

OSWALD

105-82555

SECTION 114

COPY 8

Memorandum

114

TO : DIRECTOR, FBI (105-82555)

DATE: 3/17/64

FROM : SAC, PHILADELPHIA (105-9958) (RUC)

SUBJECT: LEE HARVEY OSWALD
IS - R; CUBA

JRS

Re Bureau tel to New York, 2/26/64; New York airtel to Director, 2/28/64; Philadelphia tel to Director, 3/10/64; Philadelphia tel to Director, 3/12/64.

Enclosed herewith for the Bureau, Dallas and New York are appropriate copies of letterhead memorandum concerning the speech of MARK LANE on 3/11/64 sponsored by the Philadelphia Friends of the National Guardian.

Enclosed for the Bureau are five tapes concerning appearances of MARK LANE in Philadelphia on 3/11 and 12/64, further described as follows:

One tape marked "MARK LANE, 3/12/64, Radio Station WPEH"

Four tapes of MARK LANE's speech at the Philadelphia Ethical Society House on 3/11/64, recording Radio Station WFIL

Philadelphia does not have the necessary equipment to make a tape of the quality that is desirable for the purpose these tapes will be used. It is recommended that Bureau "dub" two sets of these tapes in the electronics section of the FBI Lab, one set for the Commission and the other for retention by the Bureau.

- 3 - Bureau (105-82555) (RM) (Encls. 21)
- 1 - Dallas (100-10461) (Info) (RM) (Encls. 3)
- 3 - New York (105-38431) (RM) (Encls. 2)
 - 1 - 100-117844 (MARK LANE)
- 2 - Philadelphia
 - 1 - 105-9958
 - 1 - 100-47437 (MARK LANE)

REC-31

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SOVIET SECTION

HHR/cml/cas
(9)

PH 105-9958

The enclosed tapes should then be returned to Philadelphia so that they can be returned to Radio Stations WFIL and WFEN.

Also enclosed for the Bureau is an undated copy of a special edition of "The National Guardian," which was obtained at the Ethical Society House on 3/11/64.

Reference is made to Philadelphia teletype to the Director, 3/10/64, which indicated that PAUL RUST, established source, radio station WIP, was to tape LANE's speech at Haverford College on the afternoon of 3/11/64.

RUST advised that he did not get tapings of LANE's speech due to a misunderstanding between him and the radio station at Haverford College regarding taping. RUST was very apologetic, stating that Haverford College radio station was of the opinion that RUST would tape the speech and he, RUST, was of the opinion that Haverford College would record MARK LANE's speech for him. As a result, neither did it.

[REDACTED] stated that LANE advised the group on the evening of 3/11/64 at the Philadelphia Ethical Society House that he had given the identical speech during the afternoon at Haverford College.

Sources of information are as follows:

[REDACTED]	Source 1
[REDACTED]	Source 2
[REDACTED]	Source 3



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Philadelphia, Pennsylvania 19107

March 16, 1964

LEE HARVEY OSWALD

On March 12, 1964, Confidential Source 1 advised that on the evening of March 11, 1964, the Philadelphia Friends of the National Guardian sponsored a public meeting at the Ethical Society Hall, South Rittenhouse Square, Philadelphia, Pa. The featured speaker at this meeting was Attorney Mark Lane, who has been retained by Mrs. Marguerite Oswald, mother of Lee Harvey Oswald, accused assassin of President John F. Kennedy.

Admission to this affair was \$1.00, which was paid at the door, and there were approximately 300 to 400 people present. The hall was very crowded and many of those in attendance stood in the aisles, along the walls, and in the vestibule inside the front door. Attorney A. Harry Levitan was Chairman of this meeting. *C.P. member*

There was a microphone on the stage, but the public-address system was not working. Levitan asked the audience to be particularly quiet so that they could hear the remarks of the principal speaker.

There were only two individuals on the stage - Levitan and the principal speaker, Mark Lane.

Levitan introduced Mark Lane as the attorney for Mrs. Marguerite Oswald, the mother of Lee Harvey Oswald, the accused assassin of President John F. Kennedy. Levitan said that Lane was fighting to find out whether Oswald was guilty of the assassination of President Kennedy and that Lane had conducted an extensive investigation into the matter. Levitan pointed out that Lane has reached no decision as yet to whether Oswald was or was not the assassin of President Kennedy. Levitan said that a case of this sort is difficult to investigate because of the hatred and bigotry which exist in the United States, and that hatred and bigotry have been more noticeable lately, particularly in Dallas, Texas, and Montgomery, Alabama, in regard

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LEE HARVEY OSWALD

to the opposition to the Civil Rights Bill.

Lane then began his speech. He said that Mrs. Marguerite Oswald had engaged him to conduct an investigation to ascertain whether her son, Lee Harvey Oswald, had actually killed President Kennedy. He noted that it is very unusual to be investigating a dead person, since there can be no trial. Lane further stated that in the course of his investigation he has come up with evidence which makes it very difficult for him to see how Oswald could have killed President Kennedy. Lane pointed out that he was not saying that Oswald did not kill President Kennedy.

According to Lane, after he agreed to represent Oswald's mother, he went to Dallas to conduct an extensive investigation. He claimed that he received very little cooperation in Dallas and said that in fact he received only opposition on the part of the Dallas Police Department. During his investigation he determined that people in Dallas had paid little attention to Oswald prior to the President's assassination. Lane criticized the security measures taken to protect President Kennedy on the day of the assassination. He said that there should have been guards posted on top of the underpass near the Texas Book Depository Building, where Oswald was employed. Lane said there was conflicting evidence as to where the shots originated that killed President Kennedy. He said that there are two witnesses who claim that the shots came from the grassy knoll near the underpass in front of President Kennedy's car, rather than from the Texas Book Depository Building in the rear of the car. According to Lane, one of these witnesses, a woman, took pictures of the assassination and either the Federal Bureau of Investigation or the Secret Service now has these pictures and gave this woman witness a receipt for the pictures. The two witnesses who state that the shots that killed President Kennedy came from a grassy knoll in front of President Kennedy's car first said that they saw a man and woman run from the knoll immediately after the shooting and later changed their stories by stating that they saw two men run from the knoll after the shooting.

LEE HARVEY OSWALD

Lane then said President Kennedy was taken to a Dallas hospital after he had been shot. The doctors at that hospital said that President Kennedy had been shot from the front and that a bullet entered the front of his neck and then went into his chest cavity causing blood to fill the chest cavity, strangling President Kennedy; however, after Kennedy's body was removed to Bethesda Naval Hospital, Bethesda, Maryland, where an autopsy was performed. The autopsy report said that President Kennedy was killed by shots from the rear, particularly one shot which hit him in the rear of the head.

Lane said that the entire case consists of one contradiction after another and he claimed that the FBI report and the Secret Service report of the assassination are conflicting.

Lane claimed that the Chief of the Dallas Police Department wanted to close the case as soon as Oswald had been apprehended, and that the only reason he did not close the case was that there was too much publicity, such as television, involved.

Lane said that during his investigation he determined that when President Kennedy had been shot, the Superintendent of the Texas Book Depository Building ran from the building toward the grassy knoll, believing the shots came from the knoll; however, while running toward the knoll, the Dallas Policemen entered the Texas Book Depository Building, so the Superintendent turned around and accompanied the Policemen into the building. Lane emphasized that the rifle which was supposedly used to kill President Kennedy was found on the sixth floor of the Texas Book Depository Building, while Oswald was located on the second floor of the building drinking a Coke.

Lane said that at the window from which the shots allegedly were fired which killed President Kennedy, there were found the remains of a lunch which had supposedly been eaten by the assassin while waiting for the Kennedy motorcade. Lane said that he determined that the remains of this lunch, which consisted mostly of chicken bones, were actually two days old and, therefore, could not have been part of the lunch of the assassin on the day of the killing.

LEE HARVEY OSWALD

In regard to Oswald's allegedly having killed Patrolman J.D. Tippit, Lane said that Oswald supposedly made part of the trip from the Texas Book Depository Building to the vicinity of the Tippit killing by taxicab. He said that his investigation had disclosed that the name of the cab driver who supposedly drove Oswald was not even listed as among the employees of the particular cab company involved.

Further, in regard to the Tippit killing, Lane said that a woman eyewitness claimed to have seen a young white man talking to a Dallas Policeman who was sitting in a parked police car. This white man was talking to the Policeman from the passenger side of the car, while the Policeman was seated behind the steering wheel. The Policeman was then observed to get out of the car on the driver's side, circle the front of the car, at which time the young white man shot the Policeman with a revolver. This woman witness to the Tippit killing gave a description of the killer in which she described him as a young white man with bushy hair and a short and stocky build, which description does not fit Oswald.

Lane said that he could not understand why President Kennedy had come to Dallas because shortly before President Kennedy's trip there, Adlai Stevenson had been spit upon and hit over the head with a picket sign, and he also noted that Lyndon Johnson, while he was Vice-President, had been mistreated in Texas.

Lane said that the "National Guardian" is the only paper in the United States which had the courage to print all the details concerning the Oswald case and, particularly, to print the details which cast doubts on the guilt of Oswald.

Copies of an undated issue of the "National Guardian," subcaptioned "A Guardian Special" with the headlines "Oswald Innocent? A Lawyer's Brief," were sold at the door of the hall after the meeting ended.

After Lane spoke, a collection was taken up to help carry on the work of the Philadelphia Friends of the National Guardian. This collection was not intended for Lane or for Oswald's mother.

LEE HARVEY OSWALD

Lane talked for approximately one and one-half hours, after which he conducted a question and answer period, which period lasted for about fifteen to twenty minutes. During this period attempts were made by individuals in the audience to get Lane to discuss the case of Jack Ruby, the alleged killer of Oswald, but Lane refused to do so and stated he is not investigating Ruby.

There was no announcement of any future talks by Lane either in Philadelphia or elsewhere.

The meeting lasted from approximately 9 p.m. until 10:50 p.m.

It was learned that plans had been made to sell copies of "The Worker" at this meeting sponsored by the "National Guardian," but due to some mix-up there were no copies of "The Worker" available for sale.

On March 12, 1964, a second confidential source advised that Lane had stated that he had spoken on the afternoon of March 11, 1964, at Haverford College from the same speech he had read to the audience during the evening and that the youth at Haverford appeared to be interested in his remarks.

On November 15, 1947, a third confidential source advised that A. Harry Levitan was a member of the Communist Party in 1947.

"The Worker" is an East Coast Communist publication.

A characterization of the Philadelphia Friends of the National Guardian appears in the Appendix.

In the March 12, 1964, final City edition of the "Philadelphia Inquirer," Page Five, Column Five, appeared the following article entitled "Lawyer Doubts Oswald's Guilt," which read:

"The case against Lee Harvey Oswald for the assassination of President Kennedy 'could never have resulted in a conviction,' a New York attorney declared here Wednesday night.

LEE HARVEY OSWALD

"The lawyer, Mark Lane, also said he has no faith that the Warren Commission would lay to rest nagging doubts that Oswald may not have killed the President.

"RETAINED BY MOTHER

"The Commission, headed by Chief Justice Earl Warren and convened by President Johnson, is asking the wrong question, Lane said.

"Instead of inquiring, 'Why did Oswald kill the President?' Lane said, the Commission should ask, 'Who assassinated the President of the United States?'

"Lane, a former New York State Assemblyman and a lawyer with a long record as defense counsel in civil liberties cases, has been retained by Oswald's mother, Marguerite, to investigate the case.

"ADDRESSED 300

"The soft-spoken, bespectacled attorney told a standing-room-only audience of more than 300 at the Ethical Culture Society on Rittenhouse Square that he does not agree with Mrs. Oswald that her son was an agent of the FBI or CIA.

"Statements by doctors who tried to save the President's life at Dallas' Parkland Hospital said the fatal bullet entered the front of Mr. Kennedy's neck and traveled down into the chest cavity, puncturing a lung, Lane said.

"This, according to Lane, indicates the fatal shot was fired from the overpass or grassy knoll in front of the limousine rather than from the Texas Book Depository, 75 yards behind the car.

"It was in that building where a police officer came upon Oswald 'sipping a Coke,' moments after the shooting, Lane reminded his audience."

APPENDIX

CHARACTERIZATION OF ORGANIZATION

PHILADELPHIA FRIENDS OF THE NATIONAL GUARDIAN
aka Guardian Associates

On May 31, 1960, a source advised that the Philadelphia Friends of the National Guardian was organized in the Spring of 1959 through a Planning Committee of approximately ten members.

Another source advised on September 27, 1960, May 24, 1962 and May 22, 1963, that the Philadelphia Friends of the National Guardian was not activated by the Communist Party of Eastern Pennsylvania and Delaware (CPEPD), but is made up of former CP members now known as the "right wing." The CP does not direct or control the organization, but the former CP members do follow the CP line in their thinking. The organization's aim is to promote the "National Guardian" and its policies; however, it is not a membership organization.

The "Guide to Subversive Organizations and Publications," revised and published as of December 1, 1961, by the Committee on Un-American Activities, U.S. House of Representatives, documents the organization "National Guardian" as follows:

"established by the American Labor Party in 1947 as a "progressive weekly" Although it denies having any affiliation with the Communist Party, it has manifested itself from the beginning as a virtual official propaganda arm of Soviet Russia."

"(Committee on Un-American Activities, Report Trial by Treason: The National Committee to Secure Justice for the Rosenbergs and Morton Sobell, August 25, 1956, p.12)"

OSWALD MANOGEANT A LAWYER'S BRIEF

NATIONAL GUARDIAN

the progressive newsweekly

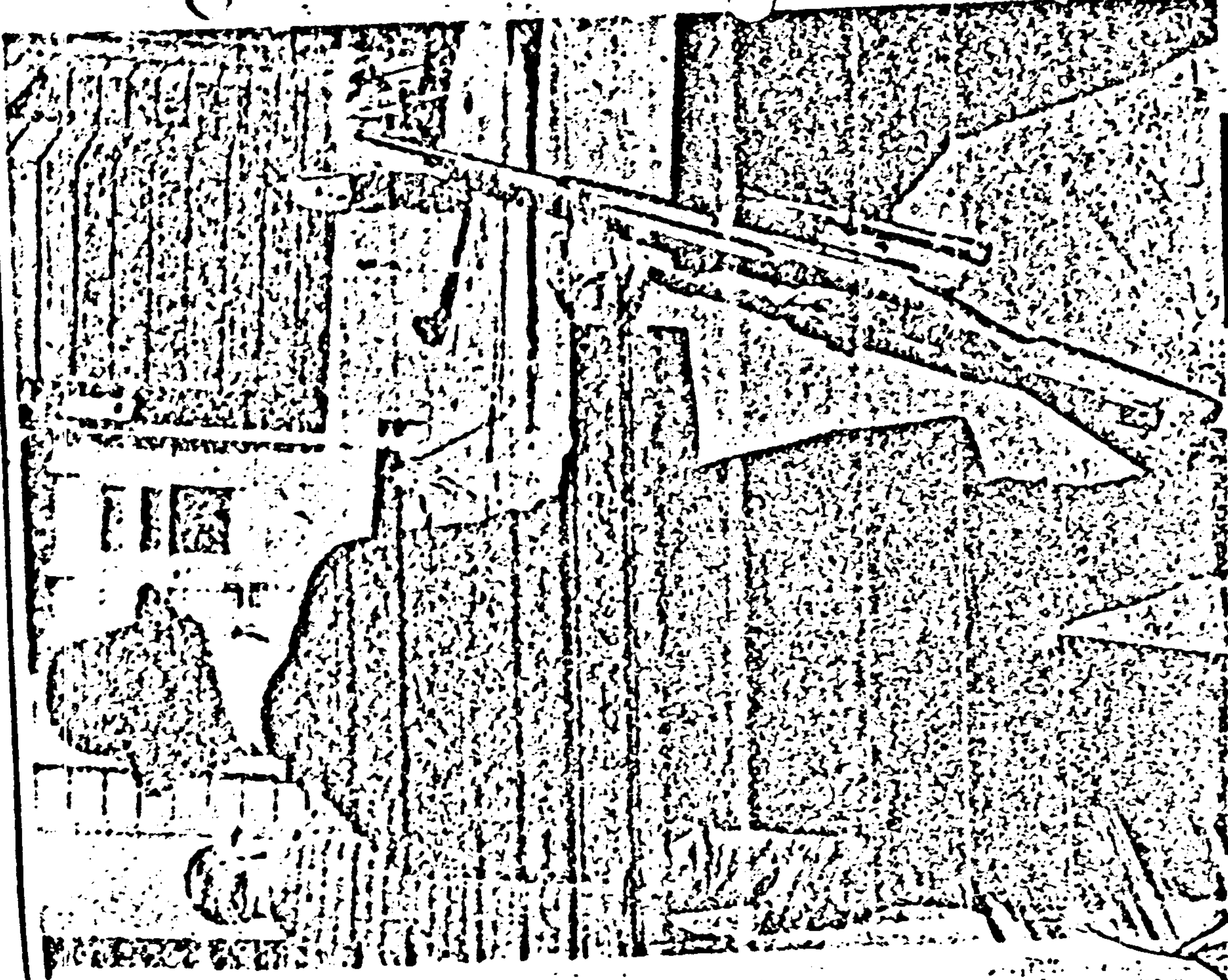
A GUARDIAN SPECIAL

ALLAS. NOV. 22, 1965

A gawwe doolbt Plagues U.S.

THIS IS A SPECIAL eight-page, tabloid-size pamphlet published by the NATIONAL GUARDIAN newsweekly as a public service. It is based largely on a five-page brief on the Oswald case, published in the Dec. 19, 1963, issue of the GUARDIAN, written by attorney Mark Lane.

Few issues of the GUARDIAN in recent years—and the GUARDIAN has been involved in many stirring crusades in its 15 years—have created as much comment as the Dec. 19 issue with the Lane brief. An extra press run distributed to newsstands and offered to readers both old and new, was quickly sold out. The demand was so heavy that this pamphlet was produced to meet it.



