

NY 105-38431

117

Good evening ladies and gentlemen. My name is JAMES ARONSON. I am the Editor of the "National Guardian". I had intended to say just a very few words of introduction tonight and then turn the meeting over to the chairman, but a set of exasperating circumstances has caused a change of mind so I hope you will bear with me for a bit. If the circumstances were merely exasperating they could be shrugged off but they cannot because they hold the portents that are dangerous and, if you please, un-American. I would be remiss if I did not share them with you tonight. Stated simply and directly the fact is that the directors of Town Hall, which is owned and operated by New York University, did their utmost to prevent this meeting from taking place tonight. Please hear me out. That this meeting is taking place can be credited to the persistence of the "National Guardian" with a most able assist from EDWARD J. (applause)..... a most able assist from EDWARD J. JENNIS, who is General Co-Counsel of the American Civil Liberties Union, and a group of devoted Guardian supporters (shouting)..... beg your pardon. Oh, well we can't prevent full coverage. We do believe in freedom of expression and freedom of information. And the third assist that I was just speaking about came from a group of devoted Guardian supporters who accept without qualification and without question the First Amendment to the Constitution. It was not until yesterday afternoon, a scant 24 hours before this meeting, that this hall was assured despite the fact that almost every ticket by that time had been sold. The events will be reported fully in the February 21 issue of the "National Guardian" but here are the pertinent details of a story which makes a mockery of the vaunted dedication of a 133 year old university without enough to know better to the spirit of free inquiry.

The "National Guardian" hired this hall on January 14, more than a month ago. We paid half the rent and Town Hall deposited the check and printed the tickets. Then, on January 24, the "New York Journal American" printed a story which said that Mrs. MARGUERITE OSWALD would appear on this program to proclaim her son's innocence. The words are the "Journal American's". I still don't know what Mrs. OSWALD is going to say here tonight. We really do believe in free speech

TEXAS, N.Y. DC

COPIES DESTROYED

- 1 -

21 FEB 20 1973

NY 105-38431

down on East 4th Street where the "National Guardian" is printed. (Applause). Now, on January 28, we got a letter from ORMAN DRAKE (phonetic), Director of Town Hall, who is Associate Dean of New York University's Division of General Education. He said that the terms of the lease had been altered. We had told him, he complained, that MARK LANE was to speak. As a matter of fact, on January 14 we did not even know whether Mrs. OSWALD would be free to come nor did DRAKE mention the other speakers who had been listed in public advertising. On this basis, said DRAKE, Town Hall could not sign the lease. Mrs. OSWALD's appearance would be incendiary he said and would serve no useful purpose in his words. Town Hall, he said in language which was more appropriate to the COOLIDGE era, does not choose to be a party to the airing of a case that is presently being studied by the Presidential Commission. Quite a policy for an organization that for 20 years sponsored America's town meeting of the air. I wonder if they don't ever play back their old records. Reasonable remonstratives on our part were of no avail. We were referred to New York University's President JAMES HESTER (phonetic), who was remarkably unavailable. So we went to the law, and through our Attorney, I. G. NEEDLEMAN, we told our tale to EDWARD ENNIS who agreed immediately to represent us without fee in the event that legal action became necessary. And now let me interpolate something here. I had never met Mr. ENNIS before last week. I don't even know if he read the "Guardian" before MARK LANE's December 19 article appeared, but I will say this - in my lifetime I have encountered few people who have shown such a quick and selfless appreciation of uncivil liberty and acted accordingly. We are eternally grateful to him for all his assistance. (Applause). I talk about follow through. I am pleased to say that he is in the audience tonight and I know he is within my earshot so will he please take a bow. Mr. ENNIS. (Applause). Now this Mr. ENNIS is a man of some persuasion apparently because on February 5 the "Guardian" got another letter from Dean DRAKE and it said this: "Considering the total circumstances surrounding the issue between us, we now suggest that we enter into an agreement for a meeting on the evening of February 18" - but the concession was made with a tight fist and a new piece of nastiness. Town

NY 105-38-31

Hall insisted on a \$25,000 bond to protect the physical property at Town Hall against material damage by all you roughnecks. Back we went to Mr. ENNIS. In an eloquent communication to Dean DRAKE he suggested that there was little reason to expect damage, after all we had a FELIX GREEN (phonetic) here at Town Hall to a turnaway meeting last spring and there wasn't even a scratch on the wall. Furthermore, he said the demand for the bond was hardly consonant with the belief in and respect for the Constitutional right of free speech and peaceable assembly, and furthermore, New York's police were on record as being able and willing to protect the right of a peaceable assembly at petition and he quoted Commissioner MURPHY to this effect. Dean DRAKE replied, "No bond, no meeting". That was hardly a week ago. After a council of war we determined that legal action might carry us past the time of this meeting and thus effectively cancel it. We felt that the meeting itself and its contents were paramount at this point so we got a \$25,000 one-day insurance policy, at considerable cost I can assure you, against damage. New York University turned it down. The bond or nothing it said. On February 14, a day dedicated to love, we went to several bonding companies and found them universally loveless. No bond. Finally, the directors of New York University, probably meeting in a vault under Washington Square Park, agreed to our placing of \$25,000 cash in escrow in a bank. Well I think most of you know we don't have it. So, over the weekend we enlisted the financial aid of a group of dear friends of the "Guardian" who were outraged by NYU's action and at 3:30 p.m. yesterday, after banking hours, we met in the board room of a 5th Avenue bank, turned over \$25,000 in cash and securities, and got the damn lease in our hands. (Applause). So that's how you're here tonight. But we don't intend to let the matter rest here and we hope you won't either. (Applause). I trust that every able-bodied penman and penwoman, when he or she leaves this hall, will write a letter of protest to President JAMES HESTER of New York University, Washington Square, New York City. I'm sure he's left his vault by now.

NY 105-38431

Now this story goes beyond New York University and this single meeting. In his letter demanding the \$25,000 pound of flesh, Dean DRAKE said that the decision to insist on it had been made, and these are his words: "Following conferences involving other interests and thus it reflects the concern of more than this institution". Now the persisting question must be asked again and with greater urgency than ever - "Why are honest efforts to present as much information as possible about the events in Dallas on the weekend of November 22, 1963, meeting with such resistance?". The "National Guardian", for its part, will not cease to raise this question nor will it cease to seek answers to it. (Applause). It was in this spirit, in the belief that no American is safe if an assassin can shoot down the President of the United States and the matter in effect is shoved under a rug, in the further belief in the fundamental principle that a man must be presumed innocent until proved guilty, in this spirit the "National Guardian" has undertaken to present all possible available facts in the assassination of President KENNEDY and the case of LEE HARVEY OSWALD. We do not seek here to prove a man's guilt or innocence. We seek to establish a body of information and evidence upon which such a determination may be made. This is the crucible of civil liberties in America. This is a foundation stone on which the "National Guardian" was established in 1948 and the principle which guides it today. We are under no illusion about the strength of our voice but we are confident that the facts we are publishing and the reasons why<sup>we</sup> will ultimately break through. We have sold 30,000 reprints of MARK LANE's brief printed on December 19. The mail on this case has been the heaviest in our history. The concern throughout the nation has been manifested by the crowds that have turned out wherever MARK LANE has spoken in these last weeks from coast to coast and we are particularly gratified that we had to give up at least 50 seats here tonight to the representatives of the press - local, national and foreign. (Applause). I hope they can break through. (Applause). And now, having said my preliminaries, to the business of the evening.

NY 105-38431

Our chairman tonight is a Professor of Law at Rutgers University and before that he taught at Yale Law School. He was, in his early days, a clerk to Justice HUGO BLACK. A leading authority in the field of civil liberties and civil rights, he is author, with Professor TOM EMERSON of Yale, of the highly respected Political and Civil Rights in the United States, a man of strong and often iconoclastic views, Professor DAVID HABER (Applause).

N.J.  
Comm.  
N.Y.

Let me say at the outset that nothing I have to say represents the views of my university nor do I speak as an expert on this case. I am here primarily because I have been impressed with the need for greater publicity connected with this case and I have been somewhat puzzled and taken aback by the aura of secrecy that has surrounded that case, especially right after it was first greeted with an extraordinary amount of publicity while Mr. OSWALD was still alive. Secrecy in an investigation, and investigation is a word after all, and it is very hard to know exactly when an investigation becomes a trial, but secrecy in an investigation always makes us think of the fact that someone is trying to hide something and that this is not the best way in which the truth can be discovered. I'd like to quote in this respect a now famous general who was born in a by now famous town. He said, I was raised in a little town of which most of you have never heard called Abilene, Kansas. Now that town has a code and I was raised as a boy to prize that code. It was meet anyone face to face with whom you disagree. In this country if someone dislikes you or accuses you, he must come up in front. He cannot assassinate you or your character from behind. Just this simple statement juxtaposed against many circumstances of this particular case bring us up sharply and must make us think about what may be happening to this simple code of Abilene, Kansas, which most Americans still think they believe in but which they rarely recognize in the course of current events, and it is to bring Americans up sharply so that their minds become more critical again in terms of their own philosophy that it is necessary to keep a continued publicity going on cases such as this. This investigation

NY 105-38431

cannot easily be criticized in any standard terms but that doesn't mean that it should not be analyzed. I said an investigation may be a trial. It may not be. We don't know but it is possible that this commission will either directly or by inference convict someone though after his death. That too is an unusual circumstance but it's an important one. A man's reputation, his family's reputation, these are important things and the possibility of conviction by investigation is an important thing to recognize as a possibility and an analysis of the type of procedures by which this is done is an important thing. This tribunal is not a jury. It is not even a judge. There is one judge not acting as a judge. There are many people on the tribunal who have very particular identifications - to what extent are they the type of people who should be judges? How were they selected? Could they have been selected in a different way? Should there be an investigation of this sort at all? In what way should it have been organized if it shouldn't be one of this sort? Then the question of confrontation of witnesses reminds us also of the right of cross-examination, but here again it is difficult to know how you go about it because the question is who is entitled to cross-examine. The accused no longer is in a position to choose his own lawyer. Who can choose the lawyer for him? The very fact that this may be difficult doesn't necessarily lead to the conclusion that there should be no cross-examination at all. It may lead to the conclusion that a procedure must be found for finding a man who would undertake the cross-examination, whether that be the person MARK LANE who has volunteered to do so, or someone else who might be brought forth to volunteer to do so and be chosen in some other way. These are all questions and issues I think of vital importance to this country. And most important of all I want to remind you, and I think I may not have to remind this audience, but I think the American people should be reminded that when the shocking news came of the President's assassination that there was in this country an almost unanimous feeling that this assassination was not simply a singular extraordinary shocking event, that it had something to do with the temper and the nature of our times and the particular political and social controversies

