

CBS NEWS INQUIRY
"The Warren Report"
Part I
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With CBS NEWS Correspondents

Walter Cronkite
Dan Rather

and

KRLD-TV News Director Eddie Barker

EXECUTIVE PRODUCER: Leslie Midgley

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CRONKITE: This is what a rifleman would see from a sixth-floor window if he tracked an automobile down Elm Street in Dealey Plaza, Dallas, Texas.

This is a marksman firing three shots from a Mannlicher-Carcano rifle at a target below him and moving away. These two reenactments represent the heart of the Warren Report. In the view of the Warren Commission, they describe fully the circumstance of the assassination of President Kennedy.

But is there more to this story than the Warren Report ever discovered?

ANNOUNCER: This is a CBS NEWS INQUIRY: "The Warren Report." Here is Walter Cronkite.

CRONKITE: On November 22, 1963, at precisely 12:30 PM, John Fitzgerald Kennedy, the youthful 35th President of the United States drove triumphantly into this square, where hundreds waited to cheer him...and where another waited as well.

Seconds later a dying President sped away from Dealey Plaza -- into history, into legend, into a national nightmare of suspicion that persists to this day.

In this country rumors spoke of left-wing plots, right-wing plots, Castro plots; even plots to elevate a Texan to the White House. Abroad, where the transfer of political power by violence is historically more familiar, no rumor was too extreme. Faced with this dangerous condition of rumor out of control, President Johnson quickly appointed a commission to discover the real facts of the assassination, a commission of seven Americans so distinguished that their conclusions must be above suspicion - or so it was thought.

As chairman, the new President literally drafted the Chief Justice of the United States, Earl Warren. The other commissioners: Allen W. Dulles, former head of the Central Intelligence Agency. Hale Boggs, Democratic Congressional Whip from Louisiana. John Sherman Cooper, Republican Senator from Kentucky. Richard B. Russell, Democratic Senator from Georgia. John J. McCloy, lawyer, diplomat and adviser to Presidents. And Gerald R. Ford, Republican Representative from Michigan.

The Warren Commission had the mandates it needed to do the job. It could subpoena witnesses, could invoke the cooperation of any agency of the United States Government, could and did use the F.B.I. and the Secret Service as its investigative arms.

This is the result. On September 24, 1964, the Commission presented its findings in the form of this 888-page report to the President. Two months later, it published these 26 additional volumes, the exhibits and hearings on which the report was based.

Dan Rather at the scene of the assassination:

RATHER: The basic story pieced together by that Warren Commission Report on the assassination is this: A man named Lee Harvey Oswald crouched here in this dingy window of the Texas School Book Depository as the President passed below. Oswald, the Commission tells us, fired three shots. One missed. One struck both the President and Texas Governor John Connally, riding with him. The third killed the President. Oswald, the Report had it, hid his rifle over there, then ran down the stairs, left the building on foot, and hurried down Elm Street. He made his way to his rented room, picked up a revolver, and about 12 minutes later shot Police Officer J. D. Tippit.

Oswald was captured shortly after the Tippit murder, was questioned for two days in a madhouse atmosphere of confusion and then, in a grizzly climax, was himself murdered right in the Dallas police station, by a nightclub operator and police hanger-on named Jack Ruby.

CRONKITE: And that was to be that -- an official version of the assassination, arrived at by men of unimpeachable credentials, after what the world was assured was the most searching investigation in history.

Yet in the two and a half years since the Warren Report, a steady and growing stream of books, magazine articles, even plays and a motion picture, have challenged the Commission and its findings; have offered new theories, new assassins, and new reasons.

Only a few weeks ago, a Harris poll revealed that seven out of ten Americans are convinced that there remain many "important unanswered questions," that the whole truth has not been told.

A Gallup poll shows more than six of every ten Americans question that there was a lone assassin.

MAN: Well, I don't think that all the facts were brought out. I think something was held back.

WOMAN: I think there were more involved in it than just Oswald.

WOMAN: The only thing that disturbs me is the fact that they've sealed away some of the evidence and I think that's rather disturbing to most people.

WOMAN: I've read the Warren Report, and as I say, I think those men are men of honesty and integrity. And I think they were asked to do a tremendous job within a very short period of time after the assassination, and I think they did the very best they could.

MAN: I think it's very accurate.

WOMAN: I don't know how in the world they could ever reach a conclusion that one person assassinated him. It's ridiculous. I saw the whole thing on television. I just happened to be home at that time and I don't think that Oswald ... I think that he was working for the C.I.A. myself.

CRONKITE: Screening out the absurd and the irrational, we are left with a series of real and critical questions about the assassination, questions which have not been answered to the satisfaction of the people of the United States.

In this series of broadcasts, CBS NEWS will try to cast light on those questions. They fall under four headings, which we will examine on successive evenings at this same time.

Tonight's question: Did Lee Harvey Oswald shoot President Kennedy?

For the next two nights, we will take up the question of conspiracy. Tomorrow night we will ask, was there more than one assassin firing in Dealey Plaza?