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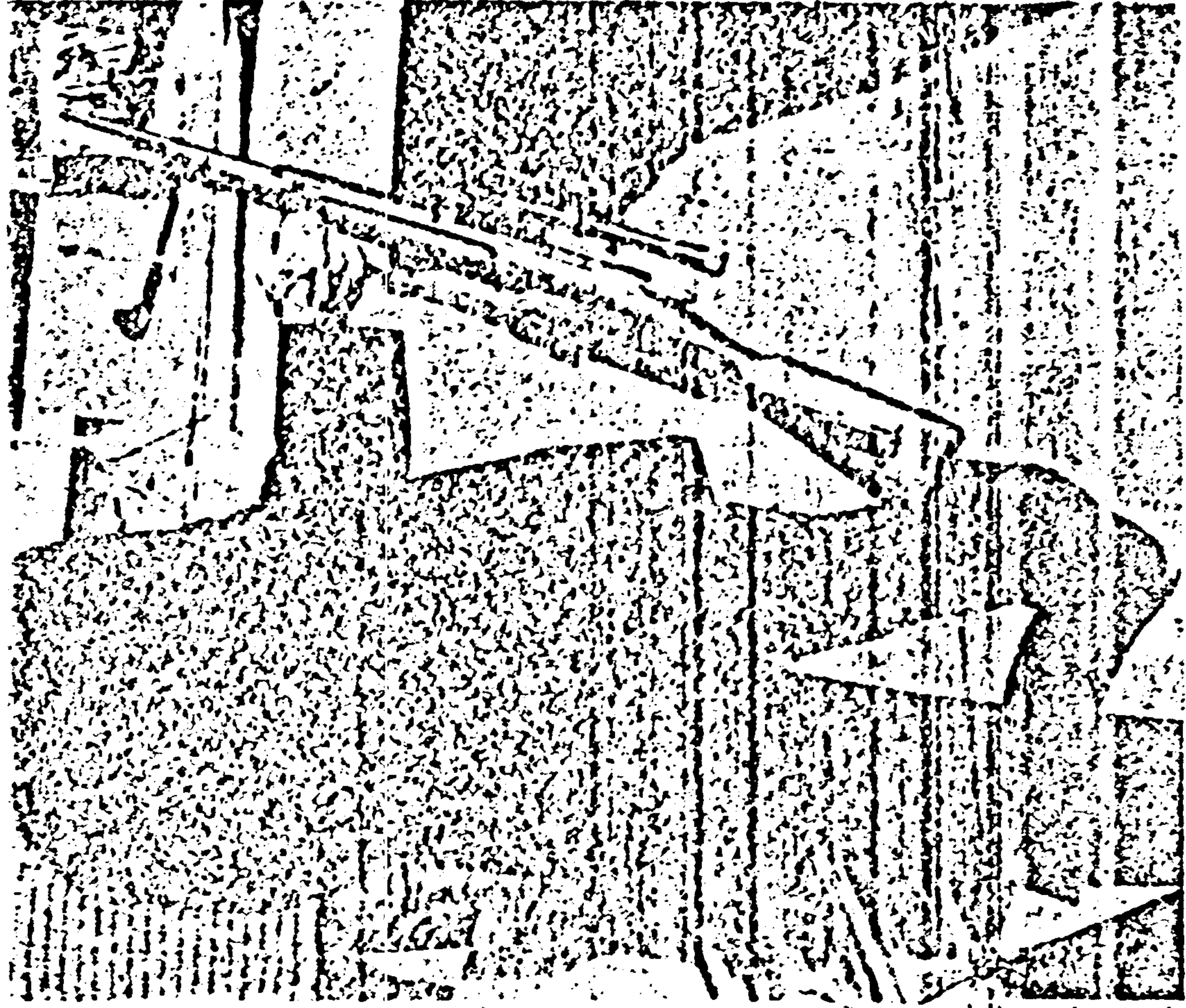
Doubts and confusion in the aftermath of the assassination of John F. Kennedy have brought to mind the situation that was created in the Sacco-Vanzetti case and the case of Ethel and Julius Rosenberg—a continuing case of Morton Sobell. Nor will the doubts be set at rest until genuine efforts are made to get to the bottom of the events that led to the tragic weekend of Nov. 22, 1963.

Readers will be interested in the reaction to the publication of this brief.

The biggest publicity breakthrough came in the New York Times Dec. 19, a full column story under the byline of Peter Kinss, a reporter of the long-forgotten digging school, which sent many New Yorkers to the streets for their first copy of the GUARDIAN. By week's end several thousands had called for additional copies, and phone calls and letters were coming in for bundle orders, single copies from new people and extra copies from regular subscribers.

The press reaction was interesting. Except for the Times, no New York paper printed a line on the Lane brief. The United Press International printed sheets in advance and announced it "wouldn't touch it." The Associated Press was offered the proofs, but said it was not interested; after the news story appeared, AP became interested.

The reaction was quite different. In Rome the Lane brief was



IT WAS THIS RIFLE THE KENNEDY ASSASSINATION WEAPON

The Dallas police had a story that raises many doubts

Post-Dispatch, which had given its Washington correspondent, Richard Dudman, a free hand in his coverage of the assassination aftermath.

At this writing, the atmosphere in Washington remains troubled and tense. A reporter who has been particularly zealous in tracking down leads in the Oswald case and asking questions has been called "unpatriotic" for his efforts. In Dallas, Mrs. Marina Oswald, widow of the slain suspect, at this writing was being held incommunicado by the Secret Service and the FBI. All attempts by newspapermen to obtain interviews with her have been thwarted, despite the fact that she is perhaps the only person who can shed light on the nagging questions that will not be downed in the case. A "business representative" was chosen, on the advice of the Secret Service, to act

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The broad reaction was quite different. In Rome the Lane brief was widely read and printed in full in Paese Sera, the largest in the evening and in Liberation in Paris. Oggi, an Italian magazine with a circulation of one million, sought permission to reprint. The Japanese press and agencies also were on top of the story. Several Mexican papers picked it up, too.

EXPERIENCE with the Lane brief leads to the conclusion that there is widespread doubt and incredulity in the public mind both at home and abroad over the handling of the assassination of President Kennedy by police and investigating agencies. Unlike most of the U.S. press, the GUARDIAN shares this feeling and will continue to gather and to present very pertinent pieces of information it can. It deplores the fact that the leading newspaper in the country is alarmed enough by the imminence of the double assassination to apply its full resources to a crusade to get to the bottom of the case—even if it means a muck-raking effort by the FBI, the CIA, the Secret Service and any agency of government—local, state or federal—that needs looking into.

Among the honorable exceptions in the field of journalism, in addition to the Times (which has been following the developments in the Oswald case in its news columns) are the New Republic, which in its issue of Dec. 21 carried a most disturbing article on the assassination called "Of Doubt," by Jack Minnis and Staughton Lynd; and the St. Louis

The price of this pamphlet is 15 cents. Additional copies may be ordered from the publisher.

WAS THIS RIFLE THE KENNEDY ASSASSINATION WEAPON? The Dallas police had a story that raises many doubts.

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At this writing, the atmosphere in Washington remains troubled and tense. A reporter who has been particularly zealous in tracking down leads in the Oswald case and asking questions has been called "unpatriotic" for his efforts. In Dallas, Mrs. Marina Oswald, widow of the slain suspect, at this writing was being held incommunicado by the Secret Service and the FBI. All attempts by newspapermen to obtain interviews with her have been thwarted, despite the fact that she is perhaps the only person who can shed light on the nagging questions that will not be downed in the case. A "business representative" was chosen, on the advice of the Secret Service, to act as her spokesman.

The Warren Commission has a formidable task, but one which, if pursued with integrity, could help elevate justice in the United States to a more honorable estate. It goes without saying that the extreme Right in America will attempt by every means to make the job harder for its favorite target, Chief Justice Warren. But there are many elements within the Establishment itself which have a big stake in relegating the assassinations even now to dead history. In this category are the federal agencies previously named and the politics-as-usual crowd both in the Congress and the White House which do not want to disturb the profit-and-plunder pattern of our way of life with any revelations that might disclose the underlying ugliness of the pattern.

THE GUARDIAN'S publication of the Lane brief in the Oswald case—a brief which has been submitted to the Warren Commission—is just the kind of public service for which this newsweekly was founded. On page 8 of this pamphlet persons not familiar with the history of the GUARDIAN can learn more about this publication and can avail themselves of the opportunity to subscribe to it.

The GUARDIAN is published weekly 52 times a year in a 12-page issue. It covers national and foreign news with its own staff—trained journalists of complete integrity. It seeks not to be just another newsweekly, but to serve as an antidote to the regular commercial press by presenting news and interpretations which can be found in few other journals in the U.S.

Readers hail the Lane brief

The Lane brief

NEW YORK, N.Y. — I congratulate you for publishing and Mark Lane for preparing so clear and convincing an analysis of the mishandling, mangle and confusion that has attended the tragic Oswald case (Dec. 19). Had those involved been rank amateurs in some new-born state in Asia or Africa their conduct would perhaps be more understandable and believable. But here we had seasoned representatives of law and order.

I hope when you and probably millions of others that the Warren Commission will be able to arrive at such and I consider the same article a public service.

Louis Silb

BRONX, N.Y.

Mark Lane's long dissertation on the guilt or innocence of Lee Oswald is, of course, an exercise in supposition and editorializing under the guise of seeking legal redress. No one can deny that the Dallas police acted like imbeciles. But, the same conditions obtaining, would Mark Lane be as vociferous if it had been proved that a Birchler had been involved and not a pro-Castro adherent?

Both the Right and the Left have their demented solists who can be guilty of perpetrating crimes without any centralized body giving the orders. In short, if Oswald thought he was aiding the Left by doing what he did, why immediately try this whitewashing technique?

Michael Pomerantz

TREVOSE, PA.

The brief by Mark Lane deferring Lee Oswald is a master's work. I had strong doubts of his guilt from the very begin-

no sympathy, so devastating. It sets your paper apart! I'm sure it will make history!

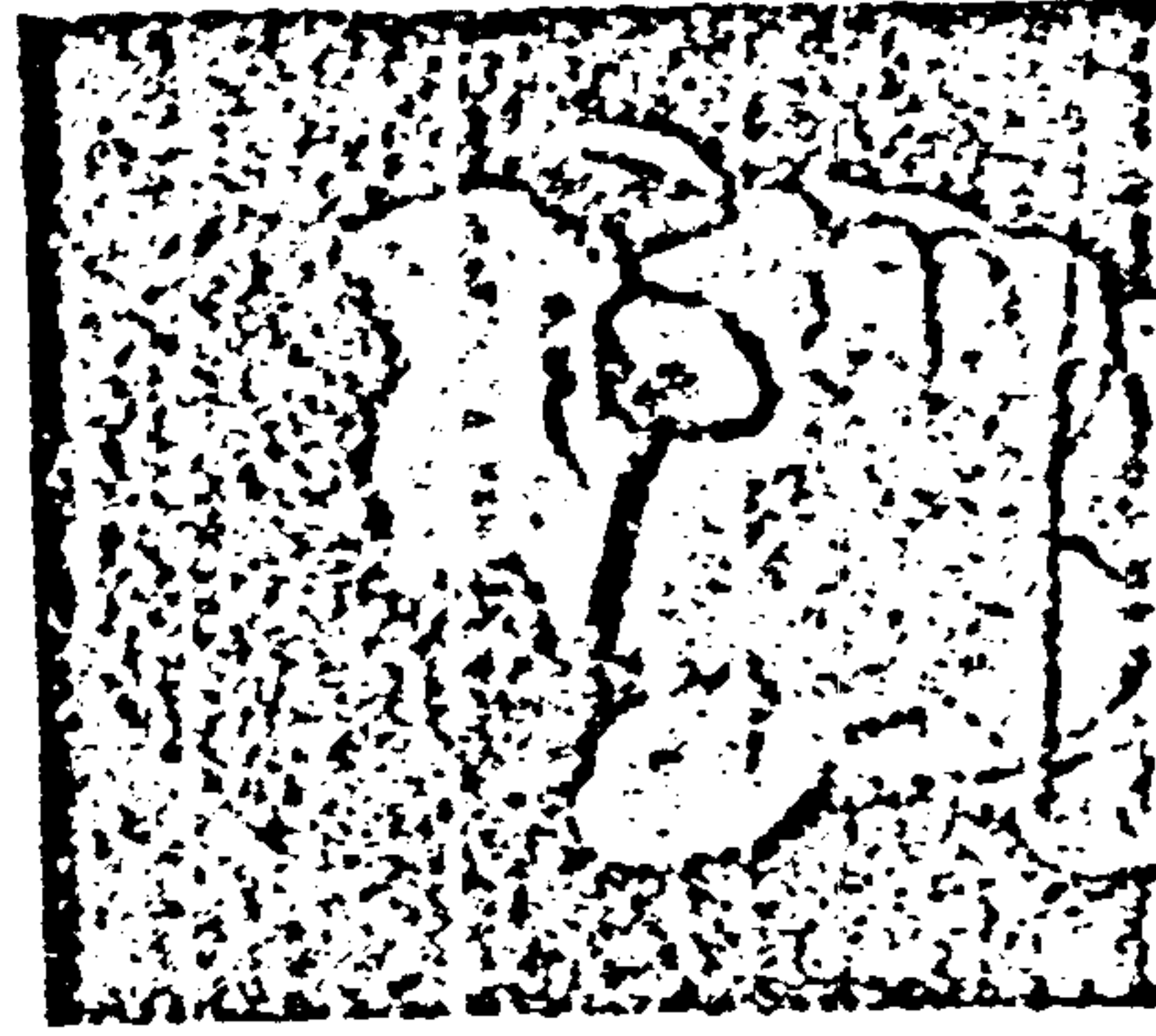
Please find enclosed a check for \$2 for 20 issues and I'll help in my humble way to strengthen out a few persons' lopsided mentalities. One I shall send to a friend of mine (a Japanese) in Tokyo who is a commentator on N.H.K. Tokyo Station Overseas Broadcasting Dept.

Dr. Herbert N. Smith

DROKLYN, N.Y.

I have just finished reading "Lane's defense for Oswald." Lane has brought forth evidence which shows that unless some miraculous answers are revealed, the greatest miscarriage of justice has occurred around a shocking American tragedy.

The frame-up of Sacco-Vanzetti was a black event in American history; the Rosenberg-Sobell case reflected a frameup induced by the McCarthy Era. But now in 1963 a brilliant young man was brutally slain much as a Latin American dictator is assassinated. And from all of this we as Americans have turned our hatred and vengeance toward another young man.



guns, analyzing in some detail for nearly an hour. One fact they stated was that the rifle used to assassinate the President was of the same type (the only difference being that one was manufactured in Italy, the other in Japan, but of same design) as the one used to assassinate Medgar Evers, the Negro leader — and that the telescopic sight on both guns was of exactly the same manufacture. True, this could be mere coincidence. In forensic statistics, though, coincidence is all but ruled out when such phenomena are rare; and is considered accessory when other evidences point in the same direction. And both these political murders may turn out to be similarly motivated, if not also connected.

Washingtonian

LA HABRA, CALIF.

The medical report which was first broadcast over TV interviewing Dr. Clark of Parkland Hospital, Dallas, stated that a bullet entered President Kennedy's throat and emerged through the back of the head.

In the New York Times (Western Edition, Nov. 23) Dr. Clark is quoted as follows: "Mr. Kennedy was hit by a bullet in the throat just below the Adam's apple." In the Times (Western Edition, Nov. 27), Dr. Clark stated that Mr. Kennedy was struck by a bullet at the necktie knot. "It ranged downward in his throat and did not exit."

According to the pictures printed in Life, Nov. 29, showing the sequence of the shooting, and the photo on p. 32H from the window where the alleged shots were fired, it is quite evident that it was indeed, as Life says, "remarkably effective" shooting for a sniper, especially when one considers that the alleged sniper fired from in back of the target and hit it in the front! It would also appear from the photos that Mr. Kennedy was looking to his left or away from the building concerned at this time. It would not these facts indicate the truth of the matter.



CAPTAIN WILL FRIE The face of Dallas L.

President. The one which the Governor was supposed to find from the rifle found in the warehouse, a gun may have belonged to L. Oswald was a Q. The conspiracy... that he shot... have been his... may have shot at the... and missed. It is by no... impossible that he was... in as a decoy and sacrifice.

The ground has been trampled by the officious authorities and the radio television experts, but the two factors which should anyone willing to look at what happened — simply and time.

Space: For a bullet fire that window to have the President as he was ed, he would have had to his back with his head low his body. The bullet would be embedded in... Kennedy.

BRONX, N.Y.

Mark Lane's long disarticulation on the guilt or innocence of Lee Oswald is, of course, an exercise in supposition and editorializing under the guise of seeking legal rulings. No one can deny that the Dallas police acted like imbeciles. But, the same conditions obtaining, would Mark Lane be as vociferous if it had been proven that a Bircher had been involved and not a pro-Castro adherent?

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Michael Pomerantz

TRIOSE, PA.

The brief by Mark Lane regarding Lee Oswald is a master's work. I had strong doubts of his guilt from the very beginning.

What I would like to see is an analysis based on the hypothesis that Jack Ruby was the President's assassin and how that would work out. I believe Ruby killed Oswald to prevent his coming to trial and did so with the connivance of the Dallas police. If this is so, then logic dictates that the police department in Dallas was a silent participant in the assassination — and this political atmosphere in Dallas makes this quite feasible. They simply could not afford to let Oswald be tried, because they knew the real killer and Oswald just might have been acquitted. It is some miracle. The wraps they are putting around Ruby do indicate this.

Ruby should be tried away from Dallas. The city officials should not be allowed to handle his trial and it should receive full publicity. If the Justice Department is on the ball, it would see that this was done. What can be done to force them to change the place of his trial? Where was Ruby when Kennedy was shot? Was the fatal bullet that killed him been traced to Oswald's rifle? Did Ruby have a motive to kill Kennedy? I think a thorough investigation should be made.

The frame-up of Sacco-Vanzetti was a black event in American history; the Rosenberg-Sobell case reflected a frameup induced by the McCarthy Era. But now in 1963 a brilliant young man was brutally slain much as a Latin American dictator is assassinated. And from all of this we as Americans have turned our heads and turned our backs toward another young man.



MARK LANE

He'd uncover the facts

Within 48 hours after the assassination of the President, most Americans were sure that the murderer was in custody. Even at this point questions were not being asked such as: Whom had the police chased across the railroad tracks near the book depository building? Who were the couple that CBS's Walter Cronkite reported were surrounded by a crowd of people? Why for some time after the assassination did the Dallas police state a policeman (Tippit) had been killed while arresting Oswald? These are only the start of a long list of puzzling questions.

Americans have written off the assassination as a closed case. The few questions raised doubting Oswald's guilt are passed off lightly. But I am not willing to accept the FBI's reports. I can't just sit back patiently awaiting the outcome of the Warren Commission. I want to help bring these many questions to light.

said so openly in Dallas. He was harassed and threatened too, by the same group that threatened President Kennedy. This is why, I believe, Oswald was framed in this despicable murder of President Kennedy.

One thing more, Ruby should be investigated to find out what connection he has with the Dallas police, and this vicious group of white segregationists who use violence against the people they don't agree with.

Maxwell Stone

NEW YORK, N.Y.

It was a great relief to read Mark Lane's excellent analysis of the discrepancies in the Oswald case and their implications.

There is one additional assumption that was lost sight of very early in the feverish haste of the Dallas authorities to implicate Oswald. In the first version of the assassination which I heard a half-hour after it occurred, it was presumed that the President had been shot by someone stationed on the overpass which he was approaching, according to the radio announcement. Under the window in the depository had been made the central issue, no further mention of this possibility was heard of.

In the light of Lane's clarifying assertion that the President was shot "in the front" from "the back," this early assumption — the position of the assassin — one of the assassins — remains its initial significance.

Dorothy Bloch

YONKERS, N.Y.

If there is the slightest doubt about Oswald's guilt, he must not be permitted to go down in history as even the "alleged" assassin. I should like to distribute as many copies of this brief as you can spare.

M. G. Rycroft

On the assassinations

WASHINGTON, D.C.

Two points about the assassination of President Kennedy and the slaying of Lee Oswald seem to me to merit more attention than has been given them:

- 1) All the photographs of Oswald, in the moments before he was shot down, show the detectives guarding and holding him were looking away from Jack

bullet entered Kennedy's throat and emerged through the back of the head.

In the New York Times (Western Edition, Nov. 23) Dr. Clark is quoted as follows: "Mr. Kennedy was hit by a bullet in the throat just below the Adam's apple." In the Times (Western Edition, Nov. 27), Dr. Clark stated that Mr. Kennedy was struck by a bullet at the necktie knot. "It ranged downward in his throat and did not exit."

According to the pictures printed in Life, Nov. 23, showing the sequence of the shooting, and the photo on p. 22H from the window where the alleged shots were fired, it is quite evident that it was indeed, as Life says, "remarkably effective" shooting for a sniper, especially when one considers that the alleged sniper fired from in back of the target and hit it in the front! It would also appear from the photos that Mr. Kennedy was looking to his left or away from the building concerned at this time.

Would not these facts implicate the likelihood of the bullet having come from a more northerly direction?