NY 105-38431

and problems that exist in our times. This investigation was started in the midst of that debate, which I think was of extraordinary importance, and one of the consequences, I believe, of the investigation has been that for the most part this debate was stopped. It is true that the commission is supposed to investigate this aspect of the case as well and that it will undoubtedly have a report that will deal in part with this aspect of the case. But again the very secrecy of the proceedings, the mystery that surrounds the case means that at this point people who would have been willing to talk, to make inquiry, to debate, to do what all the editorials called for, namely soul searching, American soul searching, has momentarily stopped and the result is that we will have a report. It will come to a conclusion of some sort on this major issue but it may not be the kind of timely report that will re-awaken in us this need to search our souls. I think this is perhaps the most important aspect of this investigation and therefore all the publicity, all the free discussion, I think, can only do good rather than harm. Now, as moderator, I would like to introduce to you first Mr. JACK MINNIS (phonetic) and Professor STAUGHTON LYND, who authored together an article in the "New Republic" connected with this case. Mr. MINNIS was recently a Research Director of Voters Education for the Southern Regional Council. He has been dismissed from that job because he issued an affidavit on behalf of Miss JOANIE RABINOWITZ, who is being tried in connection with the Albany - Georgia demonstration in the case of alleged perjury, and his affidavit was requested by his lawyer and by her lawyer and stated that it would not be possible for a jury in that area to give a fair trial, a white jury to give a fair trial to a white woman from the north who has associated with Negroes. Now for that, as I understand it, he was dismissed. The statement, as I gather, finally was that he was guilty of insubordination. Will you please stand up Mr. MINNIS. (Applause). Speaking on Mr. MINNIS' behalf and his own behalf will be Professor STAUGHTON LYND, who is a Professor of History at Spellman College, and is going to be teaching at Yale University next year. Professor LYND. (Applause).

N.Y.

Mr. Caprio

NY 105-38431

Ladies and gentlemen. I don't know why but when I thought about this meeting in the wilds of Atlanta, Georgia, where I live, for some reason I pictured the Metropolitan Opera House going way way back and I thought we would, each of us, need foghorns to communicate and I'm very happy to find that we have such an intimate setting where we can really talk to one another. I happen to be a specialist in the period of the American Revolution and this reminds me of a town meeting which indeed the name of the hall suggests it should be and you know there were town meetings, in Boston for example on the eve of the revolution, that were this large. I believe that what most needs to be said about what happened in Dallas is that there has been something wrong with the feel of this affair from the very beginning. Three people are dead and that is really enough but these horrible tragedies have been enveloped in an atmosphere of artificiality, of manufactured information, of insubstantial and changing facts, so that occasionally the whole sequence of events seems a production of Madison Avenue or Hollywood. A grotesque blend of modern public relations with the ultimate reality of death, and after I had written those words I picked up the "New York Times" to find that a Hollywood company is proposing to release a movie, the subject of which, a final touch of irony, is the trial of LEE HARVEY OSWALD. Ask yourselves why you are here and I wonder if you will not find that all along the story presented to us in the mass media has seemed to have something sleazy, something shoddy, something rotten about it which leaves then nagging doubt at the back of one's mind. Is it not strange that when radio, TV, magazines, newspapers are absolutely sure of what happened, when the Warren Commission seems to have lost interest in how the President was killed, when even poor MARINA OSWALD is brought forth to say that she is sure her husband did it - isn't it strange that when these things are so, you and I and so many many more Americans still have an uneasy feeling about the whole production from one end to the other? (Applause). One of the things that makes me uneasy about the Warren Commission is that it apparently does not intend to investigate how President KENNEDY was killed. I had assumed, and I imagine you assumed, that the Commission was set up primarily to answer the many questions that have nagged so many people as to how three bullets could have been fired so rapidly and accurately from one gun, how the President could have been shot from behind with a bullet which entered

D.C.  
TEXAS  
11.5.63



NY 105-38431

his throat from in front, and so forth and so on. But, according to Mr. RANKIN's ... statement on January 11, President KENNEDY's murder is not among the six areas of inquiry which the Commission has set itself. Mr. RANKIN says the Commission will investigate (1) every detail of LEE OSWALD's activities on the day of the assassination, (2) the life and background of OSWALD, (3) OSWALD's career in the Marine Corps and his stay in the Soviet Union, (4) the murder of OSWALD in the Dallas Police Station, (5) the story of JACK RUEY, and (6) the procedures used to protect President KENNEDY. He does not include the murder of the President. That would seem to mean that the Warren Commission intends to accept without question the FBI report on the details of the murder and that makes me profoundly uneasy. It makes me uneasy because the FBI is obviously an interested party. Mrs. PAINE, with whom MARINA OSWALD was living last fall, has stated that the FBI knew early in October that LEE OSWALD was employed at the Texas School Book Depository Building. Dallas Chief of Police CURRY stated on November 23, and then abruptly withdrew the information, that the FBI had interviewed LEE OSWALD himself a matter of days prior to November 22. Since the assassination the national magazines and newspapers....

NY 105-38431

From suggestions that LEE OSWALD might have been an FBI agent. Certain facts such as the ease with which he repaid a large government loan and the fact that he obtained a passport last summer in one day, which I understand is an unusual occurrence. Certain facts do seem to point in the direction of the hypothesis that LEE OSWALD may have been an FBI or CIA agent. Given these circumstances for the Warren Commission to accept at face value the FBI version in an event in which the Bureau was so intimately involved strikes me as flagrant dereliction of duty. (Applause)

One may say does not the autopsy at Bethesda clear up all these doubts as to how the President was killed? The first question that arises about the autopsy is why its contents were leaked no earlier than December 17th, almost a month after the assassination. The apparent answer is that "Seeds of Doubt" the article by Mr. JENNIS and myself, was on the Washington newsstands the day before. Now this does not mean that the autopsy was forged or false and yet it is strange that the authorities permitted statement after statement by the Dallas doctors about an unquestionable wound in the front of the President's throat to go unchallenged until JACK JENNIS, RICHARD DUDMAN and I pointed out that if there were an entry wound in the throat the bullet could not have been fired by LEE HARVEY OSWALD. (Applause)

Further, newspaper accounts of the alleged autopsy report have the same confused contradictory aspect as newspaper accounts about every other facet of this case. Some source, as in the "Times" for December 17th, said that the first bullet did not hit the President's throat "where the right shoulder joins the neck". Other sources, as in the "Washington Post" on December 18th, place the bullet's entry 5 to 7 inches below the collar line. Moreover, the alleged back wound, which no one at Parkman Hospital noticed as the President's coat, shirt,

NZ 145-38431

undershirt were being removed, is said to have been only 2 or 3 inches deep with no injuries to vital organs. This raises other questions. If the first bullet was not fatal, why did the President make no sound in the 5 seconds before another bullet hit him? If the first bullet entered the President's back, why did his hand move convulsively to his throat and if no vital organ was injured, how is it that the Dallas surgeons were convinced that the first bullet that hit the President entered his lung? On November 30th the "New York Times" described the scene in the emergency room stating "then one of the doctors noticed a frothing of blood on the neck wound." "He's bubbling air," the doctor said, "this means a hole in the lung." That description was consistent with Dr. KEMPLE/CLARK's statement that the first bullet struck the President on the Adams apple range downward into his body and did not exit. Another of the Dallas surgeons, Dr. ROBERT/SHAW, went so far as to specify that the first bullet entered the throat and crossed downward to puncture the right lung. Thus, if one believes the leak about the alleged autopsy, one is required to reject not only the testimony of the Dallas surgeons as to the entry of the wound in the President's throat, one must also disqualify their repeated explicit statements that the bullet which entered the throat crossed downward puncturing a lung. The most serious contradiction in press reports of the autopsy involves the bullets as Mr. JENNIS and I state in "Seeds of Doubt", the identification of the gun allegedly belonging to CSWALD with the President's death was made on the basis of a bullet supposedly found on a stretcher by a Secret Serviceman. Now if we accept the autopsy leak, that bullet must have been the bullet that entered the President's back, for according to the leak, both bullets 2 and 3 fragmented, bullet 2, the bullet which struck Governor CONNELLY, was now said to have

NY 105-38431

fragmented in such a way that a splinter passed through a windshield in the limousine. Bullet 3, which struck President KENNEDY's head, is now said to have fragmented that a splinter passed down through his neck and out at the adams apple. "Time" magazine, bullet 3 literally exploded in KENNEDY's head. Now by this explanation the hole in the windshield and the wound in the throat are accounted for after a fashion, but what thereby becomes impossible is the story of the bullet on the stretcher. Since bullets 2 and 3 fragmented, then the only bullet which could have remained intact to be found on the stretcher was bullet one. This was the bullet, which according to the autopsy, entered the President's back, but also, according to the autopsy, that bullet, and I am quoting now the "Washington Post", was found deep in the President's shoulder. "United States News and World Report," on December 30th, affirmed that this first bullet "struck President KENNEDY in the back and lodged in his body". After the first report of the autopsy leak somebody noticed that this new version of the assassination made the earlier story about the bullet found on the stretcher impossible, for on December 30th "Newsweek" had this to say about the bullet, which according to the "Washington Post" had been found deep in the President's shoulder: "This bullet, the Navy doctors believe, probably dropped out of the President's body and was the one reported found on the stretcher at Parkman Hospital in Dallas." Needless to say both the story that the bullet was found deep in his shoulder and the story that the bullet dropped out and was found on the stretcher were derived from usually reliable but always anonymous sources. Now I simply have been trying to demonstrate that the autopsy leak, far from settling all problems as to how the President was killed, only adds further complications. Consider how much more economical a hypothesis results if one supposes that the first bullet came from in front. It travels from the viaduct railroad overpass at a slight downward angle, crosses through the