On Tuesday night we will ask whether, regardless of the actual number of gunmen, there was a conspiracy leading to the President's murder.

And on Wednesday night we will ask: Why doesn't America believe the Warren Report?

We will examine these questions here in our studios in New York, in libraries and laboratories from coast to coast, with KRLD News Director Eddie Barker at the assassination site in Dealey Plaza, and with CBS NEWS Correspondent Dan Rather on the sixth floor of the Texas School Book Depository as for the first time since the assassination, news cameras enter and explore the Depository building itself.

Tonight we ask if Lee Harvey Oswald shot the President. To help us answer that fundamental question we must resolve some lesser questions:

Did Oswald own a rifle?

Did Oswald take a rifle to the Book Depository Building?

Where was Oswald when the shots were fired?

Was Oswald's rifle fired from the building?

How many shots were fired?

How fast could Oswald's rifle be fired?

What was the time span of the shots?

First: Did Oswald own a rifle? There is no reasonable doubt that Oswald owned a Mannlicher-Carcano rifle No. C2766. This is the coupon with which he ordered the rifle, by mail, from Klein's Sporting Goods Company, of Chicago. Hidell is one of several aliases Oswald used from time to time. Oswald paid for the rifle with this money order. Here is the application for the post office box to which the rifle was sent - all these documents in Oswald's handwriting.

This photograph, traced to Oswald's own camera, shows him with an identical rifle. This photograph has been widely challenged by Mark Lane and other critics of the Warren Report. During his interrogation, Oswald himself said that his head had been superimposed on someone else's body. Several publications later admitted that they had retouched it and in so doing may have altered the rifle and other details. Lawrence Schiller, of Los Angeles, a professional photographer and photo analyst, made an independent study, of the original picture and negative.

SCHILLER: This photograph of Lee Harvey Oswald, which was found the day he was captured and disclaimed by him, has been used by numerous critics of the Report. They say that the disparity of shadows, a straight nose shadow from the nose, and an angle body shadow proves without a doubt that this head was superimposed on this body. To properly recreate the picture to see if the straight nose shadow does correspond to the body shadow, you would have to go to the same address, at the same day of the year and at the same time. We did that. This picture was taken on March 31, 1967, at 214 Neeley Street. And it shows without a doubt that a straight nose shadow corresponds with an angular body shadow. And that the fact that there is a disparity of shadows, that fact cannot be used to discredit the photograph.

CRONKITE: Marina Oswald told the Warren Commission that her husband had posed and she had taken the picture. She also said he had owned a rifle.

BARKER: Did you ever see the rifle?

MARINA: Yes. But you know, I fear to take this rifle. I just saw it, you know, in the corner. I never touched it, his rifle.

CRONKITE: It seems reasonable to accept the conclusion of the Warren Commission Report that Oswald did indeed own a Mannlicher-Carcano 6.5 mm rifle No. C2766. The answer is yes.

CRONKITE: Our next question is: Did Oswald take his rifle to the Book Depository Building?

At the time of the assassination, Lee and Marina Oswald were together only on weekends. He lived in a rooming house not far from his job and she lived with a friend, Mrs. Ruth Paine, in the suburb of Irving. Mrs. Oswald said her husband kept his rifle wrapped in a blanket in Mrs. Paine's garage. Oswald usually went to Irving on Friday nights with a fellow worker, Buell Wesley Frazier, but the day before the assassination his routine changed.

FRAZIER: Well, he come to me the Thursday, November 21st, and asked me could he ride on with me that afternoon, and I said yes. And I said, "Why, are you going home this afternoon?" and he replied that he wanted to go home and pick up some curtain rods, so he could put some curtains up in his apartment.

RATHER: Oswald got a lift to the School Book Depository that Friday morning from co-worker Frazier. Frazier's sister, Mrs. Linnie Mae Randle, lived across the street from the Paine house.

MRS. RANDLE: I was preparing lunches for my brother there at my sink, and I looked out the window and saw Mr. Oswald cross the street and come up cross my driveway and he had a brown paper bag in his right hand. It was about 27 inches long. It was made out of a heavy brown paper with heavy-looking tape on it.

RATHER: Incidentally, the search of the Book Depository Building made after the assassination failed to turn up any curtain rods. And the furnished room which Oswald was then occupying was equipped with curtain rods.

So Oswald made an uncharacteristic trip to the Paine home Thursday night, returning to the Book Depository on the morning of the assassination with a heavy-looking package that could pass for curtain rods. Was it the rifle? A difference of about eight inches has made this one of the most contentious points for the critics. Within this package I have a disassembled Mannlicher-Carcano rifle identical to Oswald's. Before I tell you the dimensions, you might want to try to estimate them, as Mrs. Randle and Wesley Frazier did, from memory. Mrs. Randle variously estimated Oswald's package of "curtain rods" as 27 or 28 inches long; her brother, Wesley Frazier said about two feet, "give or take a few inches." As a matter of fact, the disassembled Mannlicher is 34 and eight-tenths inches long. Furthermore, Frazier said Oswald, preceding him into the Depository building, carried the "curtain rods" under his armpit with his hand around the bottom. Now obviously, you can't carry this package that way.