One should also note the angle of Gov. Connally's body at the time when he was hit. Did he turn toward the President before or after being hit?

I feel Justice Warren is a competent and juridical minded person who will make sure that any alleged facts are for a certainty facts. We must remember Lee Harvey Oswald has no defense.

Robert Longbotham

SEATTLE, WASH.

Lee Harvey Oswald did not assassinate President Kennedy. A newspaper photograph taken at almost the exact moment the first bullet struck the President — before Governor Connally was hit, even before the Secret Service men had time to react to the shooting — clearly shows Oswald then emerging from the doorway of the Texas Book Depository in which he worked.

This photograph, credited to Wide World, was one of the first wirephotos of the assassination shown in the Seattle area. It is reprinted on pages 24 and 25 of the Dec. 14 Saturday Evening Post. Secret Service outriders on the right of the car im-

President. The one which was fired from the rifle found in textbook warehouse, a gun which may have belonged to Lee Oswald.

If Oswald was a member of the conspiracy, it is probable that he shot Connally. That he have been his intention, it may have shot at the time and missed. It is by no means impossible that he was hit in as a decoy and sacrificed.

The ground has been trampled by the officious authorities and the television experts, but there are two factors which would lead anyone willing to look at what happened — at the time.

Space: For a bullet that window to have shot the President as he was walking, he would have had to hit his back with his head lower his body. The bullet would have struck the Governor which struck the Governor's head would have to do.

Time: The maker of the floor weapon was doubtful it could have been fired times in five seconds, as the newsmen promptly sure, time to five and one-half seconds, allowing two and quarters seconds between shots. What can one do in time? A sprinter can run 30 yards, anyone can run a floor of a car, a gun running board can stop itself stop a mar-

good auto cruise speed to well over an hour and be more than 200 feet from the scene in five seconds. Governor would certainly time to move his arm if he not shot first.

There is a motion picture of the crime, but was published it is more valuable to be seen clearly. I pictures show two seconds between the shooting of the President and the Governor? I listed, the whole sequence including before and after, than two seconds.

Perhaps the D.A. of Dallas be pardoned; he certainly case that would have or

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a sharpshooter of killing
boss. The Dallas police wanted
man fast and got one. The
would doubtless push this
through if they could
clusion, but they do
fatal bullets and they do
to stir up trouble without
ing where it will lead. But
newsmen of America have
excuse. They know that
could not have fired those
shots, yet they dilly-dally
each new story of a photo
a street map, a target
Two men, probably
killed the President. At
man, possibly three, got
The conspiracy must have
even larger. Is there a
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book into it?

George Coe

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mediately following the presiden-
tial limousine are looking di-
rectly at him, at the moment
Kennedy grasps at his throat.
Compare the man in the door-
way with photographs of Os-
wald just after his arrest, for
example the one on page 38 of
the Nov. 29 Life.

ALPINE, N.Y.
President Kennedy was killed
by a bullet from in front of his
car from near street level. If, as
reported, there were two wounds,
both were fired from street level
and fired simultaneously. At the
same instant a shot from a
bullet struck Gov. Connally.
There was no recovery of the
bullet or bullets which killed the

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... Kennedy was looking to his
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MARK LANE
He'd uncover the facts
Within 48 hours after the as-
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most Americans were sure that
the murderer was in custody.
Even at this point questions were
not being asked such as: Whom
had the police chased across the
railroad tracks near the book de-
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couple that CBS's Walter Cron-
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a crowd of people? Why for some
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1) All the photographs of Os-
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was shot down, show the detec-
tives guarding and holding him
were looking away from Jack
Ruby as he was advancing
through the crowd while in the
same photos Oswald was looking
at him. CBS network announce-
ers in Dallas and New York on
Nov. 24 stated that in slow mo-
tion their TV cameras proved
that, while everyone else in the
crowd including police and de-
tectives were looking in every
direction, Oswald had his eyes
fixed on Ruby practically every
moment from the time the latter
entered the area. These facts
are certainly strong evidence
that the local police department
was purposely lax . . . and b)
that Oswald knew Ruby, wheth-
er or not he suspected what this
petty gangster was intending to
do.
2) On Nov. 25, CBS announce-
ers engaged in a colloquy on

NEW YORK, N.Y.
I want to thank Mark Lane for
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AMERICANS HAVE WRITTEN OFF
the assassination as a closed
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doubting Oswald's guilt are
panted off lightly. But I am not
willing to accept the FBI's re-
ports. I can't just sit back pa-
tiently awaiting the outcome of
the Warren Commission. I want
to help bring these many ques-
tions to light.

THE TRAGEDY OF JFK'S DEATH IS
compounded by the case of Lee
Harvey Oswald. And every day
that goes by gives the individual
who put the bullet through the
front of JFK's neck a greater
chance of never being brought to
justice.
These are some of the reasons
why I ask you to please send me
copies of Lane's brief in defense
of Oswald.
Michael Sals

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NEW YORK, N.Y.
Here's a token of my appreci-
ation (\$50) for your public serv-
ice in the interest of justice in
publishing Mark Lane's very
compliment brief. It certainly
raises serious doubts and should
be read by everyone who has
made up his mind as a result of
the headlines.
Please send me 30 copies.
Mildred Kaufman

BLOOMINGDALE, N.J.
Your article on Oswald was
marvellous! I've been a sub-
scriber of the GUARDIAN. I
think, ever since it was founded,
but never have you published an
article so wonderful, so powerful,

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Lane's Defense Brief for Oswald

In an analysis of the civil liberties aspects of the assassination of Lee Harvey Oswald, the American Civil Liberties Union said the "public interest" would be served if the commission named by President Johnson were to make "a thorough examination of the treatment accorded Oswald, including his right to counsel, the nature of the interrogation, his physical security while under arrest, and the effect of pretrial publicity on Oswald's right to a fair trial."

In the public interest the GUARDIAN has devoted one-half of the issue of Dec. 19 to a lawyer's brief in the Oswald case which has been sent by the author to Justice Earl Warren as head of the fact-finding commission inquiring into the circumstances of the assassination of President Kennedy. The author is Mark Lane, a well known New York defense attorney, who has represented almost all the civil rights demonstrators arrested in New York. He has also served as defense counsel in a number of murder cases involving young persons.

In 1959, he helped organize the Reform Democrats in New York, an insurgent movement within the Democratic Party, was the first candidate of the movement to be nominated to the New York State Legislature and was elected in 1960.

By Mark Lane

IN ALL LIKELIHOOD there does not exist a single American community where reside 12 men or women, good and true, who presume that Lee Harvey Oswald did not assassinate President Kennedy. No more savage comment can be made in reference to the breakdown of the Anglo-Saxon system of jurisprudence. At the very foundation of our judicial operation lies a cornerstone which shelters the innocent and guilty alike against group hysteria, manufactured evidence, overzealous law enforcement officials, in short, against those factors which militate for an automated, prejudged, neatly packaged verdict of guilty. It is the sacred right of every citizen accused of committing a crime to the presumption of innocence.

This presumption, it has been written, is a cloak donned by the accused when the initial charge is made, and worn by him continuously. It is worn throughout the entire case presented against him, and not taken from the defendant until after he has had an opportunity to cross-examine hostile witnesses, present his own witnesses and to testify himself.

Oswald did not testify. Indeed, there will be no case, no trial, and Oswald, murdered while in police custody, is never tried. Under such circumstances the de-

In his letter to Justice Warren accompanying the brief, Lane urged that defense counsel be named for Oswald so that all aspects of the case might be vigorously pursued, particularly since Oswald was denied a trial during his lifetime. It is an ironic note, as the ACLU statement said, that "if Oswald had lived to stand trial and were convicted, the courts would very likely have reversed the conviction because of the prejudicial pretrial publicity."

The GUARDIAN's publication of Lane's brief presumes only one thing: a man's innocence, under U.S. law, unless or until proved guilty. It is the right of any accused, whether his name is Oswald, Ruby or Byron de la Beckwith, the man charged with the murder of Medgar Evers in Mississippi. A presumption of innocence is the rock upon which American jurisprudence rests. Surely it ought to apply in the "crime of the century" as in the meanest back-alley felony.

We ask all our readers to study this document, show it to as many persons as you can (extra copies are available on request) and send us your comment. Any information or analysis based on fact that can assist the Warren Commission is in the public interest—an interest which demands that everything possible be done to establish the facts in this case.

—THE GUARDIAN



12—Oswald shot and killed a police officer.
13—A witness saw Oswald enter the Texas theater.
14—Oswald drew a pistol and attempted to kill the arresting officer.

15—A map was found in Oswald's possession showing the scene of the assassination and the bullet's proposed trajectory.

Perused lightly, the list seems impressive. If capital cases evidence is not perused lightly, it is subject to probing cross-examination, study and analysis. The most effective tool available to any defendant, cross-examination, is not available in this case. We rely instead solely upon press reports of statements made, not by witnesses for the defense, not by the defendant, but by the district attorney, police officers and FBI agents. With this oppressive restriction in mind we move on to an analysis of the evidence.

Point One

A number of witnesses saw Oswald at the window of the sixth floor of the Texas School Book Depository.

SINCE IT IS ALLEGED that Oswald fired through that window, that assertion is important. Wade was unequivocal, stating: "First, there was a number of witnesses that saw the person with the gun on the

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which intervenes between the zealous investi- id the jury is due process of law, developed at st in human life and liberty over the years. It light to have irrelevant testimony barred. It is t to have facts, not hopes or thoughts or wishes idicial opinions, presented. It is the right to cross-examination the veracity of every witness value of his testimony. It is, perhaps above all, t to counsel of one's own choice, so that all the zhis may be protected. In this defense, Oswald cted all rights along with his life.

reader, inundated at the outset with 48 solid n, radio and newspaper hours devoted to prov- guilt of the accused and much additional "evi- since then, cannot now examine this case with- ing to it certain preconceived ideas. We ask, only for a temporary suspension of certainty.

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LEE HARVEY OSWALD AND THE DALLAS POLICE He was questioned, without counsel, for 48 hours annual budget of almost \$500,000. For more than four years he was an FBI agent before becoming district attorney.

He boasts of obtaining the death sentence in 23 of the 24 capital cases he has prosecuted. It can be assumed that the Oswald case was by far the most im- portant matter that he ever handled, and that his ap- pearance on Sunday to present the evidence was the high point of his career. This was an appearance for which he had abundantly prepared himself.

In that light, we now examine the "airtight case," the "absolute confirmation of Oswald's guilt." Wade pre- sented 15 assertions, some mere conclusions, some with a source not revealed, some documented. Here are the 15 assertions:

- 12—Oswald shot and killed a police officer.
- 13—A witness saw Oswald enter the Texas theater.
- 14—Oswald drew a pistol and attempted to kill the as- resting officer.
- 15—A map was found in Oswald's possession showing the scene of the assassination and the bullet's proposed trajectory.

Perused lightly, the list seems inoperative. But in capital cases evidence is not perused lightly. It is sub- ject to probing cross-examination, study and analysis. The most effective tool available to any defendant, cross-examination, is not available in this case. We rely instead solely upon press reports of statements made, not by witnesses for the defense, not by the de- fendant, but by the district attorney, police officers or FBI agents. With this oppressive restriction in mind, we move on to an analysis of the evidence.

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A number of witnesses saw Oswald at the window of the sixth floor of the Texas School Book Depository.

SINCE IT IS ALLEGED that Oswald fired through that window, that assertion is important. Wade was unequivocal in stating, "First, there was a number of witnesses that saw the person with the gun on the sixth floor of the bookstore building, in the window—detailing the window—where he was looking out." Sub- sequently, it developed that the "number of witnesses" was in reality one witness, who was quoted as follows: "I can't identify him, but if I see a man who looks like him, I'll point him out." (Newsweek—Dec. 9) Such "identification" is at best speculative and would not be permitted in that form at trial.

Point Two

Oswald's palm print appeared on the rifle.

A PALM PRINT, unlike a fingerprint, is not always a uniquely identifiable. Nevertheless, palm prints pos- sibly belonging to the suspect and present on a murder weapon must be considered important evidence. If the rifle did belong to Oswald, the presence of palm prints there might be normal and need not lead to the inevit- able conclusion that Oswald fired the fatal shots. How- ever, speculation in this area is not now required to rebut Wade's second point. The FBI now states that "no palm prints were found on the rifle."

This conclusion, first carried in the Fort Worth press, was later leaked to reporters by the FBI in off-the- record briefing sessions. The FBI at that time took the position that "we don't have to worry about prints in this case." The FBI indicated anger with Wade for stating that a palm print was present when in fact it was not.

Point Three

taken from the defendant until after he has had an opportunity to cross-examine hostile witnesses, present his own witnesses and to testify himself.

Oswald did not testify. Indeed, there will be no case, no trial, and Oswald, murdered while in police custody, will never see a lawyer. Under such circumstances the development of a possible defense is difficult, almost impossible. Under such circumstances, the development of such a defense is obligatory.

There will be an investigation. No investigation, however soundly motivated, can serve as an adequate substitute for trial. Law enforcement officials investigate every criminal case before it is presented to a jury. The investigation in almost all such cases results in the firm conviction by the investigator that the accused is guilty. A jury often finds the defendant innocent, notwithstanding.

That which intervenes between the zealous investigator and the jury is due process of law, developed at great cost in human life and liberty over the years. It is the right to have irrelevant testimony barred. It is the right to have facts, not hopes or thoughts or wishes or prejudicial opinions, presented. It is the right to test by cross-examination the veracity of every witness and the value of his testimony. It is, perhaps above all, the right to counsel of one's own choice, so that all the other rights may be protected. In this defense, Oswald has forfeited all rights along with his life.

The reader, inundated at the outset with 48 solid television, radio and newspaper hours devoted to proving the guilt of the accused and much additional "evidence" since then, cannot now examine this case without bringing to it certain preconceived ideas. We ask, instead, only for a temporary suspension of certainty.

The case against Oswald

LONG BEFORE OSWALD was shot to death in the basement of the Dallas courthouse, the Dallas officials had concluded that Oswald was "without any doubt the killer." On Saturday, the press was informed that "absolute confirmation as to Oswald's guilt" had just arrived but that the "startling evidence" could not then be released to the press.

Immediately after Oswald was slain, the Dallas district attorney, Henry Wade, announced that the "Oswald case was closed." Despite the deep belief that prevailed throughout the U.S. as to Oswald's guilt, doubts raised throughout Europe escalated with Oswald's murder into almost absolute rejection of the prosecution case.

The Justice Department then announced that the case was not closed. Wade called a press conference to "reopen" the case. In a radio and television statement, publicized throughout the world, Wade presented "the evidence, piece by piece, for you."

Wade is not new to the ways of law enforcement and prosecution. He has held the post of district attorney in Dallas 13 years. He has a staff of 80, and an



LEE HARVEY OSWALD AND THE DALLAS POLICE
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Here are the 15 assertions:

- 1—A number of witnesses saw Oswald at the window of the sixth floor of the Texas School Book Depository.
- 2—Oswald's palm print appeared on the rifle.
- 3—Oswald's palm print appeared on a cardboard box found at the window.
- 4—Paraffin tests on both hands showed that Oswald had fired a gun recently.
- 5—The rifle, an Italian carbine, had been purchased by Oswald, through the mail, under an assumed name.
- 6—Oswald had in his possession an identification card with the name Hidel.
- 7—Oswald was seen in the building by a police officer just after the President had been shot.
- 8—Oswald's wife said that his rifle was missing Friday morning.
- 9—Oswald had a package under his arm Friday.
- 10—Oswald, while taking a bus from the scene, laughed loudly as he told a woman passenger that the President had been shot.
- 11—A taxi driver, Darryl Click, took Oswald home, where he changed his clothes.

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This conclusion, first carried in the Fort Worth press, was later leaked to reporters by the FBI in off-the-record briefing sessions. The FBI at that time took the position that "we don't have to worry about prints in this case." The FBI indicated anger with Wade for stating that a palm print was present when in fact it was not.

Point Three

Oswald's palm print appeared on a cardboard box found at the window.

WADE STATED, "On this box that the defendant was sitting on, his palm print was found and was identified as his." Inasmuch as a palm print is not always uniquely identifiable, depending on the number of characteristics that are readable, the palm print very likely was not definitely "identified as his."

It had been alleged earlier that the defendant ate greasy, fried chicken at the window. The presence of a palm print indicates that he wore no gloves and took no precautions to prevent a trail of fingerprints and palm prints. Nevertheless, no prints of the defendant were found on the floors, walls, window ledge, window frame or window. Only a movable cardboard carton, subsequently present at the police station while the defendant was also there, is now alleged to have his print.

An over-zealous investigatory staff might arrange to secure such a print after the fact. Certainly the handling of this case by the Dallas authorities was marked by over-zealous desire to convict the defendant. A dis-

An examination of the evidence against Oswald

trial attorney who states falsely that a palm print is present on the murder weapon might make a similar statement in reference to a cardboard carton.

Point Four

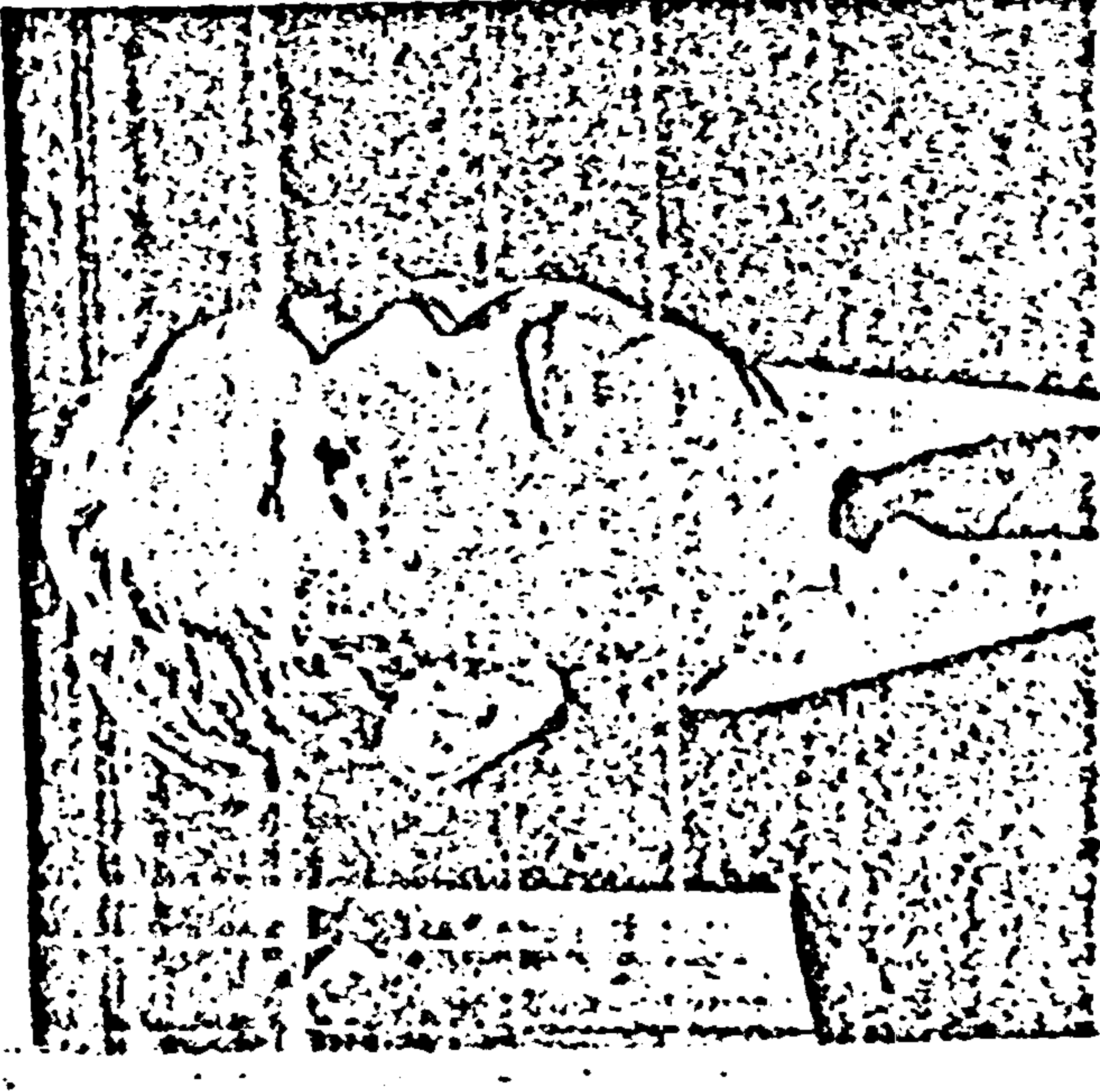
Paraffin tests on both hands showed that Oswald had fired a gun recently.