NY 105-38431

windshield at a point as Mr. DUDMAN has described the hole to me, about midway between the two sides of the windshield and midway between the bottom and top, still traveling at a slight downward angle, it enters President KENNEDY's throat at the adams apple. If one chooses to believe that there was a back wound, one can go on to believe that the bullet after entering the throat traveled through the body at a slight downward angle and exited, not entered about six inches below the collar line. The hypothesis of a shot in front restores credibility to a number of witnesses. It would even make believable for the first time the story of the bullet found on the stretcher, but of course also requires giving up the idea that the bullet found on the stretcher was fired by LEE OSWALD. In conclusion, with regard to the autopsy, I think the public is justified in saying flatly to the WARREN Commission any report from the commission which does not include the full text of the FBI report, full text of the Bethesda autopsy and the commission's evaluation of these documents, any report from the WARREN Commission which does not include these things is thereby disqualified as an adequate answer to the question the nation is asking. (Applause)

You may be saying, can one really suppose that here in these United States there may have been a conspiracy to kill the President or that if there was a conspiracy, parts of the federal government may desire to conceal it? Let me as a historian suggest an answer to these questions by a historical analogy. There was once a man accused of treason on the basis of circumstantial evidence. He was convicted when a secret dossier was sent to his judges by the counterespionage agency of his government. This dossier was sent with the consent of the

NY 105-38431

Minister of War, but without the knowledge of the rest of the Cabinet. The prosecution was unable to suggest a motive for the crime of the defendant and the defendant steadfastly affirmed his innocence, yet the defendant was declared guilty. No one in public life questioned the judgment of the court, only the family of the condemned man protested the decision and were determined to bring about a revision of the trial by working to find evidence of the real traitor. Eighteen months later a new head of the Secret Service accidentally discovered that the condemned traitor was in fact innocent. When this new head of the Secret Service attempted to have the case reopened he was broken in rank and given a job outside the country. Not until twelve years later did a court finally clear the name of ALFRED DREYFUS. (Applause)

The DREYFUS case suggests to us how a conspiracy may have worked in Dallas. Only a very few persons need have been part of the actual conspiracy to kill the President. After the crime, one or more of these persons would have directed the investigation away from the couple who so many people saw running from the viaduct and toward the killer who nobody saw, LEE OSWALD. The historian MARCEL THOMAS stated that no one suggested DREYFUS was guilty because he was a Jew, but that because he was a Jew the idea of his guilt was acceptable more easily than it would have been for another. Similarly with OSWALD, once it became clear that a man who had been to the Soviet Union and who was, it was said, had worked for Fair Play for Cuba, was a possible culprit, public opinion could consider no one else. Then of this hypothesis, federal agents who may well have known better, closed ranks behind the theory of OSWALD's guilt. To

NY 105-38431

quote another historian of the DREYFUS affair it was not that the leaders of all these forces deliberately meant to invent a charge against an innocent man, but once it had been levied and its solidity assured, the innocence of the accused became really unthinkable. Still later when it was realized that the original trial of DREYFUS had gone astray because of evidence concocted by the French Secret Service, a military court of review comparable to the WARREN Commission, nonetheless once more declared DREYFUS guilty in the belief, to quote Professor THOMAS, that "the counterespionageservice would have been disorganized with great cost to the national security if its methods had been divulged". (Applause)

Washington privately have their doubts about the received version of this crime. The real problem is what they do with their doubts, for I think most of them go on to say to themselves even if OSWALD is not guilty, isn't better things be left as they are? LEE HARVEY OSWALD and JOHN F. KENNEDY are dead, we can't help them now, so isn't it wiser to keep silent rather than challenge the prestige and authority of those agencies and individuals in government who are committed to the theory of OSWALD's guilt. No it is not better, the fundamental issue in this case is whether truth and the welfare of individuals should sacrifice to a supposed national interest and I say no. There is a time when Americans were convinced that MILTON would let winds of doctrine blow so long as truth be in the field then there was nothing to fear. There was a time when Americans could say with THOREAU and WALDEN that finally we want only the truth. Now we seem to have

NY 105-38431

become a society in which when push come to shove and the blue chips are down we fall back on a previously prepared cover story. So we lied about the U-2, we lied about the Bay of Pigs and now in my judgment we are lying about the assassination of a President.  
(Applause)

Surely at some point we should stop and ask ourselves why our society has become so fearful of the truth. The answer to those who plead for silence in the national interest was long ago phrased by the French intellectual CHARLES PEGEE. PEGEE commenting on the DREYFUS case put the case of the pseudo-patriot as strongly as it can be put and then refuted it. Paraphrasing the condemners of DREYFUS, PEGEE said a nation is something unique, a giant assemblage of the most legitimate, the most sacred rights and interests. Thousands and millions of lives depend on it in the present, the past and in the future. The first duty of so unique an achievement is not to let itself be jeopardized for one man whoever he be however legitimate his interests. That is the right no nation possesses. DREYFUS had to sacrifice himself and be sacrificed against his will if needs be for the repose and safety of France. Thus PEGEE put the case of his opponents, and then he said I would like to lay these words on the conscience of each person here tonight but we answer that a single injustice, a single crime, a single illegality, especially if it be officially confirmed and registered, a single insult offered to justice and to right, especially if it be legally, nationally, conveniently acceptable, a single crime is enough to break the whole social pact. A single



NY 105-38431

breach of honor, a single disgraceful act is enough to dishonor and disgrace a whole nation, it is a gangrenous spot which soon spreads over the whole body. What we defend is not out honor only, not only the honor of our nation now, but the historical honor of our nation, the honor of our ancestors, the honor of our children. Our adversaries, PEGEE concluded, were concerned with the temporal salvation of our country, we were concerned with the salvation of its eternal soul. I would like to conclude with a quotation from an American in 1735, the news printer JOHN PETER ZENGER charged with seditious libel. Defending him attorney ANDREW HAMILTON used words which I think might be the motto of all of us concerned about the case of LEE OSWALD. "And all the high things that are said upon the side of power will not be able to stop the peoples mouths". Thank you very much. (Applause)

Thank you Professor LYND. Our next speaker needs no introduction. He has been in the newspaper quite a bit of late. He is well-known as a fighter for civil rights against landlords, against corruption in this city and he is the volunteer who has asked for the privilege of cross-examining and informing the present commission. I give you Mr. MARK LANE.

Thank you, I have tried many cases here in this borough and I have discovered in my thirteen years of trying probably several thousand criminal cases that the foundation, the touchstone or our judicial system, the presumption of innocence is a cliché that is meaningless when it comes to actual practical application. I have questioned many respective jurors right here in New York County. Do you know what the presumption of innocence means? Of course. Will you apply it in this

NY 105-38431

case? Certainly. You understand how important it is? Of course I do. Well look at my client sitting behind the table, JUAN SORANO, charged with murder in the first degree, do you think he is innocent? Well frankly Mr. LANE where there's smoke there's fire or he would not be here, etc. That is in the ordinary case here in New York and elsewhere, but when the media of this nation sinks its fangs into a case the presumption of guilt becomes almost insurmountable as in the case of the people of Texas against LEE HARVEY OSWALD. Exhibit number one, the generally careful "New York Times" "President's assassin shot to death" before there even was a commission to look into the case. Exhibit number 2, "Journal American" "today scales of justice" with RUBY and a smoking pistol, OSWALD and a smoking rifle. Exhibit number 3, "Life" magazine, current issue, I quote, LEE OSWALD with the weapon he used to kill President KENNEDY and officer TIPPET. When did that trial take place? Lets get to some of the facts in this most remarkable case. First we begin with the murder weapon. There is no question about it we have an affidavit here which someone thought important enough to secure for me from the District Attorney's Office of Dallas. Which I assume the District Attorney read about in the "New York Times" this morning, which states by the officer dated November 23, 1963, the date that the affidavit was taken that he found the rifle, "this rifle was a 7.65 Mauser bolt action". He goes on to describe it. The rifle was between some boxes by the stairway. The time the rifle was found was 1:22 PM. Do you get that, German Mauser 7.65 MM. The same day that LEE HARVEY OSWALD was arrested, immediately the District Attorney of Dallas, leaping before the first live television camera that he could find and there were plenty on the scene, stated that OSWALD had been arrested, that he had used an alias H. O. LEE number one,

NY 105-38431

number 2 that he had murdered he had probably shot the President and in any event that they had found this Mauser, German Mauser 7.65 caliber. The next morning, however, the Federal Bureau of Investigation released for the first time the statement that LEE HARVEY OSWALD had back in 1963 purchased an Italian carbine 6.5 MM under the alias A. HADEL. Immediately waved before the next live television camera, the weapon we found yesterday was an Italian carbine 6.5 MM. We also forgot to tell you yesterday when we arrested Mr. OSWALD he had in his possession "in his pocket book on his person" an identification card made out to the name of A. HADEL, with his picture on it. Clearly it was an alias he used, but he forgot to mention it to us the day before when he talked about the alias H. O. LEE. H. O. LEE, incidently, was an alias which he secured he told us by having police officers go to visit OSWALD's home in Dallas. The original alias A. HADEL he could have secured by looking on the papers in OSWALD's possession. Perhaps the most remarkable of all the changing shifting evidence in this case is in relation to the bullet wounds which I will not go into great detail because of the excellent job done in that regard earlier by Professor LYNN. But I will say this, the original version given out of the Federal Bureau of Investigation in background briefing sessions of the news media of this country stated that the first bullet entered the President's throat from the front. They base this upon the stories which had been given wide circulation "of the three doctors who worked upon the President, Dr. PERRY, who explained how he inserted the tube through the President's throat through the hole in the throat to prevent the President from strangling. How the wound started at the throat and ranged downward in the chest.