Oswald had gotten out of the car first, and was then walking away from Frazier. The Commission decided that Frazier easily could have been mistaken about Oswald carrying the package. You can decide whether Frazier, walking some 50 feet behind and, in his own words, not paying much attention, might have missed the few inches of the narrow end of such a package sticking up past Oswald's shoulder.

CRONKITE: Despite the dispute about just how he carried the package, the reasonable answer to this question is that he did take a rifle to the Book Depository Building.

ANNOUNCER: This CBS NEWS INQUIRY: "The Warren Report" will continue in a moment.

(ANNOUNCEMENT)

ANNOUNCER: A CBS NEWS INQUIRY: "The Warren Report" continues. Here again is Walter Cronkite.

CRONKITE: Our next question concerns Oswald's whereabouts at the time of the murder: Where Was Oswald when the shots were fired?

These men have just witnessed the assassination of the President. They are co-workers of Oswald, photographed by Tom Dillard, The Dallas Morning News photographer, in fifth floor windows within a minute after the shots were heard.

RATHER: Walter, here in Dallas, Eddie Barker has reinterviewed those men who watched the tragedy from the window just below me. Later on, we will be hearing their own story of the assassination itself. But for now, we wanted to know just what Oswald was doing, and where he was doing it, through the morning of November 22, 1963. We spoke first to this man, Harold Norman:

NORMAN: That particular morning three or four of us were standing by the window and Oswald came over and he said, "What's everybody looking at and what's everybody excited about?" So I told him we was waiting on the President. So he just snudged up and walked away.

RATHER: Our next witness from the fifth floor window, James Jarman, Jr.

JARMAN: I was talking to him around about 10:00 o'clock. On the outside of the building some people had gathered. And he asked me what was they gathering around out there for, and I told him that the President was supposed to come by there that morning. And he asked me what time, and I didn't know what time it would be but some of the people had started gathering around. And he asked me which way would the President be coming, and I told him. And so he said, "Oh, yeah?" And I said, "Yeah." Then he turned and walked off.

RATHER: The last man known to have seen Lee Harvey Oswald before the assassination was another co-worker, Charles Givens. Mr. Givens saw Oswald here, on the sixth floor.

GIVENS: Well, he was standing about middle ways of the building on the sixth floor.

BARKER: What was he doing there?

GIVENS: Well, he was just standing there looking with his orders in his hand.

BARKER: And what did you say to him?

GIVENS: I just said, "Fellow, it's lunch time, you going downstairs?" And he said, "No," he said, "Close the gates on the elevator when you get out." Well I, you know, kind of excited, wanted to see the parade, so when I got downstairs, I really forgot it. I just rushed off and went out to lunch.

BARKER: This would be about what time?

GIVENS: Well about one or two minutes after 12.

RATHER: So the testimony from those who saw Oswald inside the Book Depository is consistent. The testimony from eyewitnesses in the Plaza below is not. The Warren Commission had to choose between seriously conflicting accounts, and many of the critics think it chose badly.

Down in the Plaza, Eddie Barker can show us where those witnesses stood and what they were in a position to see, as they tell their own stories.

BARKER: Dan, Arnold Rowland was here with his wife on Houston Street in the crowd waiting for the motorcade. A few minutes before it arrived, Rowland told the Warren Commission, he noticed an elderly Negro man up in the window where you are now, where Oswald is supposed to have fired from. But he told the Commission, and a few days ago repeated his story for us here, of seeing a gunman lurking in another window entirely:

ROWLAND: And I just lookin' around and we noticed a man up in the window and I remarked to my wife, tried to point him out. And remarked that he must be a security guard or a Secret Service agent.

BARKER: So, the window, then, that you're referring to is on the opposite end of the building from where the main entrance to the building is?

ROWLAND: Yes, it is on the other side of the building. And he had a rifle. It looked like a high-powered rifle because it had a scope which looked, in relation to the size of the rifle, to be a big scope.

BARKER: Now over here, Dan, still on Houston Street and not very far from the Rowlands, was Mrs. Caroline Walther. Mrs. Walther says she saw two men with a gun in the Book Depository.

MRS. WALTHER: I looked at this building and I saw this man with a gun, and there was another man standing to his right. And I could not see all of this man, and I couldn't see his face. And the other man was holding a short gun. It wasn't as long as a rifle. And he was holding it pointed down, and he was kneeling in the window, or sitting. His arms were on the window. And he was holding the gun in a downward position, and he was looking downward.

BARKER: About what floor would you say these two men were on that you saw in the window?

MRS. WALTHER: The first statement that I made, I said the man was on the fourth or fifth floor, and I still feel the same way. He was about -- in a window that was just about even with the top of that tree. I saw the man had light hair, or brown, and was wearing a white shirt. That -- I explained to the F.B.I. agents that I wasn't sure about that. That was my impression on thinking about it later. That I thought that was the way the man was dressed.