PARAFFIN IS APPLIED to that portion of the human body which might come in close contact with the gas (released by a weapon's firing) containing solid particles of burned nitrates in suspension. To determine whether a pistol (i.e., a gun) has been fired, tests are made of both hands. To determine whether a rifle has been fired, tests are made of both hands and the area on both sides of the face near the cheekbone, the cheek remaining in immediate contact with a rifle when the trigger is pulled.

In the service, as any veteran, including Wade, well knows, a rifle is always referred to as a rifle. It is never, under fear of company punishment, called a gun (pistol). At Wade's press conference, this dialogue took place:

Reporter: What about the paraffin tests?

Wade: Yes, I've got paraffin tests that showed he



examination Wade said without hesitation that "the murder weapon was a German Mauser."

The next day it was reported that FBI files showed that Oswald purchased an Italian carbine through the mail. It was sent to a post-office box maintained by Oswald in his own name and also A. Hidell. (Clearly no serious effort to escape detection as the purchaser of the rifle was made by Oswald, if he did purchase it.)

Armed with the knowledge that Oswald could be connected with an Italian carbine (it then not being known that the Italian rifle in question might not be able to fire three times in five seconds), Wade made a new announcement. The murder weapon was not a German Mauser, it was an Italian carbine. This prosecution reversal established a high point in vulnerability for the trial—the trial that was never to take place.

Point Six

Oswald had in his possession an identification card with the name Hidell.

WADE SAID, "On his (Oswald's) person was a pocketbook. In his pocketbook was an identification card with the same name (Hidell) as the post-office box on it."

Almost immediately after Oswald was arrested the police asserted that he was guilty of assassination, was a Communist, was the head of the New Orleans Fair Play for Cuba Committee, and had used an alias, "Lee," the name under which he had rented his 48-a-week room. The following day, after the FBI had revealed that Oswald had purchased a rifle under the assumed name Hidell, the Dallas DA announced for the first time that Oswald had carried an identification card under the assumed name Hidell on his person when he was arrested the previous day.

One wonders why the police and the DA, in announcing Oswald's political background, failed to mention another alias readily available to them. Clearly, the suspect was immediately searched when arrested. Clearly, an identification card made out to another person fitting Oswald's description exactly was proof of another assumed name. Why did the Dallas authorities publicly "discover" the ID card for Hidell after the FBI said that Oswald purchased a rifle under the name Hidell?

Point Seven

Oswald was seen by the building by a police officer just after the President had been shot.

New York Times, Nov. 23). The deployment of officers from his 1,100-man force made last night in the manhunt, he said.

The scene painted for us by Wade and Co. officers immediately rushing to the building to off and search it. This is the building from which fatal shots allegedly were fired.

In these circumstances, is it likely that Oswald permitted to leave the premises after the arrival? Is it likely that Oswald, a man who is a member of the Communist Party, would permit to stop off for a soda, and had then—only building was surrounded, sealed off, and the gun—made an effort to leave? Is it likely that the almost 90 employees, most of whom were in the building, engulfed in the panic and confusion upon his place of employment through return to his place of employment through line, while still on his lunch hour, so that "an employee was located but this defendant... description of the one missing employee radio

Point Eight

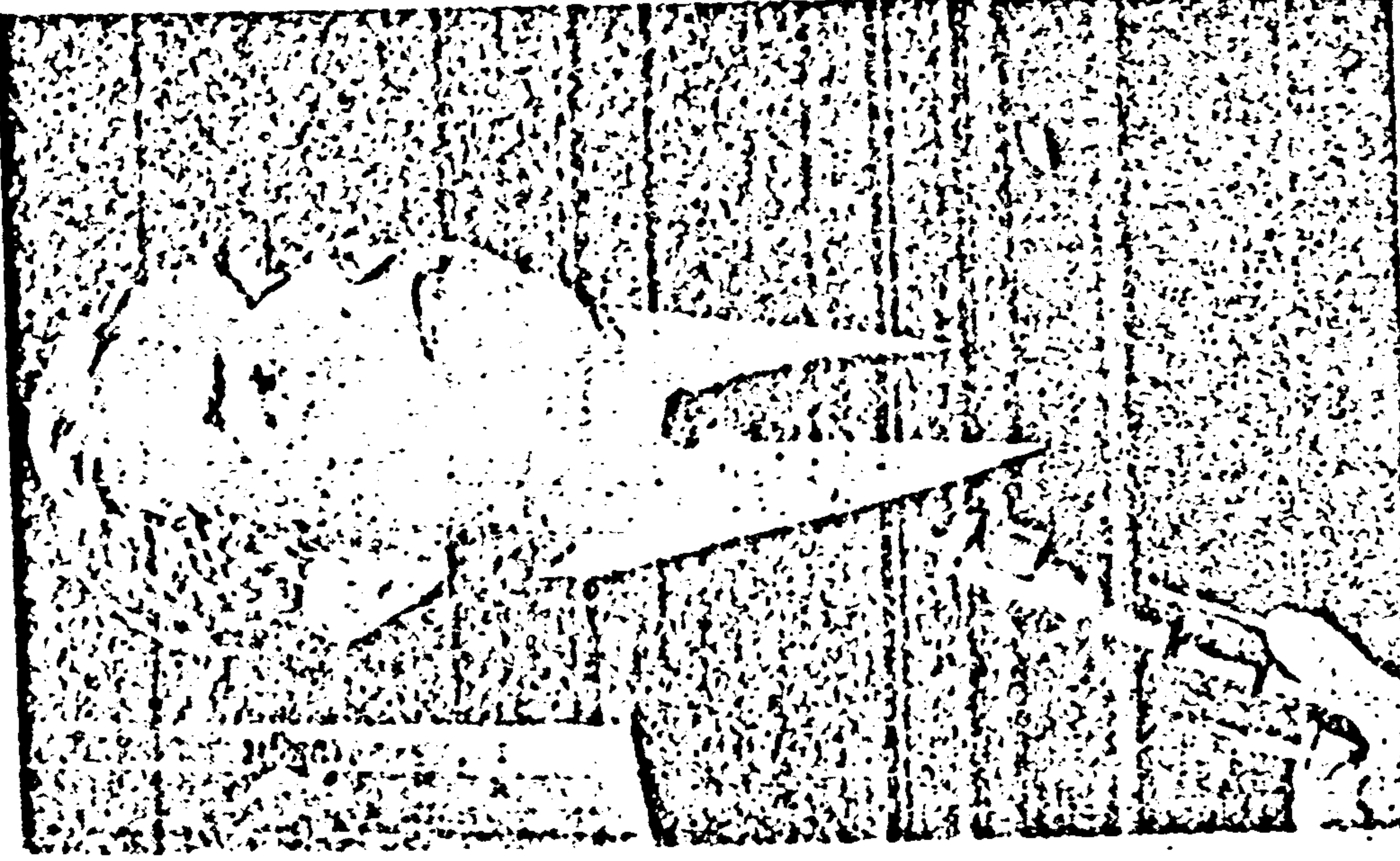
Oswald's wife said that the rifle was missing morning.

WADE SAID, "The wife had said he had the rifle the night before, and it was missing after he left." All indications are from reports made by other law officials and from briefings that Mrs. Oswald had never been saying anything remotely similar.

Mrs. Oswald was alleged to have said, most, that she saw something in a briefcase that have been a rifle. However, it soon became public Secret Service "leak" was itself absolutely false. Later we discovered that Mrs. Oswald state never knew that her husband owned a rifle know he owned a pistol (New York Times).

Perhaps Wade and the Secret Service felt that, just as Oswald never got the opportunity side of the story, Mrs. Oswald might also find difficulty in being heard. Immediately after the death of Marina Oswald, Oswald's wife, was taken by the Secret Service. "The widow and relative Harvey Oswald are being sequestered here the Secret Service. A spokesman for the Secret Service said the family was being kept in a secret its own protection... A Secret Service spokesman he did not know when they would be released."

area of the room...
 when the trigger is pulled.
 In the service, as any veteran, including Wade, well knows, a rifle is always referred to as a rifle. It is never, under fear of company punishment, called a gun (pistol). At Wade's press conference, this dialogue took place:
 Reporter: What about the paraffin tests?
 Wade: Yes, I've got paraffin tests that showed he



DALLAS DISTRICT ATTORNEY HENRY WADE
 He presents the 'evidence'—to the press
 had recently fired a gun—it was, on both hands.
 Reporter: On both hands?
 Wade: Both hands.
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Point Seven
 Oswald was seen in the building by a police officer just after the President had been shot.
WADE SAID. "A police officer, immediately after the assassination, ran in the building and saw this man in a corner and tried to arrest him; but the manager of the building said he was an employe and it was all right. Every other employe was located but this defendant of the company. A description and name of him went out to police to look for him." (At this point it might be in order to state that all of the Wade quotations are reproduced unedited, and in their entirety. The text of the Wade remarks appeared in the New York Times, Nov. 26.)

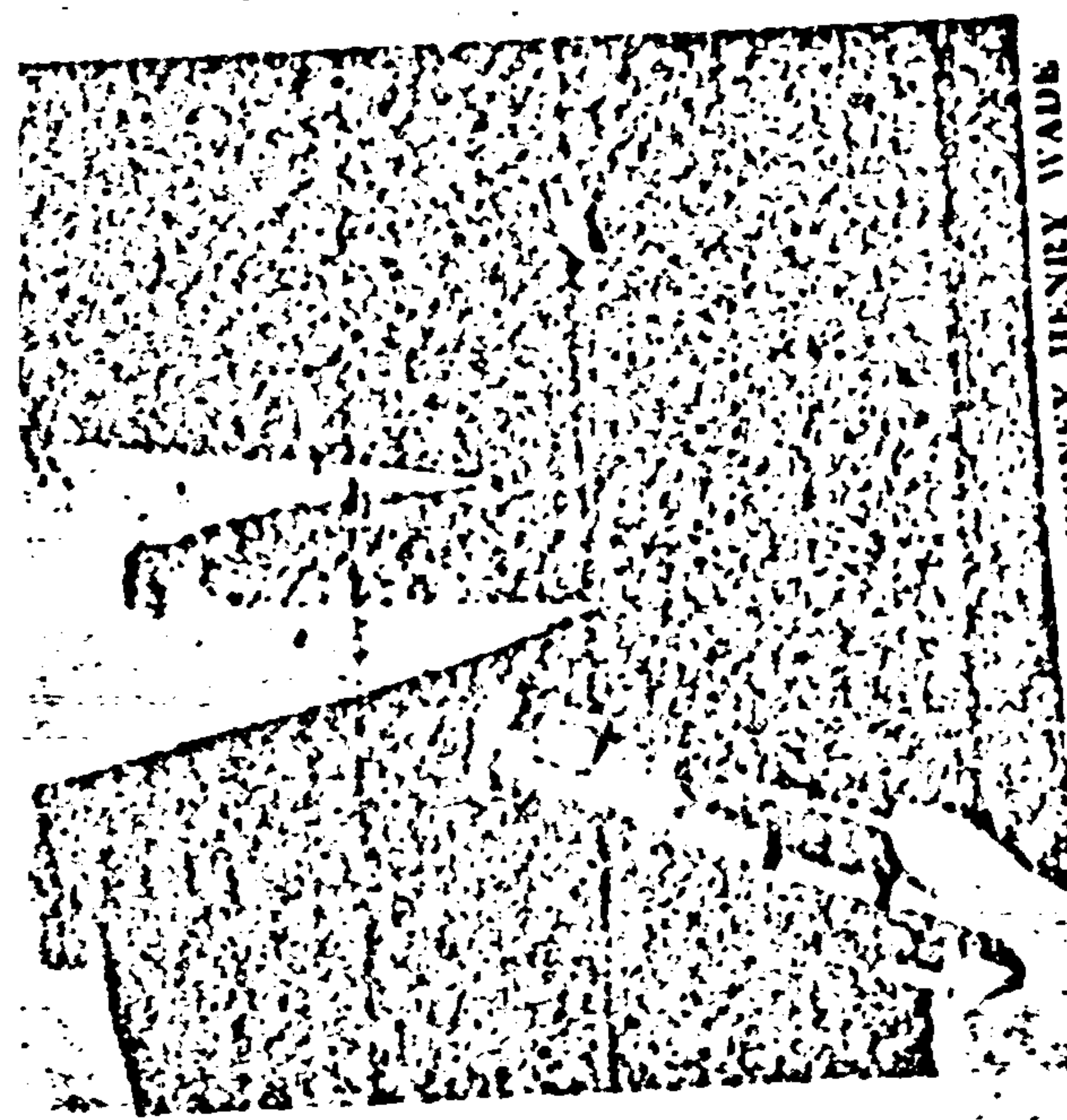
Unexplained by Wade is why the officer was going to arrest Oswald, who was sipping a soft drink in the lunchroom along with others. If the officer had reason to single out Oswald for arrest for the assassination at that time, it seems unlikely that the mere statement that Oswald was an employe might result in immunity from arrest.
 Wade does explain, however, how the almost immediate description of Oswald was radioed to the police and to the citizens of Dallas. The explanation: "Every other employe was located but this defendant of the company." The New York Times (Nov. 23) reported: "About 90 persons were employed in the Texas School Book Depository and most of them were out watching the President's motorcade when the shots were fired." Po-

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Point Eight
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 New York Times, 11-27-63

Inasmuch as there will be no trial, Marina clearly is not being held as a material witness. The federal government has no jurisdiction over the event, there seems to be no legal basis for her incarceration. Lee Oswald's mother, jeopardized by listing hysteria as much as his widow, after he ceased from Secret Service "protective custody" requested that a guard be stationed at the door home. The Secret Service rejected the request that she was not in danger. One would think Marina Oswald, widely and inaccurately quoted Secret Service and FBI, has remained in custody practically incommunicado as well. The same the New York Times that correctly stated Marina Oswald's view of the rifle said, "Mrs. Oswald moved from the motel where she was taken with Marguerite Oswald, her brother-in-law and after her husband was killed. She is now excluded Oswald's relatives as well as from the public." days after the "protective custody" began a sought an interview with Marina Oswald. She has a desire to meet the reporter. The FBI then in and prevented the interview.
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DALLAS DISTRICT ATTORNEY HENRY WADE

fitting Oswald's name. Why did the Dallas authorities publicly "discover" the ID card for Hidell after the FBI said that Oswald purchased a rifle under the name Hidell?

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He presents the "evidence"—to the press.

had recently fired a gun—it was on both hands.

Reporter: On both hands?

Wade: Both hands.

Reporter: Recently fired a gun?

Wade: A gun.

Wade's answers, while truthful, were a study in understatement. The district attorney neglected to state the additional facts that the tests revealed that there was Oswald's face and that the tests revealed that there were no traces of gunpowder on Oswald's face (Washington Star, Nov. 24). One fact emerges here with clarity. The paraffin test did not prove Oswald fired a rifle recently. The test tended to prove Oswald had not fired a rifle recently. This fact alone raises that reasonable doubt that a jury might utilize in finding the defendant not guilty.

Point Five

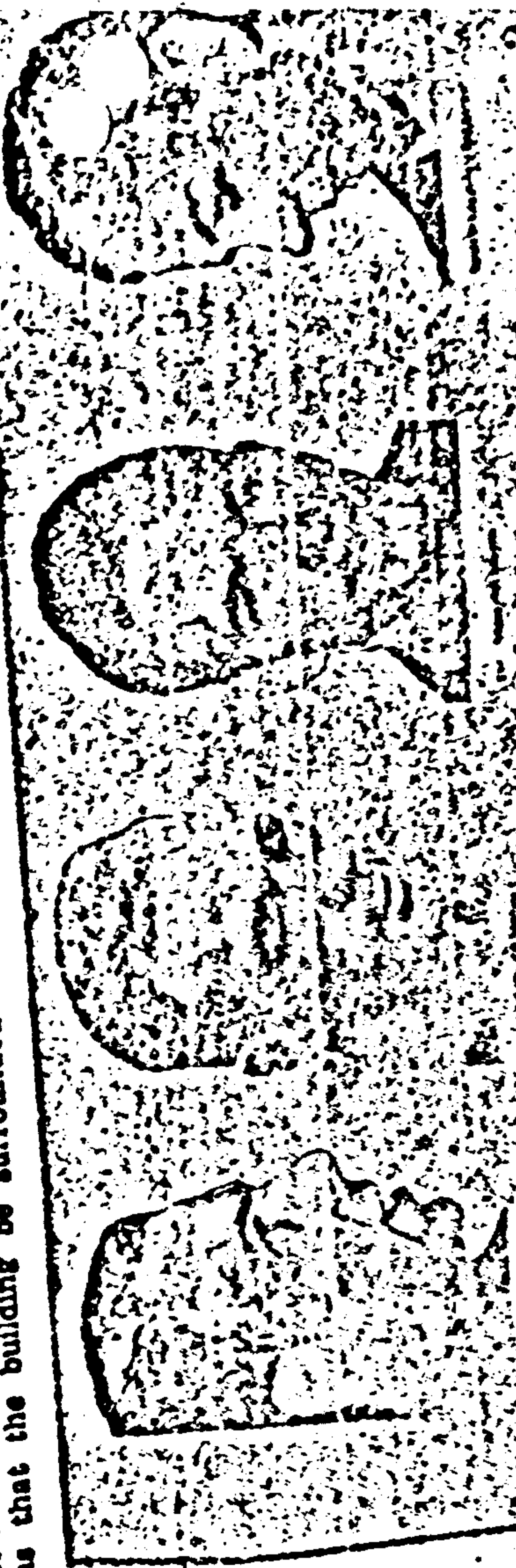
The rifle, an Italian carbine, had been purchased by Oswald through the mail and under an assumed name. WADE SAID: "It (the rifle), as I think you know, has been identified as having been purchased last March by Oswald, from a mail-order house, through an assumed name named Hidell, mailed to a post office box here in Dallas." Wade said this was the weapon that killed the President.

Wade had made a very different statement in reference to the murder weapon just a short while before. Just after the arrest of Oswald, Dallas law enforcement officials announced that they had found the murder weapon. Wade and his associates studied the

by the Secret Service. "The Warren Commission... Dallas Harry Oswald are being requested here for the Secret Service. A spokesman for the Secret Service said the family was being kept in a secret place of its own protection... A Secret Service spokesman he did not know when they would be released."

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It would seem that the Secret Service move rated by a desire to prevent any truthful information. Mrs. Oswald's family or friends of through in reference to her views. At about the same Secret Service and FBI "leaks" regarding Marina Oswald's recollection of her late husband's "shoot Gen. Walker with the same assassin" flooded the front pages of every daily newspaper. Marina Oswald's assertion that she never



Lee Harvey Oswald: A Face Forever Infamous?