NY 105-38431

Dr. MC CLELLAN, who stated I know the difference between an entrance wound and an exit wound. We see a bullet wound at least every day in this hospital, he stated, sometimes more than one a day, and I know the difference between an entrance wound and an exit wound, and Dr. CLARK, who pronounced the President dead, took exactly the same position. And so the original version stated by the Federal Bureau of Investigation accepted these facts that the wound in the throat was in fact an entrance wound. Now if I may use that blackboard for a moment. Here we have the Book Depository Building, here we have Houston Street coming in this direction and turning into Elm Street in this direction. Here we have a triple railroad overpass, here we have a grassy knoll leading up to that overpass and here's a concrete facade right over there. The original versions given up by the Federal Bureau of Investigation was that OSWALD was here, second window from the right on the 6th floor of the Book Depository Building. The Presidential limousine was here approaching the Book Depository Building when the first shot was fired, entering the President's throat, shot number one. The automobile then turned and was past the Book Depository Building when shot number two was fired by OSWALD striking Governor CONNELLY. Shot number three was fired here into the rear of the President's head killing the President. Well we have a problem with that story, they had a problem with that story. In addition to the fact that it was totally false all of the witnesses present stated that it was totally false. They stated, including Governor CONNELLY, Mrs. CONNELLY and almost every single witness present when the Secret Service reenacted the entire crime shortly thereafter, to agree that the Presidential limousine had passed the Book Depository Building and had proceeded some 75 yards in fact behind the Book Depository Building, when the first shot was fired. Version number 2. Places the Presidential limousine here when shot number one was fired, here when

NY 105-38431

shot number two was fired and right here in front of the overpass when shot number three was fired. Well now there's a new problem which of course has emerged and that is the question of how OSWALD shot the President from the front from the back. Not at all insurmountable for the police investigating authorities however. It was answered for us by "Life" magazine, a splendid publication which has given such fair account of this case. They explained that it was sure the first shot and with use of pictures, the first shot was fired by OSWALD after the Presidential limousine was some 75 yards beyond the Book Depository Building. Secondly that the shot which struck the President first had entered his throat from the front. This was in a full page banner headline called "An End to Nagging Rumors About Those Six Seconds" and they ended the rumor by stating simply that these two matters can be explained that that President had turned completely around and his head was facing the Book Depository Building when the first shot was fired. In addition to the fact that that story was totally false, there was another problem with it. The very week before "Life" magazine printed the pictures, the stills of the motion pictures, showing the President when he had been shot. Showing the President with their own captions detailing what was happening. Showing the President looking almost directly forward as the first bullet entered his throat and so version number two given to Mr. LUCE's publication by a leak from the Federal Bureau of Investigation and that is not an assumption that is a fact. Version number two went out of the window leaving prosecuting authorities with all that was left version number three, and this is the first time the first time the three physicians who worked upon the President

NY 105-38431

were to be questioned. They were never asked before anything about how the wounds were caused or the nature of the wounds, nothing at all until this time and then two Secret Service agents, armed with the government hospital report at the Naval hospital in Bethesda, visited the three doctors, not to ask them, but to explain to them how the wound had taken place and that they had been in error. And they stated in a statement made that they accepted the version that they had been in error, that the wounds, that the entrance wound in the throat was indeed an exit wound. They used different language to describe it, of course. However, a reporter for a national news magazine called Dr. PERRY on the phone and said, "How can you say now that the wound in the throat was an exit wound when you were so certain that it was an entrance wound, you were so certain that it ranged downward into the chest" and his statement to him was "All I can tell you is that you have just heard the official version which we are giving. I know much more about this case but I am not permitted to discuss it with you. All I can say in conclusion is this exit wound theory certainly ties up the case for the FBI in view of all of the rest of the evidence." And so the entrance wound has become an exit wound. Now, of course, if indeed it were an entrance wound, then one might look at that area near the overpass as a place from which perhaps the first shots were fired. I suggest the first shot was fired from there. One reporter by the name of THAYER WALDO, a reporter for the Fort Worth Star Telegram, was standing at the Dallas Trade Mart building with a police captain, standing near a police cruiser in which was seated a police sergeant. They were waiting for the President to arrive as he would have had he weathered that journey. The captain was talking to Mr. WALDO and the sergeant screamed from the automobile, "Come here at once, Captain" and the captain ran over and so did the reporter for the Fort Worth Star Telegram. And the reporter for the Fort Worth Star Telegram heard what his paper did not print, but he told to me, the first statement made over the Dallas police radio, the first official statement. It was as follows: "Repeat bulletin. The President has been shot. It is feared that others in his party have been shot as well. All of the firing appears to have come from a railroad overpass directly in front of the Presidential limousine."

TEXAS

NY 105-38431

Now, four employees of the Dallas Morning News were standing near the overpass on the same side as the Texas Book Depository building, facing the Presidential limousine, with the overpass to their right and the book depository to their left. Among them was MARY WOODWARD, a society page editor of the Dallas Morning News, and the next morning in the Dallas Morning News appeared a story written by her in which she said "the four of us were standing there, we heard the shots. The shots all came from our right and slightly to the rear, from the overpass general direction." Do you know that these four witnesses were never questioned by the Federal Bureau of Investigation, although their names, addresses and place of employment appeared in the Dallas Morning News on the day after the assassination. They were not questioned until I raised this question publicly in Dallas and they shortly thereafter, and I raised the failure of the FBI to question them, and shortly thereafter, the FBI discovered these four witnesses. With hundreds and hundreds of FBI agents from all over the country in Dallas during those first few days questioning thousands and thousands of people, they could not find these four persons who had written an article published in the Dallas Morning News.

Now today I had a conversation with a teacher in the Dallas public school system, standing just opposite those four employees of the Dallas Morning News, and she was perhaps the closest spectator to the President when the shots were fired, and she said four to six bullets were fired. She heard them. She said she was with her friend who took a picture of the President and got in the background the entire Texas Book Depository building. And that camera and all the film was taken from her by the Federal Bureau of Investigation and they gave her a receipt but refused to give her back the film or let her see the picture which was taken. And she said that she kept on saying "I heard four to six shots." And she was told by an agent of the Federal Bureau of Investigation that there are just three shells and just three wounds. And so there were just three shots. And later she was asked "After the third shot, is it possible that you heard firecrackers or that you heard echoes, etc." I'd like to play for you a small portion of her statement to me today:

NY 105-38431

"And so they went on and they said here she is and that was a Secret Service man and they were looking for me and for my friend".

Speaker: I see and they questioned you right there?

Woman: Yes sir, they did and from then on they held us all afternoon.

Speaker: Did they ask you how many shots you heard?

Woman: Yes

Speaker: And you told them what?

Woman: From four to six.

Speaker: And what did they say?

Woman: Well, the consensus of opinion at the place (unintelligible)..... there had been only three shots so I said "Well what's wrong with me. " They kept saying "Are you sure it wasn't echoes, did you think it was firecrackers" and I said "No, I knew it was bullets".

Speaker: Who said that, the reporters or the.....?

Woman: No, the FBI.

Speaker: The FBI. Didn't the FBI ever tell you that there were only three shots fired?

Woman: A Secret Service man told me. How come, am I a kook or what's wrong. I said I heard more than three shots and you keep giving out this information that there were three shots fired. He said "No, Miss HILL, we heard more than that ourselves but we have three ..... and three shells so we all better say three shots".

Speaker: Did you know his name?



NY 105-38431

Woman: No sir, I don't.

Speaker: Would you recognize him if you saw him?

Woman: I'm not sure. There had been a kalidroscope of faces all day.

Speaker: ..... wild day.

Woman: But I do know that one of them told me that a bullet ricocheted at our feet.

Speaker: I beg your pardon?

Woman: That a bullet did hit at our feet.

Speaker: The bullet hit your feet?

Woman: Right.

Speaker: Which side of the street were you on?

Woman: We were directly across from the book depository.

Speaker: I see. You were standing where the grass is.

Woman: That's right.

Speaker: In other words, you would be on the President's left as he is coming towards the overpass.

Woman: That's right.

Speaker: Where.....from where you heard them.

Woman: I thought they came from the knoll.

Speaker: From the knoll which is in front of the concrete facade of the book depository?

Woman: That's right.

Speaker: Near the overpass?

Woman: That's right.

NY 105-38431

Speaker: Did you see any activity in reference to that knoll or the overpass?

Woman: I saw a man running and I repeated that on the first TV interview that I had, had me telling this about the man running and they made so much fun of me, you know, I shut up. I said.....

(End of tape)

There have been a lot of things changing in this case. For example, we were told by Mr. WADE, you will recall that on November 24th, there was a statement made by Mr. WADE reprinted in full in the "New York Times" on November 26th, and that statement by Mr. WADE was, as he said, "I am going to make the evidence available to you piece by piece". And he, in essence, made 15 different charges all of which seemed quite impressive in terms of the case against LEE HARVEY OSWALD. I think one can fairly say that in checking out each of the statements, one can conclude that the statements were either not relevant or totally and absolutely false. Each and every statement made by the Dallas District Attorney on that day.... Among them was the statement that after OSWALD had fired the shots at the President and escaped by bus, he later went into a taxi ~~cab~~. The taxi was driven, he said, by DARRYL CLICK. That name appears as the taxi driver in the text of the statement made by Mr. WADE. It appears in the "New York Times" on the 26th of November. My first trip to Dallas took me to the President of the Teamsters Union which has organized the taxi drivers in Dallas, and also the personnel director of the City Transportation Company which is the one company monopoly for taxis in Dallas. They both agreed there was no DARRYL CLICK, there never had been a DARRYL CLICK in the history of Dallas who had ever driven a taxicab. Perhaps the most interesting document of all is this one which that same fellow was nice enough to get for me, which is a report of the parafin test. Now you may recall that on Saturday, November 23rd, we were told by Chief CURRY, told the press of the nation, told the press of the world, that the parafin test had come back. It was positive. It proved that OSWALD had fired a weapon, it proved that OSWALD was the assassin. Persons, different people, can get different

*Dallas  
Texas*

NY 105-38431

things from the same document, I would suggest, which is the basic reason there is a need for full disclosure in this case and the right of cross examination and perhaps a classic example of that is this parafin test which states the tests were made on OSWALD's hands and on his face as well.