BARKER: Now, what about this other man who was in the window?

MRS. WALTHER: This other man was wearing a brown suit. And that was all I could see, was half of this man's body, from his shoulders to his hips.

BARKER: Now over here, on the corner opposite the Book Depository, stood a fifteen-year old boy named Amos Euins. A few days ago, Amos Euins came back here with us and gave a vivid account of the assassination itself and of a "piece of pipe" he saw poking out of a window -- your window, Dan.

EUINS: When he come around, and when I was standin' here, I happened to look up and I seen a pipe, you know. So I never did paid no attention thinking it might be a pipe, you know, just a pipe stickin' out. So it was stickin' out about a foot, about that high, you know.

BARKER: Point out for me, Mr. Euins, the window where you saw the pipe.

EUINS: It was about on the sixth floor, right below the banister.

BARKER: Among the witnesses here in the plaza, the Commission relied heavily on the testimony of Howard Brennan, who, watching from just about here, said that he actually saw the assassin firing.

HOWARD BRENNAN: I looked directly across and up, possibility of a 45-degree angle. And this man, same man I had saw prior to the President's arrival, was in the window and taking aim for his last shot. After he fired the last or the third shot he didn't seem to be in a great rush, hurry. He seemed to pause for a moment to see if for sure he accomplished his purpose, and he brought the gun back to rest in upright position, as though he was satisfied.

CRONKITE: It should be noted here that the Commission failed to follow up Mrs. Walther's story. She was interviewed briefly by F.B.I. agents but never called before the Commission or its staff, who accumulated vast minutae on the relatives of relatives of Lee Harvey Oswald.

Despite these discrepancies, his co-workers knew and certainly saw Oswald. The CBS NEWS answer: Oswald was in the Book Depository Building when the shots were fired, most probably on the sixth floor.

ANNOUNCER: This CBS NEWS INQUIRY, "The Warren Report," will continue in a moment.

(ANNOUNCEMENT)

ANNOUNCER: A CBS NEWS INQUIRY, "The Warren Report," continues. Here again is Walter Cronkite.

CRONKITE: We come now to our fourth question for tonight: Was Oswald's rifle fixed from the building? To answer this one the Commission placed major reliance on physical evidence found within the building. Three shells, later identified as fired from Oswald's rifle, were found forty-two minutes after the shots. Ten minutes later a rifle was discovered.

RATHER: The rifle was found on the sixth floor, back near the stairway between some cartons by Deputy Constable Seymour Weitzman. And from that episode came a description that has plagued the Warren Commission account for years, the identification of it as a German Mauser.

Eddie Barker asked Constable Weitzman what happened.

WEITZMAN: I'll be very frank with you. I stumbled over it two times, not knowing it was there.

BARKER: Just went right by it.

WEITZMAN: Went right by it. And Mr. Bone was climbing on top, and I was down on my knees looking, and I moved a box, and he moved a carton, and there it was. And he in turn hollered that we had found a rifle.

BARKER: Well, when did you first get a full view of the gun?

WEITZMAN: When the crime lab brought the gun out, after they had gone over it. I could see portions of the gun while they were doing partial investigation of it here in the building.

BARKER: What kind of gun did you think it was?

WEITZMAN: To my sorrow, I looked at it, and it looked like a Mauser, which I said it was. But I said the wrong one because just at a glance I saw the Mauser action, and -- I don't know -- it just came out words, it's a German Mauser. Which it wasn't. It's an Italian-type gun. But from a glance it's hard to describe, and that's all I saw it was at a glance. I was mistaken, and it was proven that my statement was a mistake, but it was an honest mistake.

RATHER: So Mr. Weitzman now seems sure that the rifle was indeed Oswald's Mannlicher-Carcano, and that his identification was simply a mistake.

The most important ballistic evidence in the case is a spent bullet, two bullet fragments, and three empty shells, or hulls, as they are sometimes described. The nearly whole bullet was found in Parkland Hospital under circumstances we'll consider in detail tomorrow night. The two fragments were found in the Presidential limousine. The shells were found here on the sixth floor, below the windows here, by Patrolman Gerald L. Hill, who told Eddie Barker about it.

GERALD L. HILL: We saw a barricade, a sort of three-sided barricade of boxes that would have shielded anyone between the boxes and the window from general view, from the rest of the floor. And then immediately under the window that was later determined to be the actual spot that the shots were fired from, there were three rifle bullet hulls, right against the baseboard of the building where the floor and the wall come together.

CRONKITE: One of the experts who made the ballistic examination for the Warren Commission was Dr. Joseph D. Nicol, Superintendent of the Bureau of Criminal Investigation for the State of Illinois. Walter Lister asked about his conclusions.

NICOL: It is my feeling that both the fragments, as well as the one relatively whole bullet, had been fired in the same gun. And then based upon the comparison of the tests which were available to me, it was my opinion that the same weapon which fired the tests also fired the -- the three evidence specimens.

LISTER: In the case of the virtually intact bullet that was found on a stretcher in Parkland Hospital, and the two fairly sizable fragments found in the front of the Presidential limousine, you felt that those were definitely fired from Oswald's rifle?