A SAMPLE HEADLINE—THIS ONE IN THE N.Y. HERALD TRIBUNE NOV. 24

a trial that can't be held

The New York Times

LATE CITY EDITION

PRESIDENT'S ASSASSIN SHOT TO DEATH IN JAIL CORRIDOR BY A DALLAS CITIZEN; GRIEVING THROUGHS VIEW KENNEDY BIER

A SWIFT VERDICT OF GUILTY — N.Y. TIMES HEADLINE NOV. 23
The Times later 'regretted' its failure to qualify the word assassin

husband owned a rifle, buried in the 14th of a story appearing on page 43 of the Times, is a total repudiation of that fabri-

be said that when Marina Oswald is released of the statements attributed to her by the Secret Service and Wade. The Secret Service testified to her (Marina Oswald) that it might be easier for her to return to the Soviet Union and live in the United States (Times, Dec. 8.) The Secret Service intended to indicate that Wade and easier for the Secret Service, the Wade and the case against Oswald if Mrs. quietly left the country.

While, back to Wade's "clinched case." Even if Wade did state that her husband owned a rifle it was missing Friday morning, such "evidence" would not be admissible under the laws of the Dallas law enforcement officials, nevertheless that "evidence" to the public and, therefore, all potential jurors in Dallas, while Oswald was facing the possibility of trial. Such conduct would be both to the spirit and letter of law and to the rights of the defendant.

Wade of Marina Oswald's lack of knowledge re- the rifle, and in view of the statement made Paine, at whose home the rifle was alleged to be stored, one questions whether Oswald ever possessed the rifle. "Mrs. Paine, a Quaker, said no idea what was in the blanket, she said that of her personal beliefs she would not allow a of any sort in her home." (New York World and Sun, Nov. 25).

Point Nine

went to his home in Oak Cliff, changed his clothes hurriedly, and left."

On Nov. 27, it was conceded that "Darryl Click" did not drive a taxicab in which Oswald was a passenger. When "Darryl Click" disappeared from the case, "William Whaley" appeared as the man who drove Oswald, not home, but at least in that general direction.

Oswald, it is alleged, fired the shots that killed Kennedy from the sixth floor of the building. Oswald, it is alleged, then walked down four flights of stairs, purchased a soft drink and was sipping it while a police officer approached him on the second floor.

Oswald, it is alleged, later left the building, slipping through the police cordon and proceeded through the panicked street crowds until he found a bus. Oswald, it is alleged, then boarded the bus, paid his fare, got a transfer (that he never used) and spoke to the driver about the assassination.

The driver referred a woman to Oswald, it is alleged, and Oswald spoke with her about the shooting. Oswald, it is alleged, eventually left the bus after riding about six blocks and was walking "from Commerce Street" when the taxicab driver, now named "William Whaley" saw him. Oswald, it is alleged, hailed the taxi, and entered it. "William Whaley's" log shows that Oswald entered the taxi, after having completed this entire trip, at exactly 12:30 p.m. The shots that killed Kennedy were fired at 12:31 p.m.

Point Twelve

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to Oswald that he had committed the perfect crime, had escaped the police at the Texas Book Depository and was now far removed from the scene. Frantic actions by Oswald, so obvious as to attract the attention of a passerby, in these circumstances, also seem incon- sistent with Oswald's reported demeanor moments after the President had been shot. At this time a policeman chattered up the stairs of the book depository, pointed a gun at him and sought to arrest him for shooting the President.

Oswald's employer described Oswald's condition at that time as "cool as a cucumber—although he seemed a little hithered by the run." (Washington Post, Dec. 1)

Point Fourteen

Oswald drew a pistol and attempted to kill the arresting officer. The firing pin struck and marked the bullet but it did not explode.

WADE SAID, "He (Oswald) struck at the officer, but the gun against his head and snapped it, but did not—the bullet did not go off. We have the mapped bullet there. Officers apprehended him at that time. . . . It misfired being on the—the shell didn't explode. We have where it hit it, but it didn't explode."

Wade was attempting to indicate that when Oswald was arrested in the theater he tried to shoot the arresting officer and did in fact pull the trigger of the pistol. There can be no question that the trigger was pulled since Wade assured us, in his fashion, that the firing pin struck the bullet and marked the bullet. He further assured us his office has the "mapped bullet" in its possession. The arresting officer, however, policeman MacDonald, told the story differently: "I got my hand on the butt of his gun," said MacDonald. "I could feel Oswald's hand on the trigger. I jerked my hand and was able to slow down the trigger movement. He didn't have enough force to fire it. (Washington Post, Dec. 1.) Confronted with a resume of that report, Wade quickly adjusted to it:

Reporter: There was one officer who said that he pulled the trigger, but he managed to put his thumb in the part before the firing pin. It didn't strike the—the bullet didn't explode. Is that . . . ?

Wade: I don't know whether it's that or not. I know he didn't snap the gun is all I know about it. (New York Times, Nov. 26.)

We leave this incident bearing in mind one remarkable fact. Physical evidence, introduced by Wade—a bullet marked by a firing pin in an attempt to kill a police officer—now was repudiated by the officer who was an eyewitness and by Wade himself.

Point Fifteen

A map was found in Oswald's possession showing the scene of the assassination and the bullet's trajectory.



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Point Ten

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In view of the certainty of the prosecutor as to a case that had been entirely locked up two days before, the following dialogue (at the press conference) is rather curious.

Reporter: Was this [where Oswald shot Tippit] in front of the boarding house?

Wade: No, it's not in front of the boarding house.

Reporter: Where was it?

Wade: I don't have it exact.

Point Thirteen

A witness saw Oswald enter the Texas Theater.

WADE SAID, "Someone saw him go in the Texas Theater."

There has been little conflict about that assertion. The first statement by Dallas authorities indicated that the theater cashier was so suspicious when she saw Oswald change from seat to seat nervously that she telephoned the police.

It soon became obvious that a cashier at a post outside of the theater might have difficulty watching the customers once they entered. So the authorities then indicated that an usher saw Oswald changing seats. The last version has a person outside the theater noticing Oswald's suspicious action, following him into the

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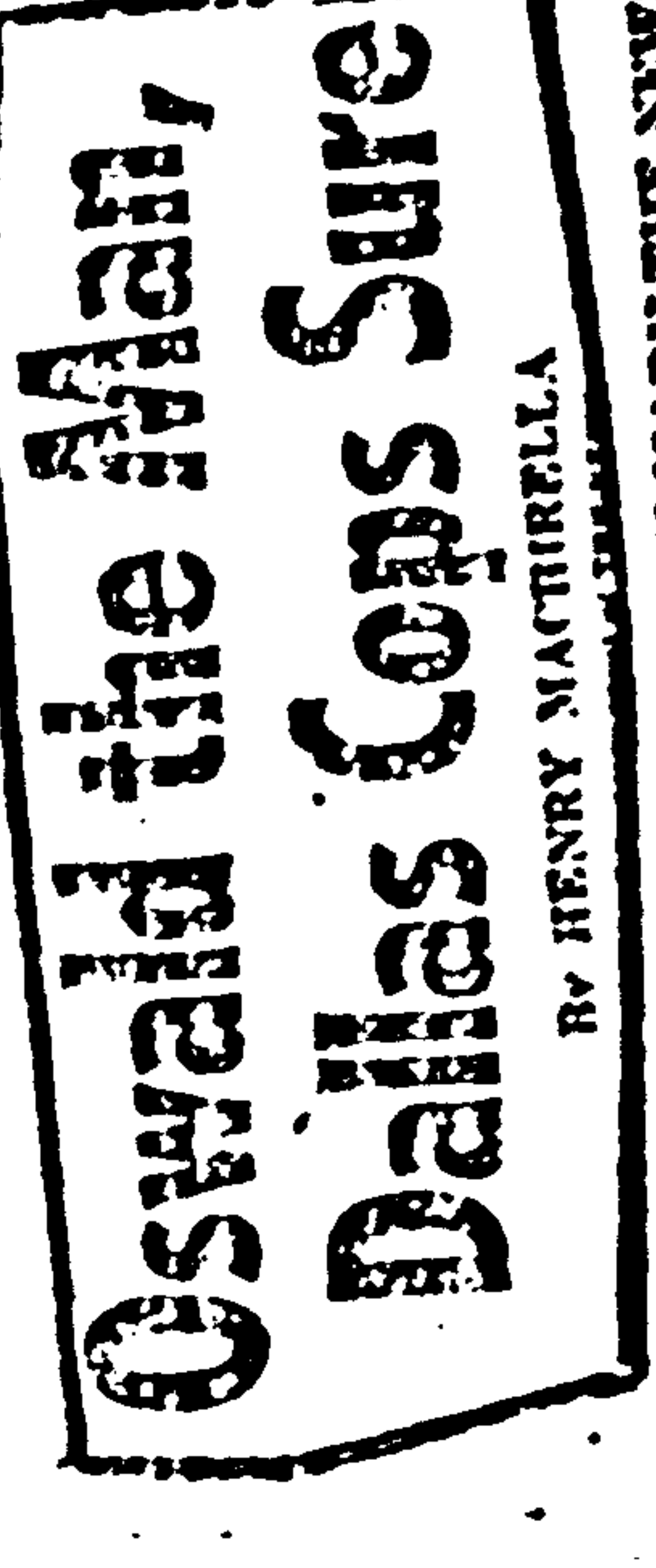
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A map was found in Oswald's possession showing the scene of the assassination and the bullet's trajectory.



THE DALLAS COPS CERTAINLY MADE THE NEWS This appeared in the N.Y. News, Nov. 24

THE DAY AFTER Wade's historic press conference, and three days after the Oswald arrest, a new discovery was made.

"Today Mr. Wade announced that authorities had also found a marked map, showing the course of the President's motorcade, in Oswald's rented room. It was a map tracing the location of the parade route. The district attorney said, 'and this place [the Texas School Book Depository, a warehouse from which the fatal shots were fired] was marked with a straight line.' Mr. Wade said Oswald had marked the map at two other places, 'apparently places which he considered a possibility for an assassination.'" (New York Times, Nov. 25.)

A document written by the defendant showing his intention to commit a crime is important evidence. It seems incredible, were such a map in the hands of the Dallas authorities on the previous day when Wade presented the evidence, "piece by piece," that he would have neglected to mention it.

Oswald was arrested three days prior to the map announcement. On the day of his arrest police removed all of his belongings from his room, telling the landlady that Oswald "would not return." One wonders

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view of Marina Oswald's lack of knowledge regarding the rifle, and in view of the statement made Mrs. Paine, at whose home the rifle was alleged to have been stored, one questions whether Oswald ever had no idea what was in the blanket. Mrs. Paine said of her personal beliefs she would not allow a son of any sort in her home." (New York World Telegram and Sun, Nov. 25).

Point Nine

Oswald had a package under his arm Friday.
THE PROSECUTOR said, "This day he went home one day earlier on Thursday night, and came back with this fellow—and when he came back he had package under his arm that he said was window curtains, I believe, or window shades."
If Oswald were alive, we would proceed to ask him whether he carried a package to work Friday morning, and if so, what was in the package and what happened to the contents. If Mrs. Oswald were not locked in a secret location we might ask her about the package. Wade has not indicated what evidence regarding the package led him to the conclusion that he offered that it contained the murder weapon).

Point Ten

Oswald, while taking a bus from the scene, laughed loudly as he told a woman passenger that the President had been shot.
WADE SAID, "The next we hear of him is on a bus where he got on at Lamar Street, told the bus driver the President had been shot, the President, [sic] told the lady—all this was verified by statements—told the lady on the bus that the President had been shot. He said, 'How did he know?' He said a man back there told him. The defendant said, 'Yes, he's been shot' and laughed very loud."
Wade, in telling his story, made no attempt to explain how Oswald escaped from the building sealed off by scores of Dallas police. We leave that mystery to enter a new one. Why did Oswald, fleeing the scene of a murder, joke publicly about the murder? Why did he laugh very loud? Such behavior is hardly consistent with 48 hours of consistent denial of guilt when in custody of the Dallas authorities. The laughter on the bus story seemed so unlikely that the FBI, in off-the-record briefing sessions for the press, conceded that it was untrue. In considering that the bus laughter story is false, we consider also the statement by Wade in the telling of that story. . . . all this was verified by statements."

Point Eleven

A taxi driver Darryl Click, took Oswald home, where he changed his clothes.
WADE SAID, "He then—the bus, he asked the bus driver to stop, got off at a stop, caught a taxicab driver, Darryl Click—I don't have his exact place—and

ferred it. "William Whaley's" car shows that Oswald entered the taxi, after having completed this entire trip, at exactly 12:30 p.m. The shots that killed Kennedy were fired at 12:31 p.m.

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Some questions peripheral to the arrest in the theater persist. What did Oswald do before entering the theater to attract attention? In what manner were his actions "suspicious?" We have been told by the newly emerging firearm-psychologist experts that although Oswald was not particularly talented with a rifle, his "psychotic condition" may have given him "nerveless coordination" so that he might fire accurately.
Evidently that "nerveless coordination" was not present outside the theater, although it could have appeared

able fact. Physicists have shown that a bullet marked by a firing pin in an attempt to kill a police officer—now was repudiated by the officer who was an eyewitness and by Wade himself.

Point Fifteen

A map was found in Oswald's possession showing the scene of the assassination and the bullet's trajectory.

Oswald the Man, Dallas Cops Sure

BY HENRY MATTHEWS

THE DALLAS COPS CERTAINLY MADE THE NEWS
This appeared in the N.Y. News, Nov. 25

THE DAY AFTER Wade's historic press conference and three days after the Oswald arrest, a new discovery was made.

"Today Mr. Wade announced that authorities had also found a marked map, showing the course of the President's motorcade, in Oswald's rented room. It was a map tracing the location of the parade route, the district attorney said, and this place (the Texas School Book Depository, a warehouse from which the fatal shots were fired) was marked with a straight line. Mr. Wade said Oswald had marked the map at two other places, 'apparently places which he considered a possibility for an assassination.'" (New York Times, Nov. 25.)

A document written by the defendant showing his intention to commit a crime is important evidence. It seems incredible, were such a map in the hands of Dallas authorities on the previous day when Wade presented the evidence, "piece by piece," that he would have neglected to mention it.

Oswald was arrested three days prior to the announcement. On the day of his arrest, telling the lady that Oswald "would not return." One wonders where the map came from three days later. The same newspapers that hailed the discovery of the map Nov. 25, without a single question as to its legitimacy, origin or previous whereabouts, totally ignored or buried the last comment regarding this important document. "Dallas officials yesterday denied that such a map exists." (Washington Post, Nov. 27.)

The people vs. Oswald

WHEN A CRIMINAL CASE is brought in federal court against an individual, it is entitled, "The People of the United States against" the named defendant. No federal charge was lodged against Oswald

Flaws in the 'Oswald' case



OSWALD'S FAMILY AT THE POLICE STATION
Mother, Marguerite, with wife, Marina, and baby

however, in the most significant sense the case became the entire country and its institutions against one man. Very likely no prospective defendant in the history of civilization has been tried and condemned through the utilization of the media as thoroughly as was Oswald. The American Civil Liberties Union commented on

Dec. 6:
"It is our opinion that Lee Harvey Oswald, had he lived, would have been deprived of all opportunity to receive a fair trial by the conduct of the police and prosecuting officials in Dallas, under pressure from the public and the news media.

"From the moment of his arrest until his murder two days later, Oswald was tried and convicted many times over in the newspapers, on the radio, and over television by the public statements of the Dallas law enforcement officials. Time and again high-ranking police and prosecution officials state their complete satisfaction that Oswald was the assassin. As their investigation uncovered one piece of evidence after another, the results were broadcast to the public.

"... Oswald's trial would... have been nothing but a hollow formality."

In a section headed "Police Responsibility for Oswald's killing" the ACLU stated that the concessions to the media "resulted in Oswald being deprived not only of his day in court, but of his life as well."

On Dec. 4 the chancellor-elect of the Philadelphia Bar Association stated that Lee Oswald had been "lynched" and that this was an "indictment" of the legal profession for its failure to protect Oswald (New York Times, Dec. 5). These two comments, made after the death of Oswald and buried by the news media under the avalanche of news attacks against Oswald (including the FBI leaks of other crimes alleged to have been committed by him), constitute to date almost the only indication of sanity in the country.

After Oswald's death, the FBI acted to prevent certain information from reaching the public. "Most private citizens who had cooperated with newsmen reporting the crime have refused to give further help after being interviewed by agents of the Federal Bureau of Investigation." (New York Times, Dec. 6). The FBI acted, not to protect the rights of a defendant, but after he was murdered, to protect the inconsistent evidence from further scrutiny. Mrs. Oswald, still in Secret Service custody, hidden in an unknown location, was quoted on the front pages of papers throughout the

revelation against the ancient trial by ordeal or trial by fire which forced a person accused of a crime to cooperate in the prosecution of his own case. Great constitutional protections, including the Fifth Amendment to the U.S. Constitution, were developed. It was found that not only would guilty persons confess when sufficient pressure was placed against them, but innocent persons also were likely to succumb.

Great pressure was placed against Oswald. He stood alone condemned as the slayer of a popular leader "Oswald was pummeled by the arresting officers until his face was puffed and battered. 'Kill the President will you?' one officer shouted in a choked voice. (Washington Post, Dec. 1.)

In addition "Oswald received a black eye and a bruise on his forehead." (New York Times, Nov.)
When a reporter asked Oswald in a televised view how he received the bruises and cuts on his face he answered calmly, "A policeman hit me."

For 48 hours, Oswald was denied the elemental right to counsel of his choice. The Dallas police informed the attorneys for the ACLU that Oswald "did not want counsel." Despite physical abuse and absolute isolation, Oswald continued to state that he was innocent. Each previous assassin of an American president immediately and boastfully declared that the assassin was his.

Character witnesses

The press has been glutted with attacks upon Oswald since his death, with each informant issuing self-serving declarations as to his own ability to detect incipient mental problems or character weaknesses, when Oswald was much younger.

A former probation officer in New York City testified in an interview which violated principles of alleged and protected relationship between a young boy. A justice of the Family Court records to the FBI, and the information was carried in the press.

Nevertheless, those who knew Oswald a little better had some rather kind things to say about him. A trial, their testimony could have been decisive. The sociate pastor of First Unitarian Church, Dallas, I. David Ilicigas, described Lee Oswald as "erudite." He had a good vocabulary. No dangling participles or infinitives. In the dictionary definition of the word 'intellectual' he was an intellectual." Helligas said that he sensed "no frustration through erudition. Oswald was calm." (Washington Post, Dec. 1.)