The parafin test is conducted in this fashion. Warm parafin is applied to one's hands and to one's face. A cast is made. The cast is then treated at a laboratory with certain chemicals. Unfortunately, the test cannot be perfect because the chemicals which are used are not sufficiently sophisticated to distinguish between nitrates and suspension present on the hands or face when a weapon has been discharged in the general or immediate vicinity and a hand which has been in the presence of a match which has been struck, a microscopic amount of toothpaste or any of another dozen household items. However, the test can be positive, can be certain in terms of its negative aspects. If there is a negative response, that is proof that one has not fired the weapon involved. There is a positive response in terms of both hands. In terms of the face, and one's face is in closer contact with the explosion of the bullet, then certainly one's left hand which is at least two feet removed, anything closer than one's right hand, but the test on OSWALD's face showed and I quote; exhibit number one was the mask of OSWALD's face; "No nitrates were found in exhibit number one". The conclusion is inescapable. On November 22, 1963, OSWALD had not fired a rifle.

Now in addition to this, we were told that originally OSWALD was charged with the murder of Officer TIPPITT because the case against OSWALD for the murder of TIPPITT was absolutely ironclad; there was no question. Mr. WADE told us he had sent 23 men to their death on less evidence. I don't doubt that that is possible. Nevertheless, the case against OSWALD for the killing of TIPPITT was hardly conclusive, which consisted of one affidavit. I'd like to read the affidavit to you. It's a short one. I'll read it entirely:

NY 105-38431

"At approximately 1:06 PM, November 22, 1963, I was standing on the corner of East Tenth Street and Patton Street, waiting for traffic to go by when I saw a squad car stop in front of 444 East Tenth Street about fifty feet from where I was standing. I saw a young white man walk up to the squad car opposite the driver's side, lean over and put his arms on the door of the car for a few seconds and straighten up and step back from the car two or three feet. At this point the officer got out of the squad car and started around in front of the car and just as he got even with the left front wheel this young man shot the officer and the officer fell to the pavement. I screamed and the man ran west on East Tenth Street across Patton Street, and went out of sight."

Now anyone who has ever seen an affidavit prepared in any jurisdiction will tell you it's done this way. The police officer questions the deponent, gets the information generally, prepares the affidavit and says is this accurate. The witness is then asked to sign it. As a result, much of what a witness has to offer may be excluded by the officer for various reasons, because he thinks it's not material, sometimes because, as in this case I would suggest, because he thinks it's too material. Thereafter, this same woman was questioned by reporters and asked if she gave a description of the assailant to the police and she said yes she did. She gave a detailed description. You will, of course, recall there is not much of a description in here, merely young white man. She said she gave a description and she could give it to the reporters and she gave it to three different reporters at three different times. I think it's fair to state that OSWALD's general description was medium, you've all seen him on television, newspaper, medium height, slender with thin receding hair. The description given by this woman of the man who murdered OSWALD, short, stocky with bushy hair. That's the absolute case against OSWALD for the murder of TIPPITT.

Now let's just try to analyze this case quickly from the beginning and see what took place, if LEE HARVY OSWALD actually did do the things he's alleged to have done.

NY 105-38431

He decided Thursday night, while he was in Dallas, Texas, to kill the President. He decided he would go back to the home in Irving some many miles away in order to secure the rifle. Now why he would pick that particular rifle is difficult to know. Let me assure you you can buy a rifle in any bakery store, in any grocery store, in any drug store throughout Dallas. They're easy to come by. He had enough money. He had thirteen dollars in his possession when he was arrested, he had \$150.00 in the top draw of his dresser. But he decided he was going to go home, according to the prosecution, to get that particular rifle. There are only two reasons which I can think which could have motivated him. Number one, that was the only rifle in the entire world which could be traced to him because that was the one which he had purchased through the mail, and in Dallas as in many other cities and in many other states throughout this country, the vast majority, one can purchase a rifle without in any way having a record made of that. It's different from a pistol. In many jurisdictions one can even purchase a pistol. In many jurisdictions, however, one has to be registered and have a serial number entered on a police blotter when one purchases a pistol. Not so with a rifle, not so certainly with a rifle in Dallas. So OSWALD could have picked up a weapon superior to that weapon because I know you are aware of the fact that a number of Olympic rifle experts and others have said that that particular rifle, Italian carbine, 6.5 mm., made during World War One, was totally incapable of the performance which the FBI, Secret Service in Dallas insist it gave that day. For the thirteen dollars in his pocket, he could have purchased a much better weapon, but he decided to go home. So he went home and he picked up that rifle. He could have broken the rifle down in half by removing the barrel from the stock, but he decided not to do that. He kept it at full two feet or more and put a little brown paper around it and walked directly into the Texas Book Depository building, directly on the Presidential route with that rifle in his hand. Now one might wonder how he managed to get in there, whether or not the authorities knew that he worked there, etc. Well, we know that the Federal Bureau of Investigation knew that OSWALD worked in that building, clearly they knew that that building was on

NY 105-38431

the Presidential route and their records indicate that they knew that OSWALD had purchased a rifle some months before. Agent HOSTY, a Special Agent of the Federal Bureau of Investigation assigned to the Fort Worth-Dallas area, had visited the PAYNES on at least two separate occasions and had asked to see LEE HARVEY OSWALD. On each occasion, HOSTY was told by Mrs. PAYNE and by MARINA that LEE OSWALD was in the Texas Book Depository building and they could see him there during the day, during the week, during the evening. During the week, he remained in Dallas and on weekends he was back there in Irving. Nevertheless, Agent HOSTY came back again during the day to Irving during the week. There was no question that they knew he worked there. Now the Federal Bureau of Investigation gave its answer as to why it was that OSWALD was not followed that day. You must remember, of course, that there were many persons high up in our government who said they had thought of telling the President not to go to Dallas, ARTHUR SCHLESSINGER, ADLAI STEVENSON among them. And for good reason. In 1960, when President JOHNSON, then a Senator and Vice Presidential candidate, campaigned in Dallas with his wife, persons spit in both of their faces, although they were born and raised in the Texas vicinity. In 1963, of course, ADLAI STEVENSON had been struck with a placard as he emerged from a meeting in Dallas. A good portion of the money for the lunatic right wing fringe comes from a couple of oil millionaires in the Dallas community and everyone was aware of the problem. In fact, there were posters given out on November 21, 1963, which were displayed all over the Dallas area. I'll see if I can find a copy of it. Well it's around here someplace. I got a copy of it from an Italian newspaper which reprinted it. I didn't see it reprinted anyplace around our country, unfortunately. But it said, it was a modest poster, it showed a full face picture of the President, of President KENNEDY, in a profile, and said "Wanted for treason" and then listed a few of the treasonous things the President had done. Everyone was aware of the situation which existed in Dallas just prior to the President's visit. Why then was LEE HARVEY OSWALD, very suspect from the FBI orientation, had been to the Soviet Union, married a Soviet national, acted in the Fair Play for Cuba Committee, undesirably

NY 105-38431

discharged from the Marine Corps, why then was he not followed, and the FBI gave a splendid explanation. When pressed, they said "Our area of jurisdiction involves spies and saboteurs. We are not permitted to move into the area of political nonconformism". I think that's an excellent definition of what they should be doing. And if that's all that comes out of this investigation, perhaps that will be some small benefit.

Here's the poster, incidentally, which I've not seen reprinted in any of the American newspapers although I've seen pictures of LEE HARVY OSWALD all over all of them or.....some of them. Wanted for treason. This man is wanted for treasonous activities against the United States.

All right now, OSWALD got into the building somehow. Oh, let me just say to you that in the, what the Secret Service described as the greatest effort, they described it on November 21st as the greatest effort in the history of the United States to protect the American President, this was the effort they were talking about which was to take place the next day. I will tell you this, that a lot of people were followed. Persons who have done nothing more than publicly spoken out in favor of integration of the Dallas school system, were followed by the Dallas police as potential assassins on November 22, 1963, and I challenge the Dallas police to deny that because we have chapter and verse on that question. But in this atmosphere, OSWALD was not followed.

Well, all right, he got into the building and he went up to the sixth floor and he brought with him a Dr. Pepper celery tonic and some old chicken bones. First we were told he brought with him some fried chicken but unfortunately the laboratory test showed the bones were two days old. So he's sitting up there in the window with a rifle on some packing boxes and the Presidential limousine comes directly in front of him. Even with that old decrepit weapon he could have dropped it out the window and struck the President on the head at that point, but he didn't. He

NY 105-38431

waited until the car had gone 75 yards beyond, until it was impossible to hit a moving target, according to the rifle experts, three times in a period of 5½ seconds, and then he shot the President from there in the front of the throat. After having concluded that, he placed the rifle where it could be easily seen, knowing it could be traced to him. We're told it had a fingerprint, incidentally, on the bolt. Let me tell you what the officer said who found the rifle. He said "Captain FRITZ took charge of the rifle and ejected a live round from the chamber." He pulled back the bolt and ejected a live round. I suggest they carefully examine that fingerprint on the bolt. They may discover it belongs to Captain FRITZ. Well, now he shot the President, he placed his rifle there where it could be seen and he walks down four flights, not six flights. He walks down four flights to the Coke machine and buys a Coke Cola, knowing possibly, having seen a movie on this question, that, of course, no one enters the building, no one leave the building. It's going to be surrounded by the police as indeed it was, but not quite yet. He was standing there and an officer came charging up the stairs, as the affidavit states, came charging up the stairs with his gun drawn and he stuck it into LEE OSWALD's ribs and indicated he was going to arrest him for the assassination. It was an officer who had great intuition about this, who knew the assassin had done it from the sixth floor, walked down four flights and would obviously be at a Coke machine. The director of the book depository building came forward, however, and said that this man is employed here and so the policeman went on to TEXAS School another place. I think it's interesting, evidently Book Depository employment in Texas grants immunity from any number of things, it's interesting to note that at that time, the Dallas Director of the book building, ROY TRULY, stated (Thank you) TRULY ROY TRULY stated that OSWALD seemed extremely calm even with this gun in his ribs, although he did seem a little disturbed about the pistol being stuck in his ribs. Nevertheless, he said "What's the matter, what happened, I don't know what you mean". According to TRULY, he was quite calm at that point. Well, now the building is surrounded, OSWALD's waited long enough, no one can get in, no one can get out, and so we pick up the story as the District Attorney WADE gives it to us at this time.