NICOL: Yes, sir.

LISTER: To the exclusion of all others?

NICOL: To the exclusion of all others, right.

CRONKITE: From the ballistic evidence it seems that the answer to the question of whether Oswald's rifle was fired from the building is yes.

To this point the Warren Commission's case appears strong; despite minor discrepancies it appears that Oswald had the opportunity and the murder weapon.

And now we come to one of the most telling arguments that has been raised against the Warren Report in these past two and a half years, a point which we now know seriously disturbed members of the Commission itself. For the critics argue that Lee Harvey Oswald could not have fired his rifle fast enough and accurately enough to be the sole assassin. The critics argue therefore either that Oswald was not the gunman at all, or that there was more than one gunman. Well now, here we have twin questions. How many shots were fired in Dealey Plaza that day? And how long did it take to fire them?

First, how many shots were fired?

RATHER: Walter, the obvious way to answer those questions seemed to be to talk to our eyewitnesses in Dealey Plaza, ask them how many shots they heard, and in what kind of sequence. That's what we tried first.

MRS. WALTHER: I'm sure there were four shots.

BARKER: How many shots did you hear?

WILLIAMS: I heard three. The first and second was further apart than the second and third. In other words, there was a bang -- and a bang-bang right thereto.

BARKER: How many shots did you hear?

NORMAN: Three.

BARKER: In how long a period of time?

NORMAN: Oh, I'd say just about like this, you know -- boom (clicking sound) -- boom (clicking sound) boom. Something similar to that.

NIX: I would say -- bang -- bang -- bang

HOLLAND: There were definitely four shots.

WEITZMAN: Well, just three quick bursts, like bang-bang-bang.

CRONKITE: There is an old axiom among lawyers that nothing carries more weight with a jury, or is less reliable, than eyewitness testimony. In this case we have just learned that the testimony of assassination earwitnesses also is unreliable. In a moment of utter horror and confusion, in a bowl certain to start echoes, it's too much to expect that human ears will register and correctly recall the number and sequence of a series of quick shots.

But we have heard Mr. Hill describe how he found three shells, and Mr. Nicol state that they were fired from Oswald's rifle. Many critics maintain that additional shots were fired; but no physical evidence ever has been produced. The most reasonable answer to this question seems to be: three shots.

But it is only barely possible that three shots could have been fired by Oswald alone. The most dramatic and most important single piece of evidence of the assassination was provided by Mr. Abraham Zapruder, who, on November 22, 1963, stationed himself with an amateur movie camera right here.

On one roll of 8 mm color film, Mr. Zapruder had the astonishing luck to capture the entire assassination. We cannot show you that film on television. It was purchased from Mr. Zapruder by LIFE Magazine. That film, though, serves as a clock. If we know the exact speed the camera was running, and can see in the film where the bullets struck, it should be possible to determine not only how many shots were fired, but the amount of time between them. This is critical to the question of whether Oswald could have physically accomplished the murder.

If the time between shots was less than the time necessary to operate Oswald's cheap bolt action rifle, a rifle like this one, then obviously he was not the sole assassin. A test of time between shots could not prove that he did fire the shots. It might prove that he did not.

RATHER: Here is how the Warren Commission reconstructed a time sequence from the film. Now Mr. Zapruder was filming the motorcade from the grassy knoll. At the very moment the gunman must have been tracking it from up here.

Using the critical frames of the Zapruder film as a guide, the Warren Commission, and now we, can reconstruct exactly what the gunman must have been seeing at every moment.

We know that the President had not yet been hit when the car slipped beneath this oak tree. The President would have come into the gunman's sights, in the Report's words, "for a fleeting instant through an opening in the leaves, just as frame number 186 went through Mr. Zapruder's camera." Remember that frame, 186.

We stop the car at frame 186 to show you what a gunman would have seen in that instant, except for the fact that the tree has grown since 1963. There's more foliage on it now. And the overhead highway signs were not there then.

The Commission did not think the shot was fired here. Now the President is again concealed by the leaves, emerging just as the Zapruder camera, over on the grassy knoll, is shooting its 210th frame. The gunman can now see the President again, but Mr. Zapruder's view was blocked by a ground level sign, and his film didn't show what was happening in frame 210, which the Commission decided was the first moment that President Kennedy could have been hit.

The Zapruder film did not show the President again until frame number 225, where we stopped the car once more. Here the Zapruder film seemed to show the President already hit; so that hit must have occurred somewhere between frames 210 and 225 of the Zapruder film. As to just where, we'll have some intriguing new evidence in a few moments.

Along here the Commission said a second shot was fired, probably a miss. But at this point the third shot, the fatal one, destroyed the President's head. That moment is clearly shown in Mr. Zapruder's film, at frame 313.

Could Oswald really have done this? Marine Corps records show Oswald had attained the rank of sharpshooter; but he was not a genuine expert, according to his fellow servicemen. One of his fellow Marines claimed that Oswald was actually a very poor shot, and simply was not interested in marksmanship activities.