Samuel Ballen, described in the press as a "Republican petroleum economist in Dallas," said he found Oswald to be "an independent, thinking, inquisitive young man." He was a rather frail nervous young man. At least to me, he was the kind of person I could trust to look after a thing for me. I wanted to help him

come to understand many things over the last few months... I'm convinced that anyone else would be worse." (New York Times, Dec. 11)

The press made much of the fact that Oswald had been seen with a copy of the Worker, a Communist publication, and that he had received at least two letters from the Communist Party. A New York newspaper referred to him editorially as a "Communist murderer." Did Oswald know that the U.S. Communist Party supported the presidential candidacy in 1960

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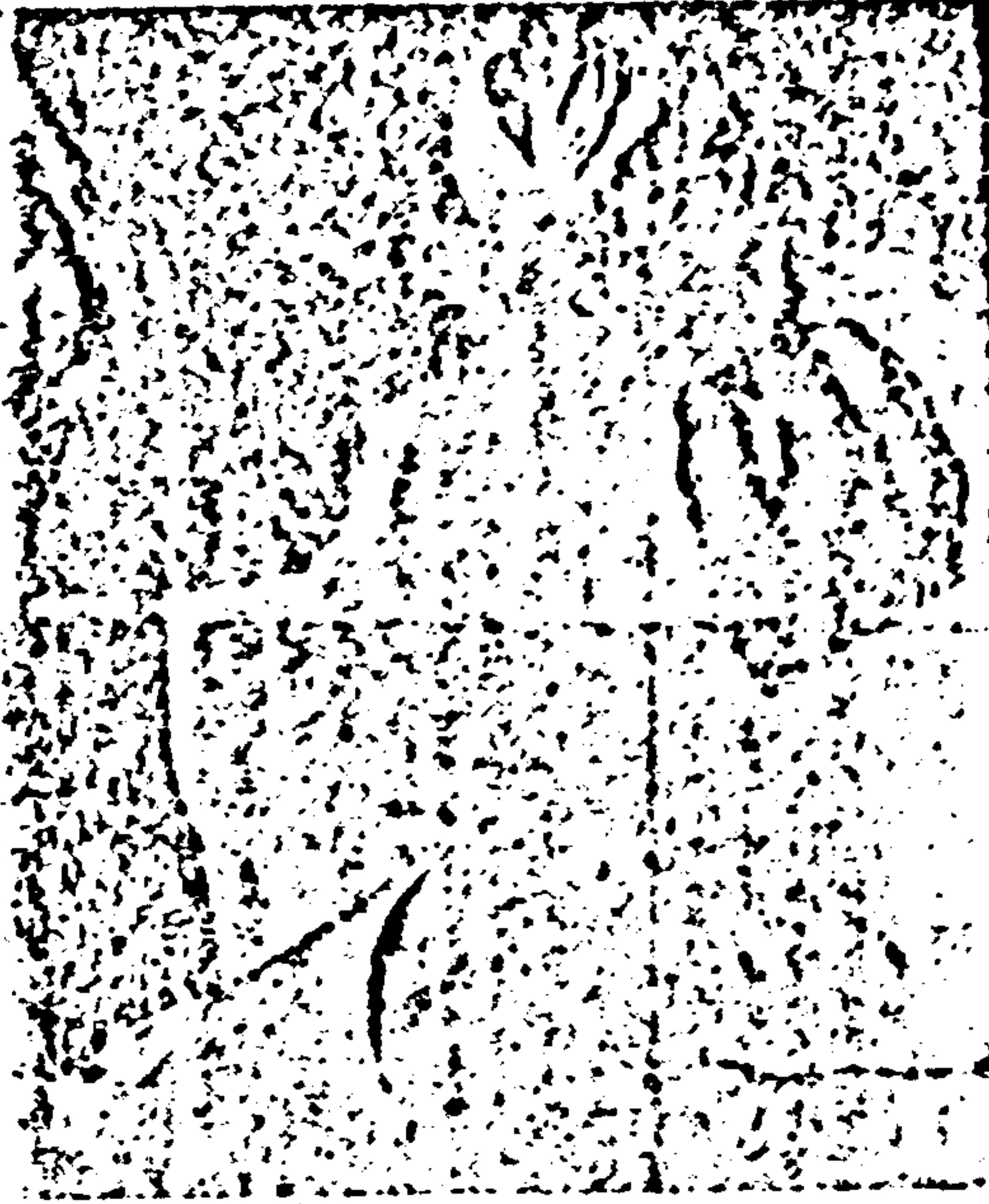
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However, let it not be said that the lawyers are not aroused by an attorney's siving statements to the public in relation to a pending case. "A Dallas Bar Association grievance committee met three hours last night on charges that Tom Howard, attorney for Jack Ruby, had violated legal ethics by discussing Ruby's case with the press . . . No charges had been placed against District Attorney Henry Wade." (New York Post, Dec. 6)

When an entire society moves in for the kill, logic is a weapon of doubtful value. Were logic to prevail, a number of questions might be raised for rational deliberation. For example, one might inquire why the FBI, having questioned Oswald just a week before the assassination and having discovered that he worked in a building directly on the President's line of march, and knowing that Oswald had purchased a rifle, did not watch him on the day of assassination. Certainly, a small portion of the millions of dollars bestowed upon the FBI each year and utilized for following persons of unorthodox political views and tapping their telephones might have been made available under these circumstances, as part of what the FBI and Secret



OSWALD'S FAMILY AT THE POLICE STATION
Mother, Marguerite, with wife, Marina, and baby

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Why should Oswald wish to assassinate the President; and after firing at the President, how did he plan to escape? Did he wish to flee from the building? If so, why did he remain in the lunchroom sipping a soda? Was he in a hurry? If so, why did he take a ride on a bus? It was a very warm day in Dallas. Mrs. Kennedy, sweltering in the open moving car, later said that she was looking forward to the cool relief of riding through the underpass just ahead. Why then, did Oswald, seeking to escape the police, go home to pick up his jacket? If he was planning to leave the city, why did he then go to a movie just as the city-wide search was gaining intensity?

These are genuine areas for speculation by the press now that the defendant is dead. These are, nevertheless, almost the only areas left unexamined by the media. Perhaps some day, when America is ready for the sunlight of reason to penetrate the national mind, now frozen to a false and unfair conclusion, this article and others far more comprehensive may be read.

An affirmative case
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Character witnesses

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A former probation officer in New York City permitted an interview which violated principles of a privileged and protected relationship between himself and a young boy. A justice of the Family Court released records to the FBI, and the information was carried in the press.

Nevertheless, those who knew Oswald a little better had some rather kind things to say about his trial, their testimony could have been decisive. . . . associate pastor of First Unitarian Church, Dallas, rev. Byrd Hellings, described Lee Oswald as "crude." "He had a good vocabulary. No dancing particles or soft infinitives. In the dictionary definition of the word 'intellectual' he was an intellectual." Hellings added that he sensed "no frustration through erudition. He was calm." (Washington Post, Dec. 1.)

Samuel Ballen, described in the press as a "Republican petroleum economist in Dallas," said he found Lee Oswald to be "an independent, thinking, inquiring young man . . . He was a rather real person physically. At least to me, he was the kind of person I could like. I kind of took a liking to him, I wanted to help him a little bit . . . He had a kind of Chandl, far-off look about him." (Washington Post, Dec. 1.)

Roy Truly, the director of the depository where Oswald was employed, said of Oswald, "He seemed just a normal, quiet young fellow."

Mrs. Paine, with whom his wife and children lived and where he stayed on weekends, said, "Marina Oswald's wife) felt very favorably toward the Oswald family. Most of what she learned of Oswald's news was provided by Lee, who translated from newspapers and news magazines. Marina said he never transferred any negative feelings toward President Kennedy." (Washington Post, Nov. 28.)

Mrs. Paine also stated that, "As far as I know Oswald had never been critical of Kennedy. He had been critical of General [Edwin] Walker, but I never heard him say anything against the President. In fact, it was my impression that he respected him." (New York World Telegram and Sun, Nov. 25.)

In 1959, Oswald was interviewed by Priscilla Johnson, an American correspondent while in Moscow. She reported, "I found him rather likeable. He was quiet and didn't have a vehement manner. He was so very young. He was someone you would try to help."

Mrs. Luella Merrett, principal of West Ridgely Elementary School which Oswald attended, said, "If he had problems, we did not recognize them . . . He was

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However, let it not be said that the lawyers are not aroused by an attorney's evasive statements to the public in relation to a pending case. "A Dallas Bar Association grievance committee met three hours last night on charges that Tom Howard, attorney for Jack Ruby, had violated legal ethics by discussing Ruby's case with the press. . . . No charges had been placed against District Attorney Henry Wade." (New York Post, Dec. 6)

When an entire society moves in for the kill, logic is a weapon of doubtful value. Were logic to prevail, a number of questions might be raised for rational deliberation. For example, one might inquire why the FBI, having questioned Oswald just a week before the assassination and having discovered that he worked in a building directly on the President's line of march, and knowing that Oswald had purchased a rifle, did not watch him on the day of assassination. Certainly, a small portion of the millions of dollars bestowed upon the FBI each year and utilized for following persons of unorthodox political views and tapping their telephones might have been made available under these circumstances, as part of what the FBI and Secret Service referred to as the "greatest security provisions ever taken to protect an American President."

The question of motive

WHETHER THE DALLAS POLICE through complicity or complacency permitted the murder of the defendant by a police department friend after two warnings through the FBI that such an attempt would be made should be a matter for press discussion. Whether or not the FBI showed Mrs. Oswald, the defendant's mother, a picture of Ruby before Ruby murdered Oswald would ordinarily demand media debate.

There are two matters not even commented upon by the press to date—Oswald's motive and Oswald's plan for escape. Oswald seemed to respect President Kennedy. If Oswald were a leftist, pro-Soviet and pro-Cuban, did he not know that during the last year, with the assistance of President Kennedy, a better relationship was in the process of developing between the U.S. and the Soviet Union? Even the relations between the U.S. and Cuba, while still extremely unfriendly, have progressed past the stage of military intervention. Fidel Castro himself stated, just before the President's death, "He (Kennedy) has the possibility of becoming the greatest President of the United States. . . . He has

worse." (New York Times, Dec. 11)

The press made much of the fact that Oswald had been seen with a copy of the Worker, a Communist publication, and that he also received at least two letters from the Communist Party. A New York newspaper referred to him as "a Communist Party member." Did Oswald know that the U.S. Communist Party supported Kennedy when he ran for the presidency in 1960 and that within the last six months Gus Hall urged the Communist Party, which regards, to endorse and support Kennedy again?

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An affirmative case

UNDER OUR SYSTEM of justice a defendant need not prove he is innocent. It is the obligation of the prosecutor to attempt to prove the defendant guilty beyond a reasonable doubt. Should the prosecutor fail to sustain that burden, the defendant must be declared not guilty.

In the case of Oswald, hysteria and intolerance have so swept our country that the protections guaranteed by our Constitution and by our traditions have failed to operate. Since irrationality is the implacable foe of justice and due process, we are compelled to depart from ordinary legal procedure. At this point we shall submit an affirmative case. We shall attempt to present facts that tend to prove that Oswald did not shoot President Kennedy.

A denial by a defendant that he committed a crime when supported by testimony as to his good character is sufficient in and of itself to cause a reasonable doubt which, even in the face of evidence to the contrary, may result in acquittal.

Oswald denied he shot anyone. He stated that the charges against him were "ridiculous." He persisted in his denial despite the fact that he was questioned for 48 hours without the benefit of counsel.

Denial of counsel, when coupled with extensive questioning, is improper and contrary to long-established principles of law. This principle was developed out of

that he sensed "no frustration whatsoever" (Washington Post, Dec. 1.)

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Mrs. Luella Merrett, principal of West Rdizles Elementary School which Oswald attended, said, "If he had problems, we did not recognize them. . . . He was interested in things."

Were the case to be tried, persons ordinarily selected as character witnesses would include his employer, a minister, his landlady, a respected businessman, a correspondent who knew him abroad, the Quaker family with whom his wife resided and his school teacher. Judging by the initial response, one could conclude character testimony for Lee Oswald would be compelling.

Time, place and Oswald

IN ADDITION to consistent denial of guilt by the defendant and statements of character witnesses that seem to indicate a person different from the disturbed, hostile character usually associated with the particular crime, a defendant may offer testimony indicating that he was somewhere other than at the scene of the crime when it was committed. We, of course, can't get such information from this defendant.

However, a valid defense could result in showing that even if the defendant were at the scene he could not have committed the crime. Such a defense is available if Oswald was on the sixth floor of the book depository armed with the alleged murder weapon, a 6.5mm Italian

Conviction by press vs. presumption of innocence

carbine, he could not have fired three shots that struck President Kennedy and Gov. Connally.

The official homicide report filed by the Dallas Police Department, attested to by two police officers, states under the section "Place of Occurrence": "Elm Street, approximately 150 feet west of Houston." The report also states under the section "Pronounced dead by Physician," the name "Dr. Kemp Clark, 1 p.m., Parkland Hospital."

A motion picture taken of the President just before, during and after the shooting, and demonstrated on television showed that the President was looking directly ahead when the first shot, which entered his throat, was fired. A series of still pictures taken from the motion picture and published in Life magazine on Nov. 20 show exactly the same situation. The Life pictures also reveal that the car carrying the President was well past the turn from Houston St. and a considerable distance past the depository building. The Life estimate in an accompanying caption states that the car with the President was 75 yards past the sixth-floor window when the first shot was fired.

The New York Times (Nov. 27) reported: "Dr. Kemp Clark, who pronounced Mr. Kennedy dead, said one (bullet) struck him at about the necktie knot. It ransed downward in his chest and did not exit; the surgeon said. The second he called a 'tangential wound', caused by a bullet that struck the right back of his head."

The New York Herald Tribune (Nov. 27) said: "On the basis of accumulated data, investigators have concluded that the first shot, fired as the Presidential car was approaching, struck the President in the neck just above the knot of his necktie, then ranged downward into his body."

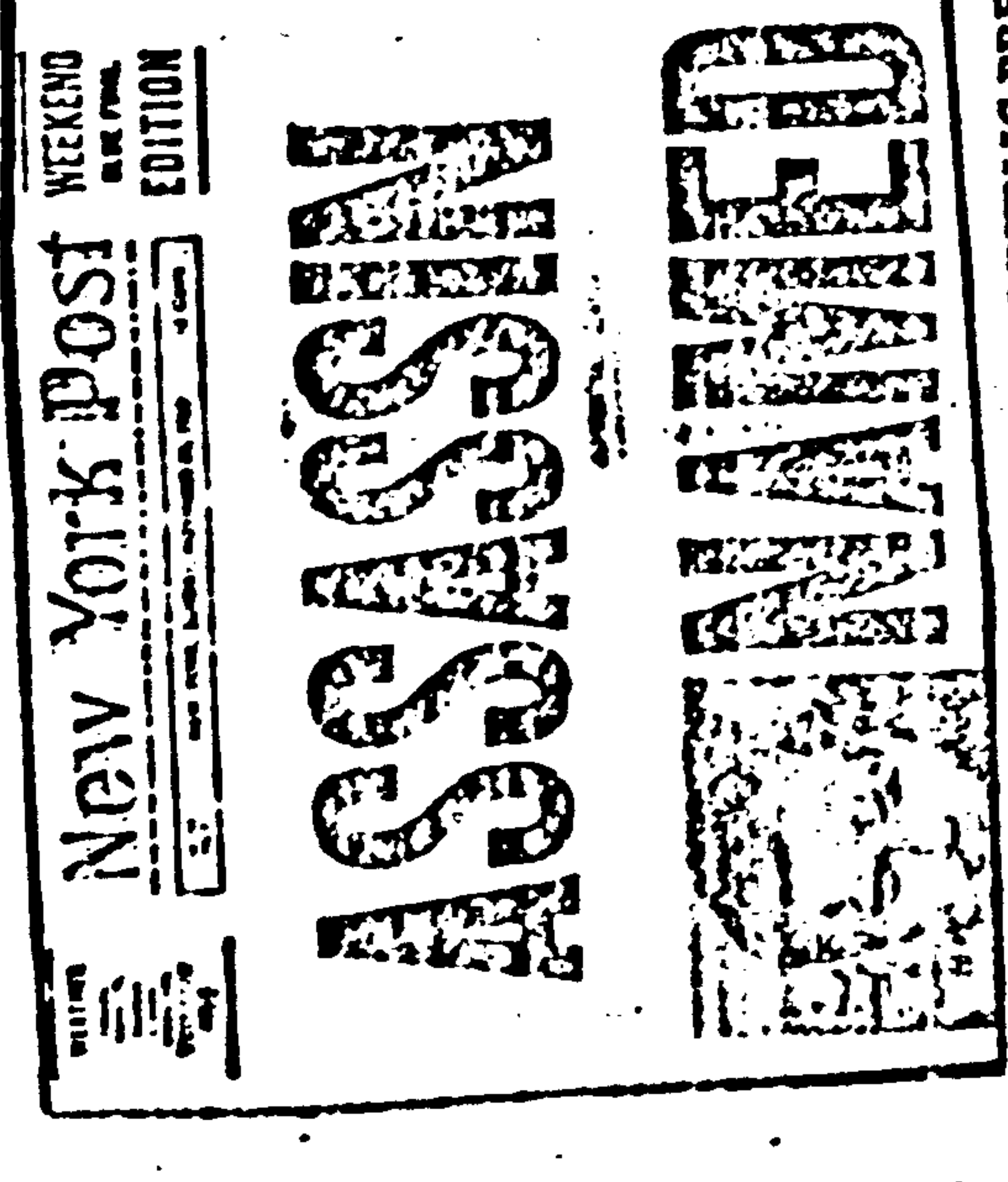
Surgeons who attended the President at the Parkland Memorial Hospital described the throat wound as "an entrance wound." (St. Louis Post-Dispatch, Dec. 1). "They said it was in the center of the front, just below the Adam's apple, at about the necktie knot." (Ibid.) Dr. Malcolm Perry began to cut an air passage in the President's throat in an effort to restore an air passage and start his breathing. The incision was made through the bullet wound, since it was in the normal place for the operation. "Dr. Perry described the bullet hole as an entrance wound." (Ibid.) Dr. Robert N. McClelland, one of three surgeons who participated in the operation, said "It certainly did look like an entrance wound." (Ibid.) Dr. McClelland said he saw bullet wounds every day, "sometimes several a day. This did appear to be an entrance wound." (Ibid.)

On Nov. 27, the Secret Service re-enacted the assassination of the President. "The purpose was to test whether it could be done the way we believe it was

could be done with the weapon allegedly used. The Dallas sheriff, Bill Decker, said he believed three shots "could be fired in less than 20 seconds." (Washington Post, Nov. 27.) The FBI and the witnesses agree the raised period was five seconds, possibly five and one-half seconds.

Life magazine (Dec. 6) hired a skilled marksman, the director of the National Rifle Association, to fire a similar rifle. The best he could do was "three hits in 6.2 seconds." The New York Times, Nov. 23 reported: "As matters go, Lee Harvey Oswald was not blantly regarded as a rifleman."

Debate will continue whether the rifle in question was capable, in the hands of an expert, of the performance the prosecution insists it gave. All agree, however, that such a remarkable display of shooting would be



A PRESUMPTION OF GUILT IN THE PUBLIC PRESS
The way the N.Y. Post expressed it Nov. 24

beyond the ability of any person less qualified. To maintain the ability to fire a rifle accurately, one must practice continually. Oswald's wife and the Paine family, all of whom lived in the house where the rifle was allegedly stored, did not even know Oswald owned a rifle. This would seem to indicate an extremely limited usage of the rifle at the very most. Oswald did not have the requisite skill to fire three accurate shots within 5 1/2 seconds at a moving target.

Other uncertainties

IF OSWALD WAS WHERE the FBI and the Dallas District Attorney said he was when the shots were fired and if the President was assassinated by one person as charged—Lee Harvey Oswald is demonstrably

voted to a particular conclusion at the outset.

The investigation

The FBI, having completed its investigation, has submitted what amounts to its findings and conclusions as well. The verdict, deftly and covertly divulged to the press, and then blared forth throughout the world, is impressively simple: "Oswald is the assassin. He acted alone." This remarkable law enforcement and investigatory agency, unable to solve a single one of the more than 40 Birmingham bombings, is now able to function as investigator, prosecutor, judge and jury. No other American agency has presumed to occupy so many positions of trust at one time.