NY 105-38431

He says next we hear of OSWALD, he's on the bus. One can understand his reluctance to state quite accurately where that bus was because, according to Mr. WADE, OSWALD got the bus approximately a half a mile down the road. However, the affidavit and the statement made by the bus driver to the reporters at the time printed in many of the newspapers in the Dallas-Fort Worth area, indicated that OSWALD got the bus right around there. Now that would be a little embarrassing for the Dallas District Attorney to explain since the bus was going in this direction and here's OSWALD running a half mile to get a bus which is going to take him directly back to the place that he just left. That, nevertheless, is the story given by the bus driver. He's on the bus and he told, the next thing he did was tell the first lady toward the back that the President had been shot and he started to grin and laugh about it, so the affidavit states, and the woman didn't like it so he felt a little rebuffed, he got off and decided to take a taxi. He got one driven by DARRYL CLICK, who was a non-existent taxi driver, and he took this taxi to the 500 block on North Beckley Street, according to the District Attorney, which means the taxi went a half mile beyond his own home after it had passed his home. He then got off and ran back a half a mile to his house, put on a jacket, I guess to flee the jurisdiction, leaving \$150.00 in his top dresser drawer, keeping only the thirteen dollars which was certainly enough, in his pants pocket, and then ran to the first police car which he saw parked and, as you heard, went up, approached the police car, leaned on it, stepped back, shot the officer, and then, having killed the officer, wounded the governor, assassinated the President, he went to the movies.

In the movie house, in the movie house, he became very agitated. The cashier, who was out in front selling tickets, noticed that he was moving in the auditorium from one seat to another. This is the man who has now made his getaway and he is now agitated, calm moment after he had shot the President, wounded the governor, with a policeman sticking a gun in his ribs, he was calm, but now

NY 105-38431

he's made his getaway, he's four miles from the scene, now he's agitated for the first time. And he was arrested and charged with murder. Before he had a chance to present a defense, of course, he was shot to death while handcuffed to two police officers in the basement of the Dallas Court House, another story which we will go into at some later date after that trial down in Dallas is concluded.

Well, you would say clearly such a case is going to be exposed when it's heard before the commission. Well, I'm not so sure about that. It's been called the Warren Commission and I want to make this quite plain because I've been asked if I have faith in the ability of this commission to secure all of the facts and to release them to the American people. I have the greatest respect for the Chief Justice of the United States Supreme Court who, with courage and integrity, has lead us through a very difficult period of days, as a consistant exponent of civil liberties, and civil rights. However, I have no faith that we will ever be given the facts by the commission. While called the Warren Commission, its majority is comprised of a former CIA director, a former FBI agent and two racist Dixiecrats and I would rely upon the Chief Justice for the opinion "that you may never get the facts in your lifetime and I mean that seriously". He later stated that if questions of national security arise, he will check with the involved agencies to determine what facts may be publicly reported. He will not have to go very far to find them. They sit with him right there on the commission. Since the commission has indicated that it will conduct no investigation of its own, but will rest solely upon the results of the investigations conducted by the governmental agencies, read for that FBI, Secret Service and Dallas police, one questions whether the commission will ever itself secure all of the facts let alone release them to the American people. Since the commission has established these panels to examine all the material, all dealing with, as Mr. LINTES indicated, matters other than who killed the President of the United States, one can suggest as I do that the commission has joined in the hysterical stampede to obliterate the presumption of innocence and to condemn LEE HARVEY OSWALD

NY 105-38431

without a public hearing, without defense counsel, without the right to cross examine evidence, without the right to present evidence. In short, without a single right historically belonging to every American charged with a crime in an American court and I would remind the commission that when MARTIN BORMANN, a Nazi war criminal, possibly dead, was tried in abstentia at Nuremberg with another United States Supreme Court Justice prosecuting, counsel was appointed to BORMANN and all of the rights denied to OSWALD were granted to BORMANN in that Nuremberg trial. And should the Federal Bureau of Investigation, the Secret Service and the Dallas police decide in this matter to conduct honest investigation and to give that information to the Warren Commission, an investigation not dedicated to a theory they know in all likelihood is false, I would suggest that they begin with an examination of a pre-arranged two hour meeting, which I have reason to believe took place a week before the assassination of the President. Present at that meeting, I'm informed, were BERNARD WEISMAN, Texas author of the full page infamous advertisement appearing in the Dallas Morning News on the day of the assassination, Patrolman TIPPITT, and one other leading character on the Dallas scene, not LEE OSWALD. Within a period of weeks, I'll be free to reveal the name of the third person who was present at this meeting which took place in the Carousel, a strip tease club operated by JACK RUBY.

J. D.

Dallas, Texas

Texas

NY 105-38431

Because I was given a time card, it was a while ago, and when my time is up I'm going to conclude immediately now. Let me just tell you two things that took place in Washington, D.C. when I was present with Marguerite Oswald, who, I think, is a great and brave American hero who has all alone stood up to the pressures of the Federal Bureau of Investigation and the Secret Service and the Dallas Police. We were there for a few hours in the morning before the Commission Council on Tuesday morning and Mrs. Oswald was anxious to read a copy of "Time Magazine", and there was a copy on the desk as we were going over some documents and she picked it up and started looking through it and said that it is really terrible there are so many statements in here that are absolutely untrue and she was upset about it as well as she might be about a lot of the coverage of this case by the press and she said it's just terrible; these are all lies, I didn't tell them any of these things, and I said don't be too concerned trying to comfort her, I said don't be too concerned when "Time Magazine" writes a long article like that and there's nothing in it which is inaccurate that will be a pressing, shattering moment. I just said that to tell you that the responsive counsel to Panel #2 was Lee Leebler. He said I've read that article and it's absolutely accurate and what you say is very unkind; you read that article; that's the one with Marina Oswald on the cover. It said the Commissioner has concluded that Oswald was the assassin and he acted alone in those many words and then goes on to prove it in the rest of the article. His counsel for the Commission, and one of the attorneys for the Commission say that that is an accurate article in all respects and they haven't even taken one witness yet to testify as to the facts of what took place on November 22nd. Even more upsetting was my conversation with Albert Genna of Chicago who is Counsel to Panel #2, Oswald's background material. I told we first had a pleasant exchange. He asked me if I knew any lawyers in Chicago and I told him the names of a few I knew; asked him if he knew any; he told me the names of a few he knew and we knew all different lawyers. Our friendship started off on such a fine note, I then asked him, I told him I have never prosecuted a case, but I am very interested in the prosecution of this case; I've been involved in many criminal cases, but always as defense counsel, and I said how

NY 105-38431

do you break this hearing down, for example, the six separate areas of investigation, and he said, well, I can't tell you about others, but I can tell you about this one; I'll show you the outline, he started to take an outline out of his briefcase and present in the room was Mrs. Oswald and Mr. Leebler as well as Mr. Genna and myself, and he took the outline out and he said I want to tell you, you see our ultimate goal here in terms of determining all the facts about Oswald's background is to determine his ultimate motivation on November 22nd, and then he took out the documents which he said was the outline which explained this, and I said I'd like very much to see the outline which expressed that ultimate goal and he said I'd better check with Mr. Rankin before I give to you, and he put it back away, I think, then realizing what he had said. For he said I never did see the document, that may be one of the documents that we never see in our lifetime. I haven't seen it yet. But, in stating that the Commission had established Panel #2 to find out why the President was killed by Oswald, but Oswald's motivation was, it is quite plain to me that the Commission not only has demolished the presumption of innocence, but began its investigation setting up this table of organization with the presumption of Oswald's guilt, at the very outset. Well, let me just conclude now by saying that I believe that this case is not closed despite press pictures, and despite the printing of official leaks. I've travelled through almost a dozen cities in the past two weeks speaking to huge overflow meetings. I've heard these questions raised on the campuses of our nation from the University of California to the University of Michigan, the University of Wisconsin, the Hastings Law School in San Francisco and every single city that I visited and that at every single school that I spoke a citizens committee of inquiry has been formed to continue to raise these questions for which there thus far has been no official answers. This case is not closed and no report brewed in the mystery of a Washington closed chamber proceeding based upon investigations conducted by secret police and screened through representatives of the CIA and the FBI can satisfy the doubts that persist and the doubts that grow daily. We have been told that the

NY 105-38431

national security is involved in this case. Clearly if it is true as the prosecutors and investigators claim that Oswald was the assassin and that he acted alone, then there can be no question of national security involved in this assassination. Why then the secrecy? I would suggest that a question of national security has arisen since November 22, 1963.-- This notion, based upon the doctrine that the people must decide in a democratic society, can be secured as a free and open society only if the people are informed. The closed chamber proceeding in Washington, the secret police brainwashed all witnesses in Dallas. The concealed and changing evidence, the suppressed reports, all these threaten the image of our nation and far more important, they threaten its basic security as a free and democratic nation as well. I come here tonight with no fast answers and with no easy solutions, and with no infallible theories about how it happened on November 22nd, but I come here with the absolute commitment that I shall continue to raise these questions that haunt our land until we pray long before 12 years have passed. Some intelligible answers are given.

Thank you, thank you, Mr. Lane; Thank you.