CRONKITE: It seemed evident that we should try to establish the ease or difficulty of that rapid fire performance. Hence, our next question: How fast could that rifle be fired?

Oswald's rifle was test-fired for the Warren Commission by F.B.I. and military marksmen. The rate of fire for this bolt action rifle and its accuracy against a moving target were critical to the Commission's case against Oswald. And yet, incredibly, all tests for the Commission were fired at stationary targets. The F.B.I. won't comment on why.

Based more on testimony than on firing tests, the Commission concluded it was an easy shot for Oswald to hit the President at that range. From its tests the main conclusion drawn was that this Mannlicher-Carcano could not be fired three times in a span of less than 4.6 seconds, because it took about 2.3 seconds to operate the bolt mechanism between shots.

To explore glaring omissions in the tests fired for the Commission, CBS News decided to conduct its own tests with the Mannlicher-Carcano.

RATHER: A moving target is harder to hit than a stationary one, and the elevation of the sixth floor window might make a difference. The only elevation for the Warren Commission firing tests were the 30-foot tower, less than half the height of the Book Depository's sixth floor above Elm Street.

So CBS NEWS had a tower and target track constructed to match exactly the heights and distances in Dealey Plaza. The target track was angled to match precisely the angle of Elm Street. The target, a standard F.B.I. silhouette, moved by electric motor at eleven miles an hour, approximately the speed of the Presidential limousine. A rifle of the same make and age as Oswald's was fitted with the same 4-power telescopic sight found on his rifle. These CBS News tests were conducted on different days at the range of the H. P. White Ballistic Laboratory, in rolling farmland, north of Belaire, Maryland. Eleven volunteer marksmen took turns firing clips of three bullets each at the moving target. None of the men had much familiarity with the Italian Mannlicher-Carcano, although each was given time to practice at a nearby indoor range; and most of the volunteers were experienced with bolt action rifles.

In each case the first shot was fired at a point approximating the point at which the Warren Commission deduced the first shot was fired. Distance, about 175 feet. In six seconds the distance grows to 270 feet.

Results varied. A Maryland state trooper made two hits in the silhouette, one near miss -- in slightly less than five seconds. Another state trooper's best time was 5.4 seconds. One hit, two near misses.

A weapons engineer had the best score. Three hits in 5.2 seconds. A technician at the H. P. White Ballistics Laboratory managed three shots in the fastest time, 4.1 seconds, half a second faster than the fastest time turned in for the Warren Commission, but only one hit.

Altogether the eleven volunteer marksmen made 37 attempts to fire three shots at the moving target. 17 of those attempts had to be called no time, because of trouble with the rifle. In the 20 attempts where time could be recorded, the average was 5.6 seconds.

CRONKITE: From our own tests we were convinced that a rifle like Oswald's could be fired in 5.6 seconds or less, and with reasonable accuracy, at a target moving much the same as the Presidential limousine was travelling away from the Book Depository's sixth-floor window.

So, clearly, there is no pat answer to the question of how fast Oswald's rifle could be fired. In the first place, we did not test his own rifle. It seemed reasonable to say that an expert could fire that rifle in five seconds. It seems equally reasonable to say that Oswald, under normal circumstances, would take longer. But the circumstances were not normal. He was shooting at a President. So our answer is: probably fast enough.

ANNOUNCER: This CBS NEWS INQUIRY: "The Warren Report," will continue in a moment.

(ANNOUNCEMENT)

ANNOUNCER: A CBS NEWS INQUIRY: "The Warren Report," continues. Here, again, is Walter Cronkite.

CRONKITE: In addition to the number of shots, and the capability of the rifle, it is important to know the time span between shots - since, as we pointed out previously, if the shots were closer together than the rifle could be fired, two rifles must have been involved.

So, our next question: What was the time span of the shots?

The answer might lie in Mr. Zapruder's film of the assassination. You'll recall that the Commission decided that the first shot was fired at frame 210 on the Zapruder film, and the last shot at frame 313.

Tests of the camera made by the F.B.I. reported that it was running at a speed of 18.3 frames a second. Divide 103 frames by 18.3 frames a second, and you get 5.6 seconds - which is the time the Commission reported Oswald probably had to take.

It's a point upon which the critics have siezed. Could Oswald have fired three shots in 5.6 seconds? Well, then new evidence made its appearance.

It was at first called to our attention by a distinguished physicist, Dr. Luis Alvarez, of the University of California at Berkeley.

BILL STOUT: What was it that made you interested enough to dip into the Warren Report to begin analyzing the photos of that day?

ALVAREZ: Well, I think it was probably that I had lunch every day with a bunch of my graduate students who were keenly interested in the controversy that was going on at the time. For a while I couldn't get very interested in it. But then when LIFE Magazine republished the frames from the Zapruder movie, I spent an evening looking at them - and I found something that excited my interest.

STOUT: What first caught your eye, Dr. Alvarez?