The essential problem is that no investigating agency can fairly evaluate the fruits of its own work. Yet the FBI certain of its conclusions it seems would not be so reluctant to permit witnesses with the press. It might not feel the need continually to leak information favorable to its verdict to the press. Most disquieting of all, however, is that the FBI, once wedded to a conclusion conceived before investigation, might be motivated to discover evidence which supports that conclusion. Within a few hours after Oswald was arrested the Dallas police, with the FBI at its side, announced the very same verdict now forced by the latest FBI discoveries. Under such circumstances, we fear that evidence tending to prove Oswald innocent might be discarded and evidence proving him guilty might be developed out of proportion or even created.

The Justice Department has already privately expressed "disappointment" with the FBI report, fearing that it "has left too many questions unanswered."

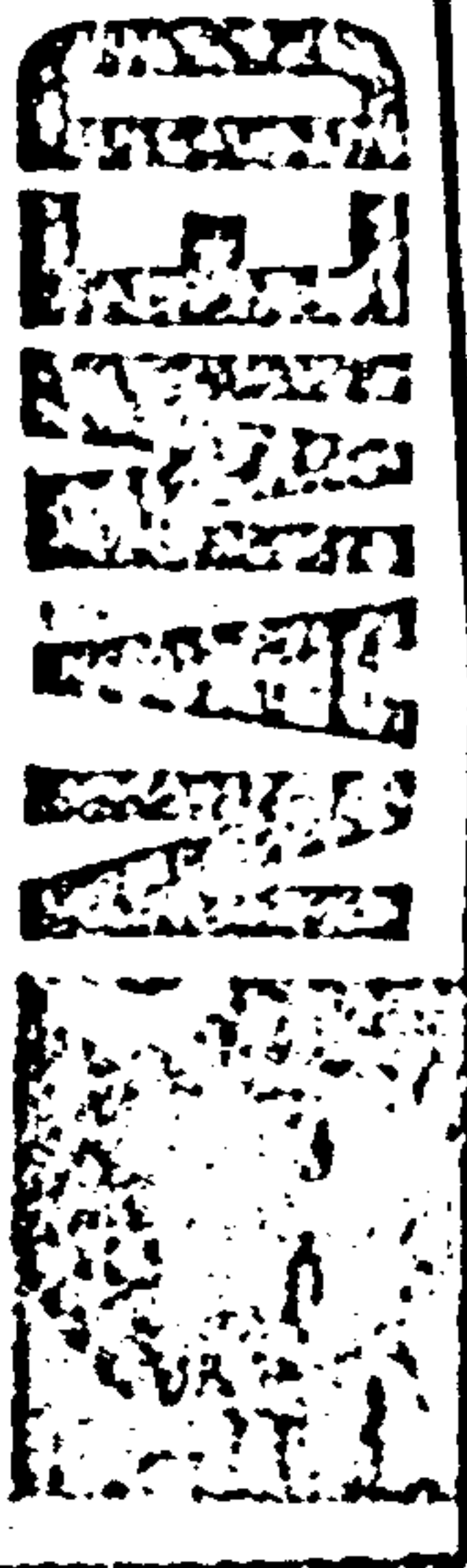
The stakes are big

The FBI investment in a Warren Commission finding identical with its own cannot be estimated too boldly. Should the Warren Commission publish a conclusion substantially different from one submitted so publicly by the FBI, public confidence in the FBI would be so shaken as, in all likelihood, to render the FBI as it is now constituted almost absolutely useless. One can assume that the FBI wishes to avoid that result.

It may be argued on many different levels of governmental life that a finding by the commission that an American lynched in a Dallas courthouse might be innocent would result in the further destruction of the American image abroad.

It will be extremely difficult for any commission, in these circumstances, to bear the responsibility imposed upon it. For the sake of our country let us hope that Justice Earl Warren, a fair and great American, may successfully guide his commission through the sea of hatred and malice surrounding this case in its search

REMARKS



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An era of understanding

There are those who have said much good may come from this assassination, that a new era of understanding and unity may result. I doubt this. From hate comes hate. From murder—as we have already seen—murder. And from hysteria—rejection of the great Anglo-Saxon tradition of justice. But if it is possible to leave behind us the America of violence and malice, our national renaissance must begin with a respect for law and disdain for the hysteria that has thus far made fair consideration of this case impossible.

Our national conscience must reject the mass media conviction of Oswald—presumed to be innocent—and begin to examine and to analyze the evidence. We must recognize that the same reckless disregard for human life and decency that resulted in the death of our President resulted also in the death of Oswald while in police custody. And, before that, it resulted in the destruction of every right belonging to an American accused of a crime. The press, the radio and the television stations share that guilt.

The law enforcement officials, however, beginning with District Attorney Wade, who falsely stated evidence to the entire world repeatedly and who gave leadership to the development of a carnival atmosphere, must bear history's harshest judgment.

You are the jury. You are the only jury that Lee Harvey Oswald will ever have.

A terrible crime has been committed.

A PRESUMPTION OF GUILT IN THE PUBLIC PRESS

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Other uncertainties

IF OSWALD WAS WHERE the FBI and the Dallas District Attorney said he was when the shots were fired and if the President was assassinated by one person as charged—Lee Harvey Oswald is demonstrably not guilty. Oswald was in the wrong place and did not have sufficient time to shoot President Kennedy as charged.

The facts as presented to date by the FBI and the Dallas district attorney (soon to be rewritten no doubt) have overcome the presumption of guilt manufactured when the case was initiated.

Dudman wrote in the St. Louis Post-Dispatch (Dec. 1): "Another unexplained circumstance is a small hole in the windshield of the presidential limousine. This correspondent and one other man saw the hole, which resembled a bullet hole, as the automobile stood at the hospital emergency entrance while the President was being treated inside the building."

"The Secret Service kept possession of the automobile and flew it back to Washington. A spokesman for the agency rejected a request to inspect the vehicle here (Washington). He declined to discuss any hole there might be in the windshield."

Undoubtedly the Secret Service has placed the auto in protective custody, "in a secret place for its own protection."

Dudman continued to present startling information. "Uncertainty surrounds the number of shots fired." (Ibid.) Although most witnesses heard three shots fired within a period of five seconds it seems that five bullets have been discovered.

"The first bullet is said by the doctors to have entered the throat, coursed downward and remained in the President's body. The second was extracted from Gov. Connally's thigh. It had lodged there after enter-

The New York Herald Tribune (Nov. 27) said: "On the basis of accumulated data, investigators have concluded that the first shot, fired as the Presidential car was approaching, struck the President in the neck just above the knot of his necktie, then ranged downward into his body."

Surgeons who attended the President at the Parkland Memorial Hospital described the throat wound as "an entrance wound." (St. Louis Post-Dispatch, Dec. 1.) "They said it was in the center of the front, just below the Adam's apple, at about the necktie knot." (Ibid.) Dr. Malcolm Perry began to cut an air passage in the President's throat in an effort to restore an air passage and start his breathing. The incision was made through the bullet wound, since it was in the normal place for the operation. "Dr. Perry described the bullet hole as an entrance wound." (Ibid.) Dr. Robert N. McClelland, one of three surgeons who participated in the operation, said "It certainly did look like an entrance wound." (Ibid.) Dr. McClelland said he saw bullet wounds every day, "sometimes several a day. This did appear to be an entrance wound." (Ibid.)

On Nov. 27, the Secret Service re-enacted the assassination of the President. "The purpose was to test whether it could be done the way we believe it was done" an official source said. (New York Times, Nov. 28.) The consensus was "that the shooting began after the President's car had made the turn from Houston Street into Elm Street." (New York Times, Nov. 28.)

In an interview broadcast from Dallas Nov. 27, Gov. Connally told Martin Aronson that the shooting began after the car had turned the corner. (New York Times, Nov. 28.)

If the throat wound resulted from a shot fired from the back depository the President would have had to turn around with his throat facing almost directly to the rear. Dr. McClelland stated that the doctors postulated that "he (the President) would have had to be looking almost completely to the rear." (St. Louis Post-Dispatch, Dec. 1.) The Washington correspondent for the Post-Dispatch stated that, "The motion pictures, however, showed the President looking forward." (Dec. 1.) "Mrs. John Connally, the wife of the Texas Governor, has said that she had just told Mr. Kennedy, 'You can't say Dallas isn't friendly to you today.' Presumably he was about to reply when he was hit." (Ibid.) Mrs. Connally was seated in front of the President.

Relying, therefore, upon the Homicide Report filed with the Dallas Police by two officers who were eyewitnesses, the motion pictures taken of the shooting, still shots taken from the motion pictures, the statement of Gov. Connally, the consensus of those who re-enacted the scene under supervision of the Secret Service, and the report of the attending physicians, we may conclude that the shot was fired while the back of the President was to the sixth-floor window and many were removed from that window and that the bullet

This did appear to be an entrance wound." (Ibid.)

On Nov. 27, the Secret Service re-enacted the assassination of the President. "The purpose was to test whether it could be done the way we believe it was done," an official source said. (New York Times, Nov. 28.) The consensus was "that the shooting began after the President's car had made the turn from Houston Street into Elm Street." (New York Times, Nov. 28.)

In an interview broadcast from Dallas Nov. 27, Gov. Connally told Martin Armstrong that the shooting began after the car had turned the corner. (New York Times, Nov. 23.)

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If Oswald was at the sixth-floor window, as alleged, when the President was shot it would have been physically impossible for him to have fired the first shot that struck the President. In the words of Richard Dudman, the correspondent for the Post-Dispatch (Dec. 1), "The question that suggests itself is: How could the President have been shot in the front from the back?"

The gun and the experts

THE QUESTION now arises as to whether any one man, even a skilled expert, could have fired the three shots within a period of five seconds. An Olympic rifle champion, Hubert Hammerer, said he doubted it

Other uncertainties

OSWALD WAS WHERE the FBI and the Dallas District Attorney said he was when the shots were fired and if the President was assassinated by one person as charged—Lee Harvey Oswald is demonstrably not guilty. Oswald was in the wrong place and did not have sufficient time to shoot President Kennedy as charged.

The facts as presented to date by the FBI and the Dallas district attorney, soon to be rewritten no doubt, have overcome the presumption of guilt manufactured when the case was initiated.

Dudman wrote in the St. Louis Post-Dispatch (Dec. 1): "Another unexplained circumstance is a small hole in the windshield of the presidential limousine. This correspondent and one other man saw the hole, which resembled a bullet hole, as the automobile stood at the hospital emergency entrance while the President was being treated inside the building."

"The Secret Service kept possession of the automobile and flew it back to Washington. A spokesman for the agency rejected a request to inspect the vehicle here (Washington). He declined to discuss any hole there might be in the windshield."

Undoubtedly the Secret Service has placed the auto in protective custody. "In a secret place for its own protection."

Dudman continued to present startling information. "Uncertainty surrounds the number of shots fired." (Ibid.) Although most witnesses heard three shots fired within a period of five seconds it seems that five bullets have been discovered.

"The first bullet is said by the doctors to have entered the throat, coursed downward and remained in the President's body. The second was extracted from Gov. Connally's thigh. It had lodged there after entering the right side of his back, passing through his body and through his wrist. A third, which may be the one that struck the back of Mr. Kennedy's head, was recovered from the stretcher on which he was carried into the hospital. A fourth was found in fragments in the car. Still another bullet was found by Dallas police officers after the shooting. It was in the grass opposite the point where the President was hit. They did not know whether it had anything to do with the shooting of the President and the Governor." (Ibid.)

One point does emerge with absolute clarity. The theory held by the Dallas police and supported repeatedly by the FBI that "there is an airtight case against Oswald as the sole killer" is based upon an investigation so poor as to be incredible or an investigation de-

these circumstances, to bear the responsibility imposed upon it. For the sake of our country let us hope that Justice Earl Warren, a fair and great American, may successfully guide his commission through the sea of hatred and malice surrounding this case in its search for the truth.

An era of understanding

There are those who have said much good may come from this assassination, that a new era of understanding and unity may result. I doubt this. From hate comes hate. From murder—~~we~~ we have already seen—murder. And from hysteria—rejection of the great Anglo-Saxon tradition of justice. But if it is possible to leave behind us the America of violence and malice, our national renaissance must begin with a respect for law and disdain for the hysteria that has thus far made fair consideration of this case impossible.

Our national conscience must reject the media conviction of Oswald—presumed to be—and begin to examine and to analyze the evidence. We must recognize that the same reckless disregard for human life and decency that resulted in the death of our President resulted also in the death of Oswald while in police custody. And, before that, it resulted in the destruction of every right belonging to an American accused of a crime. The press, the radio and the television stations share that guilt.

The law enforcement officials, however, beginning with District Attorney Wade, who falsely stated evidence to the entire world repeatedly and who have leadership to the development of a carnival atmosphere, must bear history's harshest judgment.

You are the jury. You are the only jury that Lee Harvey Oswald will ever have.

A terrible crime has been committed. A young, vital and energetic leader of perhaps the world's most powerful nation has been killed by the cowardly act of a hidden assassin. The murderer or murderers were motivated by diseased minds or by such depths of perversity to approach that state. We will perhaps never know their motives. We must, however, know and act of our own conduct and our own motives.

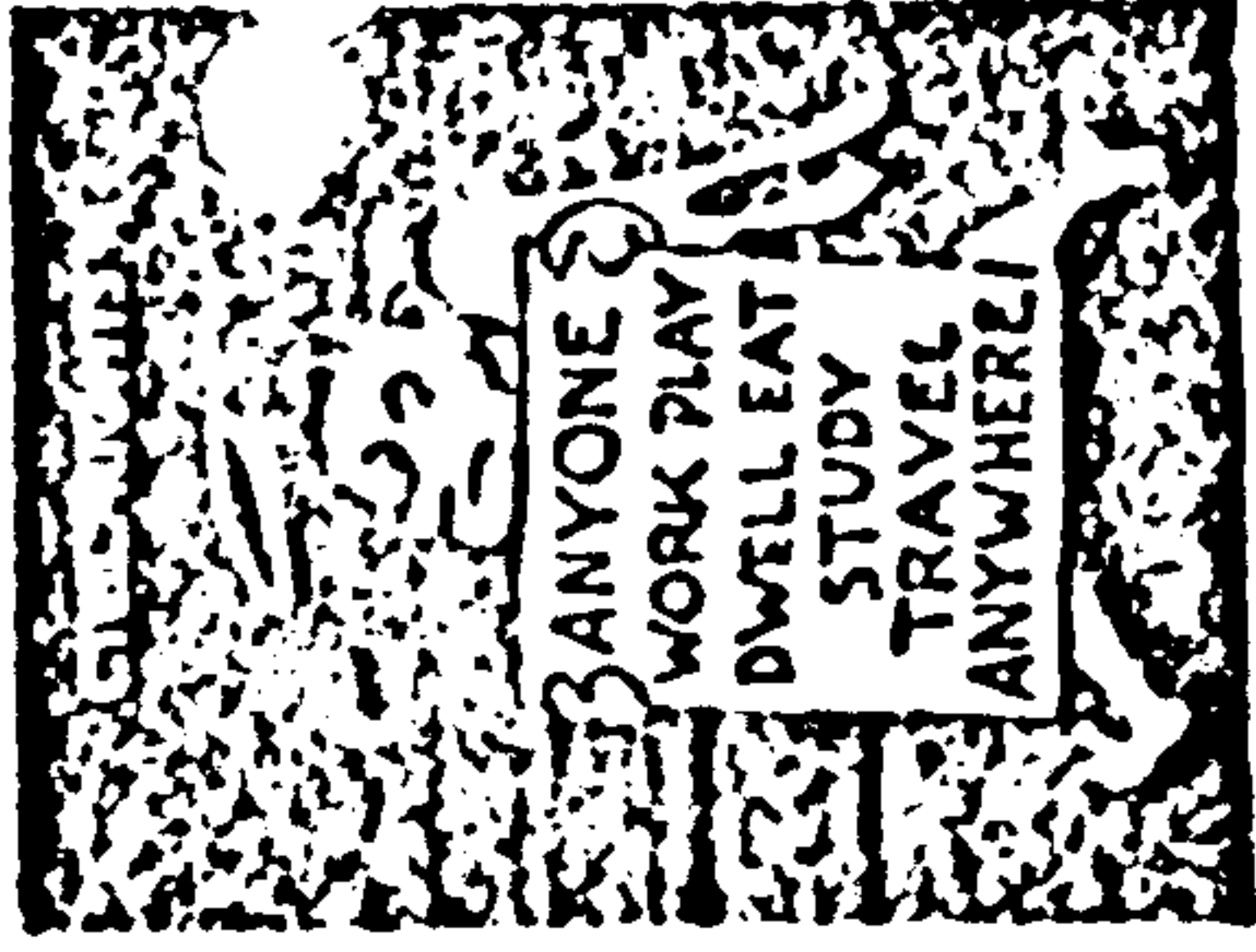
We begin with a return to an old American tradition—the presumption of innocence. We begin with you.

Let those who would deny a fair consideration of the evidence to Oswald because of a rage inspired, they say, by their devotion to the late President, ponder this thought: If Oswald is innocent—and that is a possibility that cannot now be denied—then the assassination of President Kennedy remains at large.