Our next speaker will be Miss Annette T. Rubenstein, former instructor/philosophy at NYU, principal of Robert Louis Stevenson High School, a famous lecturer and author of many books on literature, ethics, and politics----- Miss Rubenstein-----

Indeed, we live in the dark ages. A guileless word is an absurdity. A smooth forehead betokens a hard heart. He who laughs has not yet heard the terrible tidings. Oh, what an age it is, when to speak of trees is almost a crime, for it is a sort of silence about injustice, and he who walks calmly across the street, is he not out of reach of his friends in trouble? It is, perhaps, not astonishing to those of us who have spent years and decades in fighting for unpopular and progressive causes, for radical causes, for causes which are not those of the majority or not understood by the majority; it is not surprising when we find that the Pentagon, an establishment, the FBI, other organizations of that kind are indifferent to the individual,

NY 105-38431

to the individual fate, to the injustice to an individual, to the cry for help and an honest hearing. All too often in the pressure of time, in the pressure of difficulties, financial and otherwise, in the pressure of urgent work to be done, even organizations on the so-called list will form organizations, radical organizations, cannot find time for the individual miscarriage of justice, for the individual cry for help. The "National Guardian", which has now reached the ripe old age of 15 years and a bit began in 1948, in a presidential year in the heat of a hotly contested election, and it was a period of the cold war and a period of great struggle against many of the nations that are now coming home to roost from Korea and Viet Nam and other places, and at that time in a small town across the river, Trenton, New Jersey, there were six Negroes being railroaded for a crime that was finally proven they had not committed. They were convicted almost without a hearing on evidence quite as absurd although it was local police only that presented the evidence. They were railroaded for their sentences for a robbery and murder. Of all the newspapers in this city and in the United States, of all the periodicals on the list, only the "National Guardian", in its second issue, convinced that the evidence was flimsy and dishonest, began a fight with no resources and no help for a re-trial for an appeal. And it won that fight, it won the re-trial, it won the appeal. Luckily, justice has not been as summarily executed as in this case, and the defendants were still alive in prison to gain the benefit of that appeal and that re-hearing. Only a year or so later, a distinguished journalist, a woman who had spent her life fighting for truth and justice and peace, Ann Louise Strong was falsely accused in the Soviet Union of being a spy and was condemned unheard by most of her former friends and associates and by most of the periodicals in this country, on the left as well as the right. The "National Guardian" in the teeth of a tremendous protest, tremendous pressure, from its friends this time, stood up, acknowledged its faith in earth that it could not believe on the record that this would be true printed material which she sent and she is as you now know a very honest correspondent of the "National Guardian" and of many other progressive publications from China. There

NY 105-38431

were many other cases through the years; I'm not going to take time because we are all waiting for the next speaker; there are many other cases, the Rosenberg case fought accused as spies. The Rosenbergs, as you know, were framed and railroaded and executed. Julius and Ethel Rosenberg are dead, their friend Morton Sobel is still in prison under a life sentence on evidence which has been declared flimsy by the leading jurists of England, France, and many in the United States. The "Guardian" is still fighting for a re-hearing and a pardon there. I am not here today to go through this record, but I know that there are many who are not readers and not subscribers and I want to call to your attention that there is a subscription blank on the seats; ushers have them if in your enthusiasm during the earlier part of the meeting, they have fallen under-foot. We are asking you to cost us a great deal of money because we are offering a trial subscription, ten issues for \$1.00, and as you know this doesn't cover the postage, and the printing; it hardly covers one of the two, but we feel that the people interested in hearing justice in this case, the people interested in having an open mind and judge for themselves, are the people that we need, that the causes the "Guardian" supports, need, and we are going to ask you, please, if you possibly can to fill that blank out tonight, turn it in when you're leaving at the hall; there are tables outside, either with a \$1.00 or we will bill you for it with the first issue. But we want you to be a part of our "Guardian" family. Now, obviously since this is going to cost us money and since none of the Texas oil millionaires or their friends are going to give us that money we have to get it elsewhere. Don't have any illusions because we deposited \$25,000 in cash to make it possible for you to come to this hall tonight. That money does not belong to anybody in the "Guardian" office; it will come back there rapidly; in fact it's costing us money because we wanted to insure it against any mishap and took out a one day insurance policy on it. So, friends, we're going to ask you tonight, besides filling out these blanks, if you possibly can to contribute something for the extraordinary expenses of these meetings and the continuing expense of the "National Guardian" I've had



NY 105-38431

illusions of grandeur after having recently handled \$25,000, even though none of it stuck, and so I'm going to say, I don't think there is anybody, but is there anybody here who can give us \$500? Is there anybody who can give us a gift of \$500 to the "National Guardian" to continue in its tradition of fighting to inform the public for free speech and for those who are unjustly condemned without a hearing? I won't be very disappointed if you don't, I didn't think you could, but, you know; it just sometimes happens. Is there anyone here tonight who can give us \$100. There's somebody who will give us \$100.; here I am-----, I think, perhaps, there are one or two people here who would give \$100. tonight to the "National Guardian" and its fighting fund. There are checks, there are pledge cards, take a minute to them. Is there somebody who can give us, or will give us \$100. here tonight. I'm not going to lengthen this because we still have the climax of the meeting to come, but I don't want to deprive you of the opportunity of doing something very substantial. Then we say, not a \$100., but what you can, \$25., \$50., \$100., will you make out a check in any amount of that nature, \$10., \$15., \$25., \$50. and give it to the ushers? Ushers, you will collect these as they are handed up, I see one or two already. We don't want to be snobbish about this, we want everyone to get into it; if you can't make it \$10., make it for \$5. Incidentally, there are gifts for you in the lobby and downstairs a free copy of the special issue of the "National Guardian", "Dallas, November 22, 1963, Oswald Innocent, a Lawyer Speaks". The brief, a Mark Lane brief, some of you have seen it, those who haven't can pick this up when you go out. I see people holding up bills; I should have said that we don't have a strong prejudice in favor of checks, a \$5. or \$10. bill; I see two there, I see one there, will you please give us anything from \$5. up and any moment we will come down to the bottom, and then go back to the proper program. \$5., \$10., \$15., \$25., \$50., checks or currency. Now, I'm going to ask ----the photographer wanted evidently a picture of your response to the request, so let's go down where other people can get into it and hold up anything from \$1. up; \$1., \$2., \$3., \$4., \$5., all the way up. Oh, I'm sure more people than that can give us a single

NY 105-38431

or two singles or three singles. Let us have those; I think that there are still people who have not raised their hands and up there I see many people, but I think even we can get more there. Let's have \$1s, \$2s, \$3s, \$4s, \$5s; find me some above. I see people holding them up behind you; let's move a little more quickly so we can gather in all the money and I'm going to ask the ushers after they have collected all the bills to pass baskets or boxes because the change doesn't mean much to any one of you and when you multiply it, it will mean a great deal to us, so let's have all the money in the house right now and then let me make just one more announcement, please, of great importance to you and to the "National Guardian". There is, perhaps, one organization in this country, which has done as much as the FBI or almost as much to intimidate freedom of speech and freedom of thought. You know, Mark Twain said that in the United States, we have three precious needs, freedom of speech, freedom of conscience, and the prudence never to use either one of them. Well that last precious belonging doesn't belong to those here, but many people who are not here have been intimidated by the Un-American Activities Committee; tomorrow in Congress they are voting on a new appropriation, write (eh not tomorrow-the end of the week) write or telegraph your Congressman tonight urging that he vote against the Un-American Activities Committee appropriation and for the American Bill of Rights.

Thank you very much. Thank you Miss Rubenstein. Before I introduce the next speaker I want to inform you that after she is finished there will be a question period in which you can address questions to Mr. Lane who will stand here and answer them, but you may also ask questions of other speakers if you want to. Now, without any further introduction, I give you Mrs. Marguerite Oswald.

I think, first of all, that it is fitting that I apologize because I am just a layman and, coming before the microphone after such wonderful speeches, I feel inadequate, but my speech is just a humble, sympathetic speech.

NY 105-38431

There isn't much that I can do otherwise than to state the facts and the facts point to me an injustice has been done which is not our American way of life. I started this fight alone immediately upon returning to my home after being in protective custody by the Secret Service. While there, I continuously fought with them. I guess I'm to be known as a pretty good fighter. I stood up for some principles in my own way, that I knew were correct; for instance, my daughter-in-law, Marina, had testified in the court house with her friend who was an interpreter and I thought that she should have been represented by counsel, which I would not let her testify anymore until we got counsel for her. These little things have not endeared me to the Secret Service or the FBI, so in my own way, as a layman, all I can do is do what I have been doing. Immediately upon returning to Ft. Worth, I made the statement that I thought the Dallas police were to blame. The newspapers picked up my statement and I immediately became a public figure. I carried this fight on alone until someone sent me the brief by Mr. Mark Lane, not someone, but many people were writing about the wonderful work. I contacted Mr. Mark Lane and he came to Ft. Worth and I asked him if he would help me in this fight, and also would he represent my son, Lee Harvey Oswald, the accused. He said he would be most happy to. It is with deep gratitude that I can now carry on this fight along with Mr. Mark Lane. I have held many press conversations on my own as a layman, and it takes, I guess, a little courage to do this. I am not an orator in any sense, all I have is humbleness and sincerity for our American way of life. On January 22nd, I sent three letters, nice letters, one to Chief Justice Earl Warren and one to J. Lee Ranken, both members of the President's Commission on the assassination of President Kennedy, imploring each to allow my son, Lee Harvey Oswald to have representation by counsel so that all witness including my son's wife, Marina, be cross-examined. I also sent a telegram to President Lyndon B. Johnson, informing him of my action. Of the three men, Mr. J. Lee Ranken answered. I will now read the letter.

"Dear Mrs. Oswald,

"I would like to acknowledge receipt of your telegram of January 22, 1964, requesting that your attorney be permitted to cross examine any witness whose testimony

NY 105-38431

"is taken by this commission, and in this instance the testimony of Mrs. Marina Oswald. Mrs. Oswald will be entitled to have present an attorney of her own choosing. For your information I enclosed a copy of January 23, 1964, to your attorney, Mr. Mark Lane, who made a similar request in your behalf.