ALVAREZ: Well, it's right here in the picture. At frame 227, the highlights on the windshield of the car are all drawn out into rather pronounced streaks. And you can see that in the frame ahead the highlights are individual dots. And again in the frame beyond them are individual dots.

So something rather violent happened to the line of direction of Mr. Zapruder's camera in frame 227. It swung violently.

CRONKITE: If Dr. Alvarez were right, the Zapruder film might contain a record of the number of shots fired. If blurs, which could be accepted as evidence of gunshots, occurred in a certain time span - then the shots themselves would be in the same span.

We remind you again that the film is owned by LIFE Magazine, and is not available for broadcast. So, CBS News commissioned an expert photo analyst, Charles Wyckoff, of the Massachusetts firm of Edgerton, Germeshausen and Grier, to make an analysis of the Zapruder film frames.

Dan Rather interviewed Mr. Wyckoff.

RATHER: Mr. Wyckoff, the entire Zapruder film shows the whole assassination?

WYCKOFF: Yes, it does, Dan. The -- the film was an 8 mm motion picture film, and the entire record, in which the President was in view, was represented on a film about this long - which only took about ten seconds. And all of the records of interest were on this small piece of film. We actually looked at all the frames, but we only studied certain frames in detail. And the reason for studying those frames in detail was the fact that there were certain little things in there that looked blurred at first. And we were quite interested in why they looked blurred.

For instance, on frame 190 here, or rather, let's start with frame 189 - there's a wall in the background with little -- little holes, that you can see a white building through those holes.

RATHER: Now, that's a tiled ...

WYCKOFF: That's a tiled wall. And you can see the little holes, if you look at it with a magnifying glass. Here, you see those that are nice and round, and fairly sharp. And, yet, in frame 190, right next to it, you can no longer tell that those holes are circular. They're blurred out.

RATHER: Now, why is that?

WYCKOFF: Something must have happened to Mr. Zapruder when he was -- something must have startled him when he was holding his camera. He had a -- a camera very much like this model right here, which is an 8 mm camera. And as he held it up to his eye, focusing -- concentrating on the President, something startled him - and he jumped a little bit with the camera.

RATHER: Not nearly that much?

WYCKOFF: Not anything like that at all. Just a very subtle jump. But that was just enough to cause a blur of these little holes in here. And also a blur of highlights on the car.

RATHER: All right, now, you see that very clearly in frame 190, and that frame does look distorted - and you can't see the white holes in the wall across the street clearly at all. Now, how many times does that occur in this ten second stretch of 8 mm film?

WYCKOFF: Now, that -- that occurs several times, as we've represented up here on the -- on this film on the wall. It occurs at frame 190, it occurs again at frame 227. Frame 227 was the next evidence that I had of Mr. Zapruder moving his camera. And it occurs at frame 318.

Now, this is interesting, because we all know that at frame 313 the President received the fatal shot. We have a natural reaction time - that -- that he heard the sound at about the same time that the -- that something happened to President Kennedy, when he was fatally wounded here. We can apply this same correction, of about four or five frames, to each one of these frames where I noted motion.

In other words, I am saying that it was possible that there could have been a shot fired here, another one fired in this area of 222, 223, and another one in the area of 313 - noticeable now in 318.

I think the important thing is the fact that we have found an indication some twenty frames prior to the time the Warren Commission thought that the first shot was fired. Now, whether or not this was a shot, we cannot say. But certainly Mr. Zapruder, the photographer, was disturbed at that point.

STOUT: What does this finding mean to those of us who simply have followed the controversy over the assassination, and are not physicists?

ALVAREZ: Well, to me, it means that there were indeed three shots fired, as the Commission said; that the one that apparently didn't hit anyone in the car was fired before the one that hit the President, and not between the two shots that obviously hit the President.

CRONKITE: Just as a rough check on this theory, we decided to try it ourselves, using other cameramen holding similar cameras, standing on a rifle range, filming an automobile while a rifleman fired over their heads.

These two volunteers are aiming their cameras at a parked limousine. Their instructions: "Hold the cameras as steady as possible, and keep filming no matter what happens." The shots will come between them and the car. The cameramen are as far from the firing platform as Mr. Zapruder was from the sixth floor of the Book Depository. (Sound of gunfire in background)

The reaction was obvious. The film taken by these cameramen showed the effect of the shots, despite instructions to hold steady. Even in steadier hands, motion was always noticeable. This frame shows highlight dots around the car's windshield. In reaction to a shot, the dots changed to crescents. And in the following frame they become streaks, comparable to streaks found on some frames from Mr. Zapruder's film.

Incidentally, Dr. Alvarez also suggested that the first shot might still be lodged in the tree. We checked it with a metal detector. But, unfortunately, it did not reveal any presence of a bullet. Perhaps more sophisticated equipment will be developed in the future to x-ray the tree.

Perhaps the most intriguing feature of the entire Alvarez-Wyckoff experiment is this - at the time he undertook to study the film for us, Charles Wyckoff was unaware that there was anything unusual about frame 186 of the Zapruder film. He tentatively placed one shot there, only because of Mr. Zapruder's slight jiggle at frame 190. Yet, in the Warren Commission Report we learn that, to a gunman tracking from the Book Depository the President's head would have come into view for an instant through a hole in the foliage, just at frame 186 - where it now appears something startled Abraham Zapruder.

