murder of the young President.

The commission devoted some 78 pages of its 888-page report to the evidence against Oswald, much as it would have been presented at a trial and with some of the drama.

Arguments for the defense are there as well as for the prosecution.

THE FINAL "verdict" was written in these 14 words: "... the commission has concluded that Lee Harvey Oswald was the assassin of President Kennedy."

The commission based its conclusion on eight main lines of evidence:

1—The rifle which killed the President was owned by Oswald.

2—Oswald brought the rifle to the Texas School Book Depository building.

3—He was present at the time of the shooting at the window from which the shots were fired.

4—He killed Dallas police officer J. D. Tippit "in an apparent attempt to escape."

5.—He later resisted ar-

rest and attempted to shoot another officer.

6—He lied to police about "important substantive matters."

7—Oswald had made an unsuccessful attempt in April, 1963, to kill retired Maj. Gen. Edwin A. Walker.

8—Oswald was sufficiently trained in marksmanship to have fired the fatal shots and that the weapon involved was capable of the deed.

From ballistics tests the commission concluded that

the Italian-made Mannlicher-Carcano rifle found on the sixth floor of the depository building after the assassination was the fatal weapon.

IT THEN linked Oswald to the gun through this chain of evidence:

The rifle had been ordered from a Chicago mail order firm by one "A. Hidell." The handwriting on the order coupon was identified as Oswald's.

The Dallas post office box to which it was sent was linked to him. Oswald had used the alias "Hidell" before. Various cards bearing that name were found in his possession.

Oswald's palmprint was found on the weapon.

Fibers found on the rifle "most probably" came from the shirt Oswald was wearing that day.

A PHOTO taken earlier in the yard of Oswald's apartment showed him holding the rifle.

Oswald's wife, Marina,

testified that the rifle was stored in a green and brown blanket among Oswald's possessions.

An eyewitness, Howard L. Brennan, picked Oswald out of a police lineup as the man he had seen fire shots from the sixth-floor window. Brennan later was less sure.

BUT THE commission was satisfied he at least saw a man who "closely resembled" Oswald.

The commission went to great lengths to establish that the rifle in question was capable of accurately firing the shots in the time interval fixed by witnesses who heard the explosions.

The FBI fired over 100 rounds of ammunition with the rifle and the U. S. Army tested it from a tower at silhouette targets.

Based on Oswald's Marine Corps rifle practice records plus the fact that he had hunted for a hobby, the commission said he had "ample capability" to have killed the President.