"Sincerely yours,

"/s/ J. Lee Rankin"

I wish now this is a press conference. I wish to make a direct appeal through a public statement to President Lyndon B. Johnson. I hope my statement will be accepted in the sphere in which I operate; namely in the name of justice and our American way of life; a man is innocent until proven guilty.

"Dear Mr. President

"I can now address you as such because of the tragic death of your dear friend and late President John F. Kennedy, who was shot down by an assassin's bullet on November 22, 1963, in the City of Dallas. I can understand your grief and I also sympathize with you. However, on November 24, 1963, in Dallas, in the course of a different tragedy, I find myself the mother of the accused assassin, Lee Harvey Oswald, who was tried and convicted within a few hours without trial or benefit of counsel. We are both human beings, we breathe the same free air, the right to them, and the right to question, but we would consider an injustice against another human being. I sincerely hope, Mr. President, that you will be so kind as to consider my request, thereby helping me to continue to have faith in our American way of life.

"Sincerely yours

"/s/Marguerite Oswald"

NY 105-38431

When I was asked to testify before the Warren Commission, I asked the three requests and they were granted. One, that I would be given counsel because Mr. Lane represents my son and not----- . That request was granted and Mr. John N.Y. Doyle was my attorney before the Commission, a very wonderful attorney. The other requested was that Mr. Mark Lane would be at the Senate as counsel for my son. That request was turned down, but I want you to know at that particular time I talked exactly, I guess, 20 to 25 minutes to Chief Justice Warren and the Commission in behalf of Mr. Mark Lane. I believe that speech might even come down in history. Now boys of the press, you're kind of putting me on the spot about being in the limelight and enjoying this I will say --if this is what it takes to become before the public I am going to be in the limelight. It was quite an emotional thing for me to do this. I am going to continue to fight because I believe in the American way of life. I cannot help my son. He is gone and I accept the fact that he is gone, but the way he is gone I will never accept, and I will continue to fight. I would like at this time to thank the "National Guardian" for having the courage to help us in this fight, and all of the dear people in the auditorium at this particular time because I feel that you would not be present unless you were interested also in our American way of life. I hope that the public will continue to support us. I get many, many letters from mothers, like I am, and they give me much points, for instance one particular letter says, "Mrs. Oswald, don't forget that Lee did not smoke and yet the cigarette was found by the gun." That was stated in the paper immediately. We haven't heard any more about the cigarette; so you see the mothers that write to me give me these points which I turn over to Mr. Lane because he is doing the investigation. I have now approximately 15 letters, no 1500 letters of this type. In my modest little home, in the beginning were cards of sympathy because our dear President had been assassinated and that's all the people could think of, that a President was assassinated, and this young man who was supposed to be a Marxist and who was supposed to be a defector and who was supposed to be a Communist and who gave out Cuban literature was picked up and he was tried because of these affiliations, supposedly.

NY 105-38431

I believe, and I ask the question sincerely, if one of our good citizens, our so-called citizens, had been picked up, would the public have immediately tried a citizen, would they have said, yes, this is the man? I say no. The reaction would have been Oh, no, they absolutely have the wrong man. This is a good citizen, this is a citizen, he couldn't possibly have done that, but you see Lee was known as a Marxist, he was known as a defector, he was known to have Communistic leans; he was exploited because of these so-called affections, so immediately, the public judged and condemned my son. He was tried by the public. It is deplorable, absolutely. Words fail me, that we, human beings, can immediately judge and come to a conclusion on this side when we are supposed to be Americans, we should believe in the American way of life; that a man is innocent until proven guilty. I want to thank each and everyone who has helped me in this fight. I am going to continue in my small work; to continue in the American way of life. I believe in our country; however, I do not believe that the investigation in this particular case is the type investigation that we should have. I believe, like Mr. Mark Lane, that we should have cross-examination. I'm an authority on that. Yes, I am. I have been before the Warren Commission.

NY 105-38431

Yes, I am. I have been before the Warren Commission. The questions that were asked my daughter-in-law MARINA were absolutely correct probably, but they were not all the questions that should have been asked MARINA, because I was with MARINA from November 22 until November 28, and what I knew the Warren Commission couldn't possibly have known; so how could they have questioned MARINA thoroughly? That goes for myself. How could they question me thoroughly? How can they question any other witnesses thoroughly, without cross examination? The conclusion is absolutely wrong. I want to thank each and every one of you and I wish that you would write me personally. I tried to answer all the letters and as a matter of fact, I have answered every letter that has entered my home that has a return address, and I do appreciate any thoughts. Just one little thing, it may take a layman or laymans to solve this great mystery of our time. My box number is Box 9578, Fort Worth, Texas. Once again, thank you from the bottom of my heart.

Now, MARK, would you like to come up here and first read some of the questions you want to answer here, and then will you entertain the questions from the floor?

Alright. I will take the first question from the floor. Anyone have a question. That's so you see it isn't rigged. I didn't say anything. We're waiting for questions now. Anyone want to stand up and ask -- Yes sir.

(Question from audience - inaudible).

Well, I, from my knowledge of the case, did--er-- yes, yes, yes I will. What do I think that the Chief Justice meant when he said that after MARINA's testimony had been completed, that in the interests of national security that testimony might not be released? I do not know if he made the specific comment about that particular testimony or about the facts in the entire case, but I believe that although MARINA testified for some three days, probably there was only one statement which she made that day. Of course, nothing she said would ever be admissable in a court

NY 105-38431

because she would be testifying against her husband, but assuming that that little technicality was out of the way, the only thing which she said which would be in any way material to the inquiry, I believe, was in reference to the rifle, whether or not the rifle shown to her by the Chief Justice was indeed the rifle which was owned by her late husband. You may recall the Chief Justice predicted; he said we're going to show her the rifle tomorrow and I am pretty sure she's gonna say it is her husband's rifle. And, evidently, he was right, according to what he told us the next day. However, you should recall that as Mrs. OSWALD said, she knows a lot of things about MARINA's thinking during the first five days after the assassination, because she was with her, and MARINA OSWALD told her mother-in-law, upon coming out of the police station, when first she was questioned on Friday in there. She said Mama, they asked me if LEE owned a rifle and I told them the truth, that he did. And then, Mama, they showed me the wrong rifle and asked me if it was LEE's and I told them that I did not think so, it did not look like LEE's.

Nine weeks later, after being held incommunicado, after being given an attorney by the Secret Service, after being given a business agent by the Secret Service, after not having been permitted to visit any of her friends or have any of her friends visit her, nine weeks later, she testified before the Commission, the Chief Justice was able to predict, evidently with unerring adequacy, that her testimony would be changed. Now when I said that this was brainwashing in, in Los Angeles, the reporter for the Hearst publication there was very upset, asked me if I believe, don't I believe that only the Chinese Communists used that technique?

Unfortunately I think that these techniques, police techniques, are used universally throughout the world; they don't know anything about political ideology, and if taking a 22 year old girl, totally isolating her, a girl who doesn't know very much about our country, who's been here for a short period of time, barely speaks English, isolate her entirely for a period of nine weeks, to the point where you can predict that her statement, when asked



NY 105-38431

nine weeks later would be entirely different from what it was originally when first -- if that's not a classic example of brainwashing, then I don't know what the word means.

Do you have a bodyguard? No, I don't have a bodyguard; do you think I need one? I will say this for those few fellows who are here who are taking down notes, who are not writing for the newspapers. There are four sets of these affidavits which I have made reference to and each one is in the hands of a flamboyant, loudmouth, respectable attorney in different portions of the country, and I assure you if I should ever leave this case, someone else will be involved.

There are a number of questions here about JACK RUBY. I believe very deeply that there should be -- be no comment upon that case prior to the time that the trial was finished, and I won't answer those. Any questions from the audience? Rive (phonetic)? Yes sir, the gentleman in the first row.

Question from audience (inaudible).

The reporter was supposed to be arrested for vagrancy? Oh, the porter. Well that was a fast story, that was a story leaked, they said, by the Fort Worth Star Telegram, as to this porter who saw OSWALD shoot, etc. They came very late. There are two problems with that story. First of all, anyone who knows the feelings between the citizens of Dallas and, and the citizens of Fort Worth, knows that the Dallas District Attorney was not leaking any story to the Fort Worth Star Telegram. I tell it is a very incisive rivalry there. But, secondly, that story came long after Mr. WADE's statement made November 24. Now OSWALD was dead. There would be no sense saving anything for the trial and if he had that information he would have released it and the story was that he had the information on the day of the assassination. In addition to that, the Dallas Police said it was not true.

NY 105-38431

In addition to that, the Justice Department said it is not true. This time, I am willing to accept their version of the facts.

Yes sir.

(Question from audience -inaudible).

OSWALD shot General WALKER. Well, that's an interesting one also. Oh, what about, I'm sorry. What about the charge that OSWALD shot at General WALKER? I talked with JOHN THORN (phonetic), who was the Secret Service appointed attorney for MARINA OSWALD about three weeks ago in Dallas. I had lunch with him and with MARINA's business agent, JIM MARTIN, both of Grand Prairie, Texas. At that time, THORN (phonetic) told me he talked to MARINA OSWALD thoroughly about that. There was a leak in the paper. I asked him how it got there. He said he didn't know. He discussed that thoroughly with MARINA. MARINA, when questioned by him, stated that LEE had never told her that he had shot at General WALKER. That was about three weeks before the testimony, and about six weeks after the assassination. In addition to this, this is a, you know, we're talking about an expert marksman, I mean there is no question, no one else in the world could have done this firing. The experts agree. In terms of the assassination, and the wounding of the Governor, here we have a man who, with WALKER in the window, sitting still, not moving, lit up by a bright lamp, was able to miss him by over ten yards, according to report in a French newspaper, does not sound like the same. Also, there was a 30 caliber bullet then. Now we're told it is a 6.5 Italian carbine.

Yes sir.

(Question from audience - inaudible).

Where do we? Where do I go? Oh, I'm glad you asked that question. I didn't plant him. He is no relative of mine. We're putting together citizens committees of inquiry in every city of this country. We have one functioning