If a shot had been squeezed off there, a shot which missed, the length of time available to Oswald begins to stretch, even if the Commission's clock is right, for the Warren Report placed the first shot at frame 210.

But, now, that brings up a second question. Was the clock right? You'll recall that the Zapruder film is the basic clock for all of these events. Now tests of the camera, made by the F.B.I. - a camera like this one - reported that it was running at an average speed of eighteen point three frames per second. The camera had been obtained from the Bell and Howell Company, the manufacturers.

During our CBS investigation we asked the company if they had tested the camera's speed. The result was a public announcement that they had tested it, and the result was the same as the F.B.I. test. And the announcement continued that they had that day donated the camera to the National Archives - and this is it.

But if the clock was not exactly right, then the whole sequence of events - from the number of shots, to the time span of the shots, and many other things - would be affected.

Curiously, most of the critics themselves accepted the 18.3 speed without a question - except one, who insists it was running at twenty-four frames, as could have happened if the control had been depressed.

Now, we decided to see if we could clock the clock. We turned again to photo expert Charles Wyckoff.

WYCKOFF: They have a clock over here with a sweep second hand. And if we photograph that clock with each one of these cameras, we're -- we will be able to measure the time that it takes to run through the few hundred frames, as we've shown here. And I'll -- I'm -- I will try this for you right now. What I'll do is to turn a light on and illuminate the clock dial, start the camera, and then start the clock and let it run for about a ten or fifteen second period.

RATHER: And you do that with each camera?

WYCKOFF: We do that with each camera. And then we take the film out, process it from each record - and we end up with a result very similar to what you see on this chart right here.

This corresponds to the first camera. This is the second, the third, the fourth, and the fifth. We started each frame here -- we edited until we got the frame corresponding to zero time on each one of the cameras. Then we counted off the same number of frames on each camera record that corresponded to frames 190 to 318 in the Zapruder record.

RATHER: And there was this much difference in the cameras, although they were the same kind of cameras?

WYCKOFF: Same kind of cameras. There was this much difference in time. The first camera read 6.90 seconds. The second camera, 7.30 seconds. The third, 6.70. The fourth, 8.35. And the last, 6.16 seconds.

RATHER: So, under this theory, the shooter, or shooters, of the shots could have had up to how many seconds to fire?

WYCKOFF: They could have had, according to this, up as much as eight and thirty-five hundredths of a second - which is a pretty long time.

CRONKITE: In this hour we have been considering the relationship between Oswald and the assassination. To the account given in the Warren Report we have made three additions, each of which rests on evidence at least as persuasive as any provided by the Commission.

Our analysis of the Zapruder film suggests strongly that the first shot was fired at frame 186. The Commission said only that the first shot to hit came between frames 210 and 225.

Something startled Mr. Zapruder earlier. And the evidence is that a rifle shot was what startled him.

We have shown that the Zapruder camera was quite possibly running slower than the Commission thought. The earlier shot and the slow camera together mean that the rifleman may have had additional time to get off three shots.

We have shown by carefully controlled experiments that a Mannlicher-Carcano rifle can be fired more rapidly and accurately than the Commission believed.

Now, these points strengthen the Warren Report's basic finding. They make it more likely that Oswald shot the President. They significantly weaken a central contention of the critics - their contention that Oswald could not have done it because he did not have enough time to fire.

It is now reasonable to assume that the first shot fired through a tree missed its mark, and that it was this shot that Governor Connally heard. The Governor's insisted all along that he was not struck by the first shot. It now appears he was correct.

Now we can answer all our secondary questions.

Did Oswald own a rifle? He did.

Did Oswald take a rifle to the Book Depository Building? He did.

Where was Oswald when the shots were fired? In the building, on the sixth floor.

Was Oswald's rifle fired from the building? It was.

How many shots were fired? Three.

How fast could Oswald's rifle be fired? Fast enough.

What was the time span of the shots? Seven or eight seconds.

Did Lee Harvey Oswald shoot President Kennedy? CBS News concludes that he did.

Yet this is only the beginning of our inquiry. We drew the distinction between Oswald as a killer, and Oswald as the killer.

The Warren Commission, despite the most widely accepted, and often, re-stated capsule version of its findings, did not state that Oswald was the only killer. It did state that it could not find any evidence that others had conspired with him.

Yet it is on precisely this point that most Americans question the Commission's conclusion most strongly. Almost two out of three Americans seem to feel that behind such a monstrous deed there must have been a conspiracy.

Tomorrow night we'll be back at this same time, with Dan Rather and Eddie Barker in Dealey Plaza, when we consider the question: Was there a conspiracy?

ANNOUNCER: This has been the first of a series, a CBS NEWS INQUIRY: "The Warren Report." The second part will appear tomorrow night at this same time.

This broadcast has been produced under the supervision and control of CBS NEWS.