This is the National Guardian

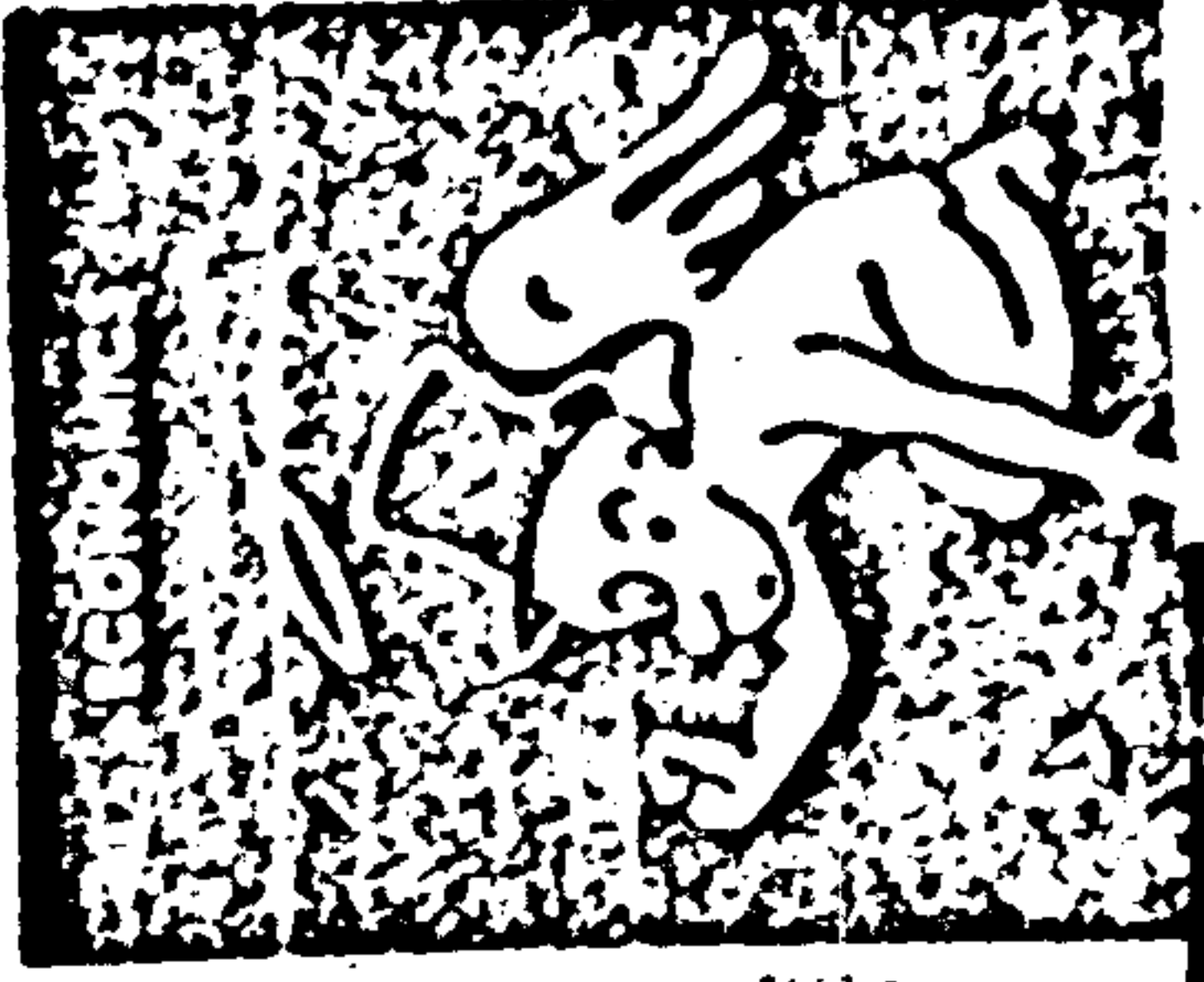
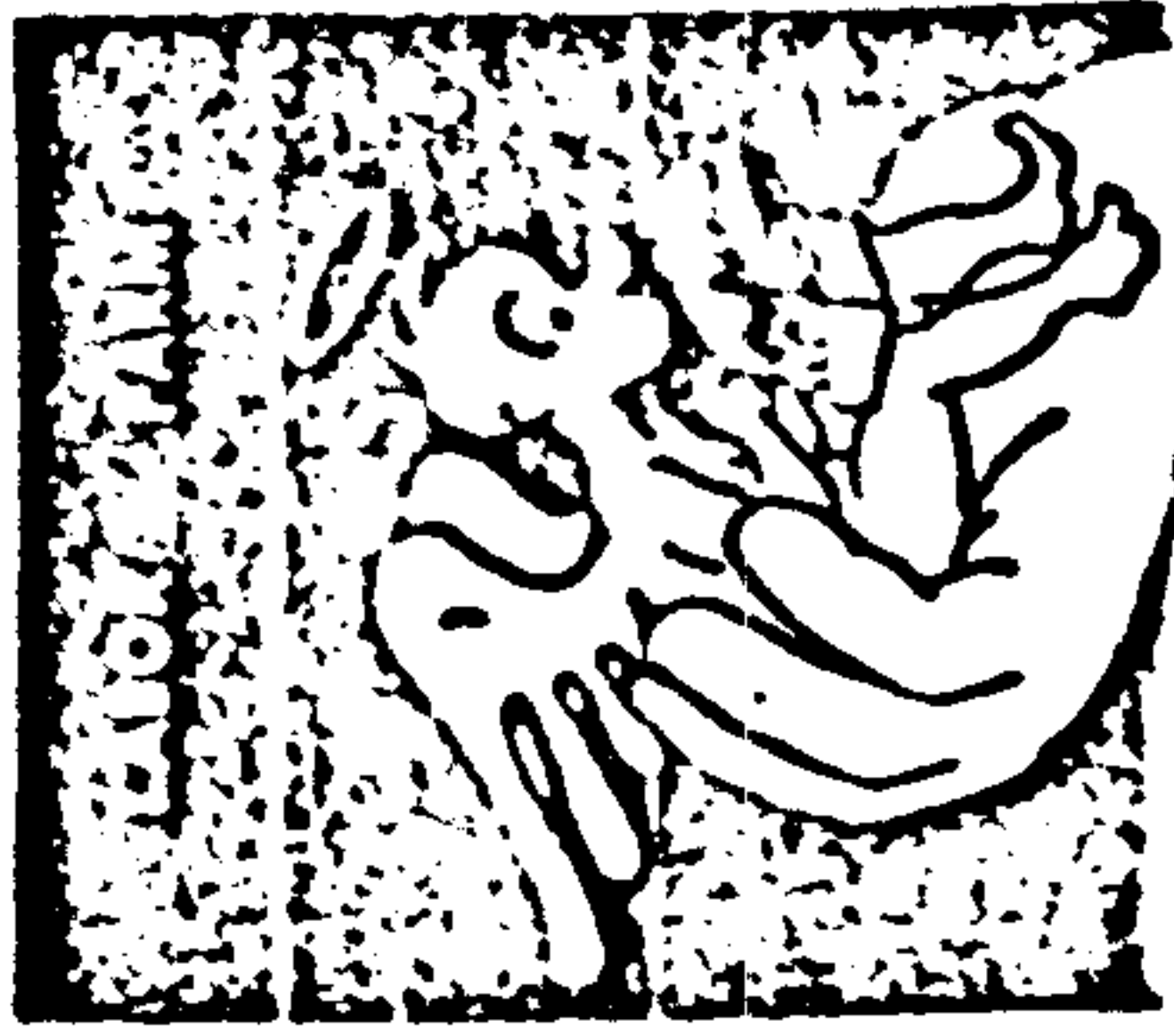


... information and exposure. constructive criticism and positive action in helping to create a radical American alternative." --National Guardian vol. 16, no. 1, Oct. 10, 1963

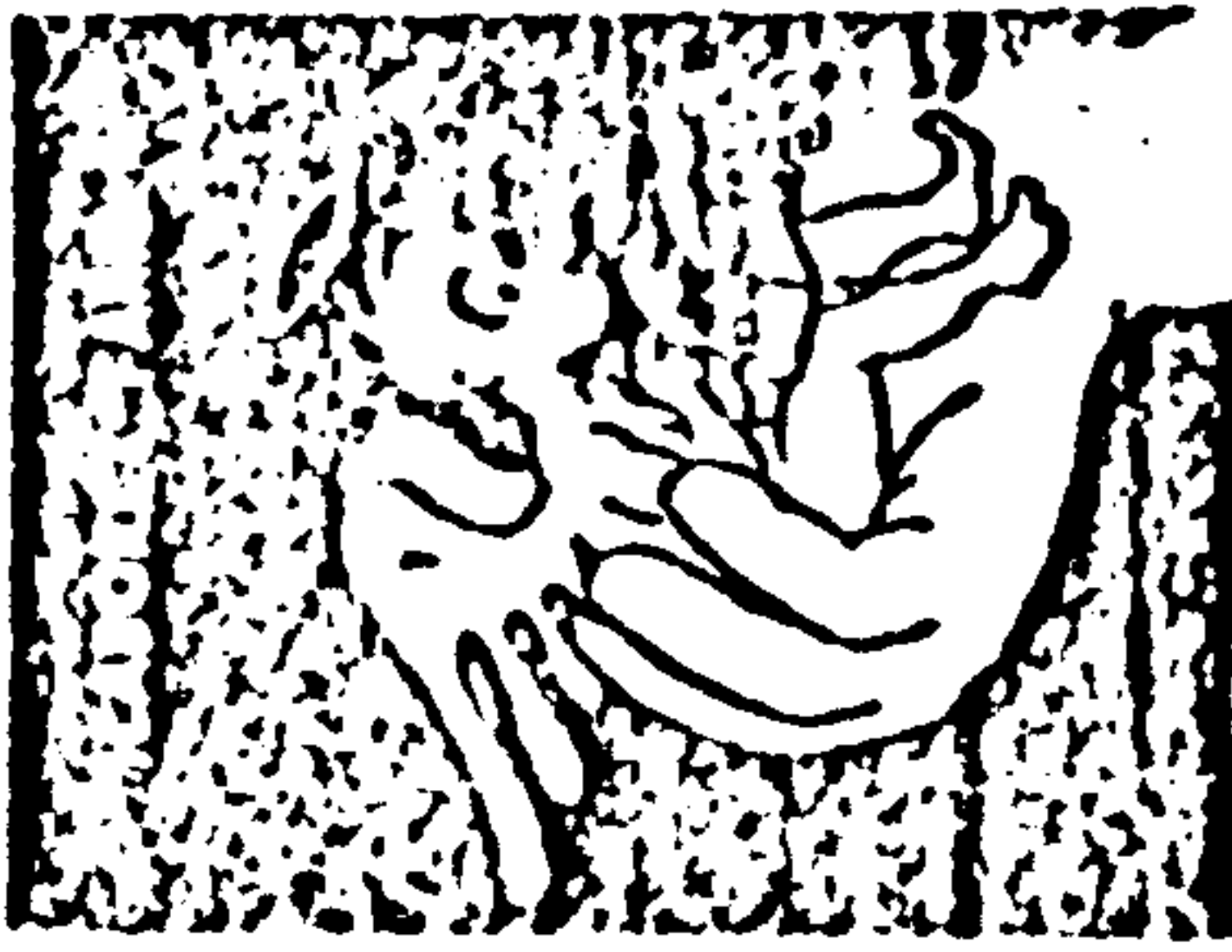


THE NATIONAL GUARDIAN is an independent publication with an editorial conscience. In domestic affairs, the GUARDIAN is pro-labor, pro-family farmer; it supports the Negro people in their struggle for full equality; upholds the rights of those politically dissident and civilly disobedient; seeks justice and economic opportunity for all. In foreign affairs, the GUARDIAN believes in the right of all people to choose whatever form of government they desire; advocates coexistence with and good will toward the socialist countries; condemns cold, hot, preventive or limited wars and unequivocally opposes the arms race.

Launched in support of the Progressive Party's grass-



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Launched in support of the Progressive Party's grassroots campaign of 1948, the GUARDIAN has lived to become the voice of a sane, thoughtful and concerned America. Its broad and penetrating news coverage, incisive pictorial commentary, priceless cartoons, professional editing and makeup have won the GUARDIAN a reputation for journalistic excellence.



YOU CANNOT AFFORD TO BE WITHOUT THE GUARDIAN. YOU CAN SUBSCRIBE BY RETURNING THE COUPON BELOW.

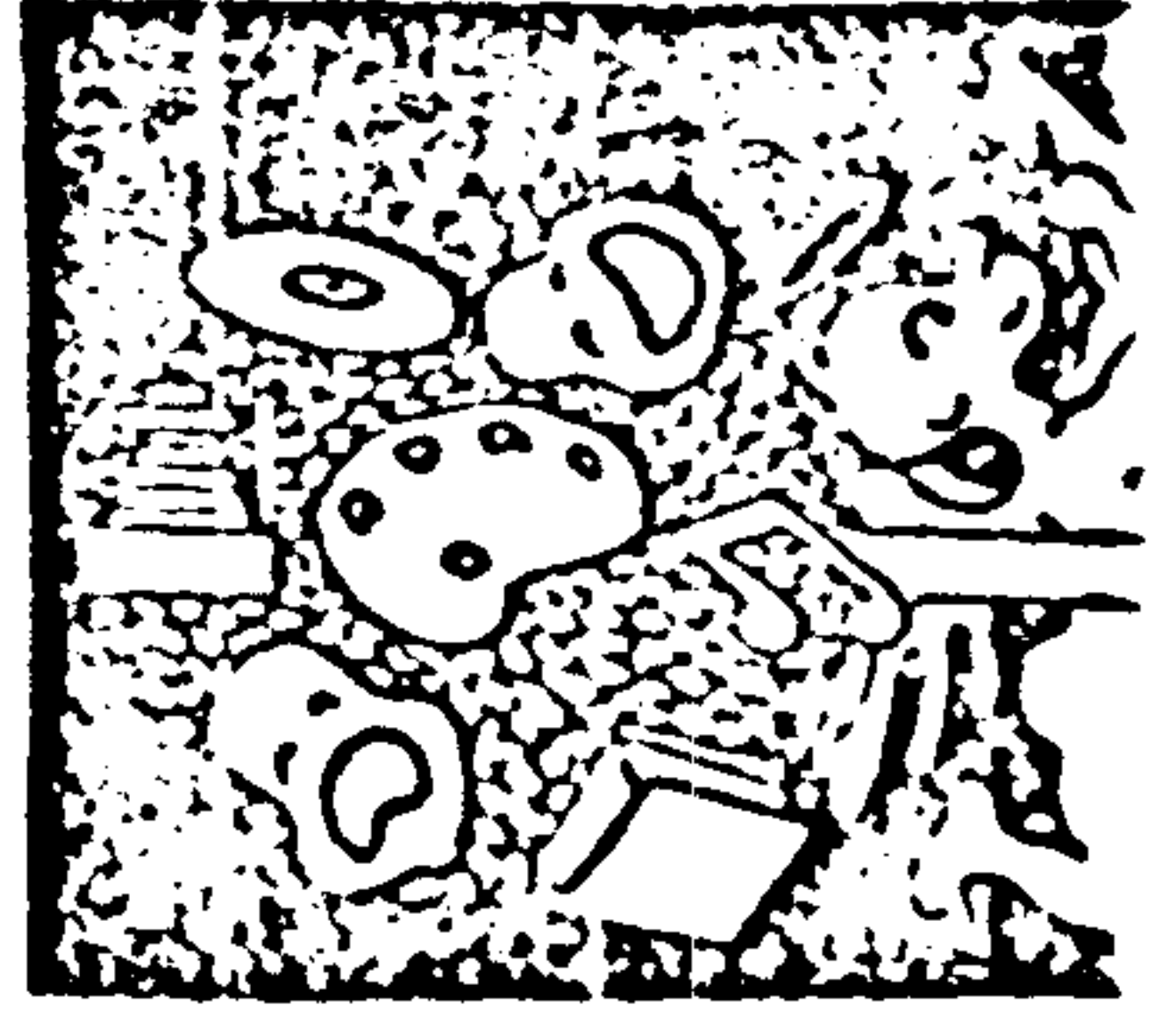
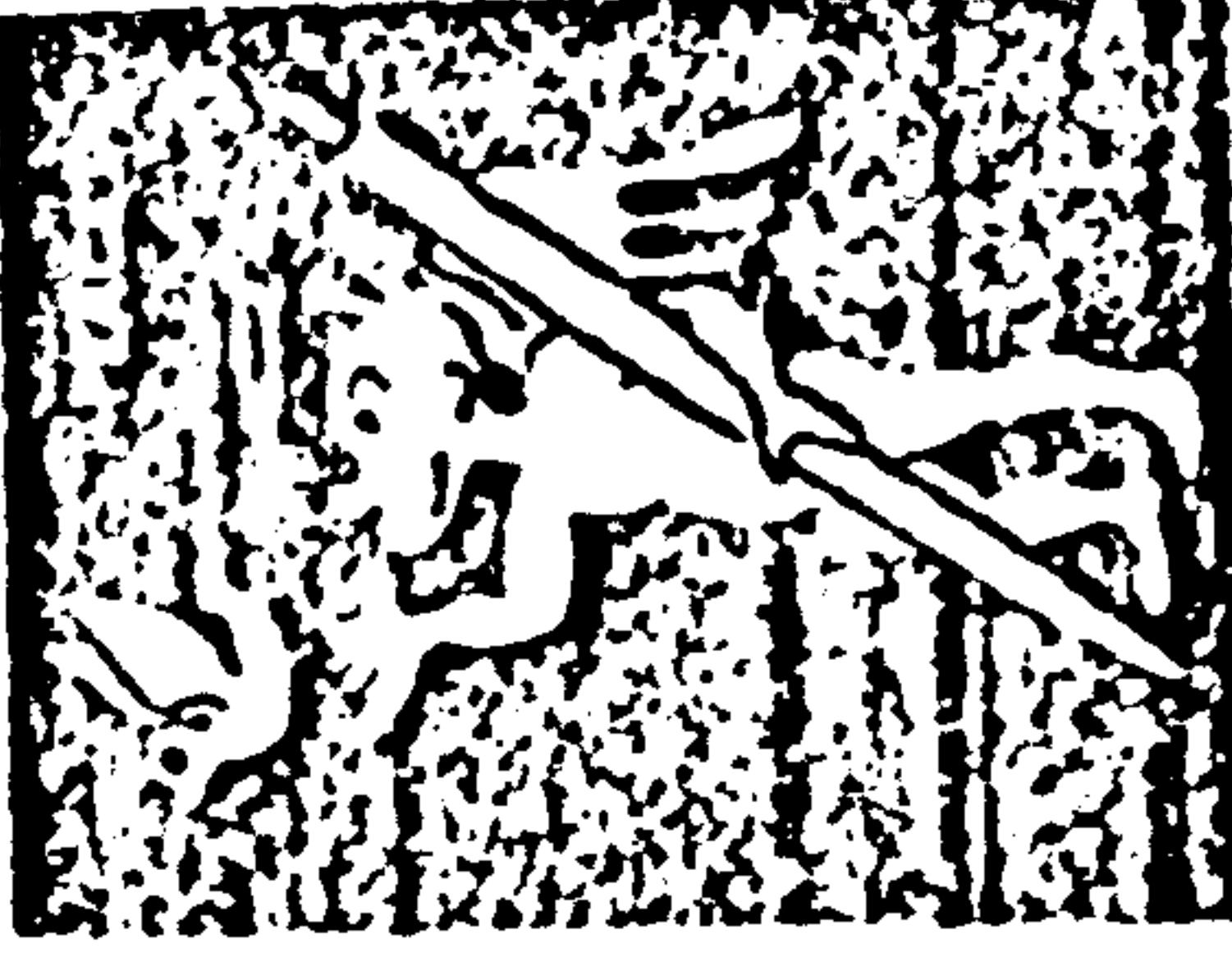


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payment enclosed send bill to bill me bill me

- 1 - Egan
- 1 - L...an
- 1 - S...o
- 1 - Mail Room

SAC, Philadelphia (105-9958)

3-30-64

Director, ^{REC-31} FBI (105-82555) -

2805

LEE HARVEY OSWALD
IS-R-CUM

Reurlet 3-17-64 same caption.

The one reel of tape recording covering Mark Lane's appearance on 3-12-64, on Radio Station WPEZ, and four reels of tape recording of Lane's speech to the Philadelphia Ethical Society House on 3-11-64, recorded by Radio Station WFIL are being returned to you so that they can be turned over to Radio Stations WPEZ and WFIL.

Enclosures - 5
JMS:mac
(7)

NOTE:

Tapes being returned to Philadelphia were furnished by Philadelphia letter 3-17-64, Lee Harvey Oswald caption, in connection with Bureau coverage of Mark Lane who appeared in the Philadelphia area on March 11 and 12, 1964. Philadelphia requested return of tapes after sufficient copies were made at the Bureau for dissemination to the President's Commission and for retention by the Bureau. President's Commission being furnished copies of these tape recordings by separate communication dated 3-27-64.

- Tolson _____
- DeLoach _____
- Mohr _____
- Casper _____
- Callahan _____
- Conrad _____
- Evans _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

APR 8 1964
FBI

[Handwritten signatures and initials]

58 APR 8 1964

MAIL ROOM TELETYPE UNIT

FBI

Date: 3/29 '64

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI (105-82555)

FROM: SAC, DALLAS (100-10461) P

LEE HARVEY OSWALD, aka
IS-R-CUBA
CO: DL

Re Bureau airtel to Dallas 3/13/64 requesting that certain photographs be shown to MARINA OSWALD for purposes of identification.

There are enclosed for the Bureau 10 copies of a letterhead memorandum which sets out, by item number, photographs exhibited to MARINA OSWALD and the identifications that she made thereof. There are also enclosed the 418 actual photographs which were exhibited to MARINA OSWALD and which are listed in this letterhead memorandum. These photographs are listed as an enclosure with the letterhead memo.

*See serial A 3/30/64 (Enc 444)
W.S.P.R.*

2 yds. 2-6-5 R13

RC

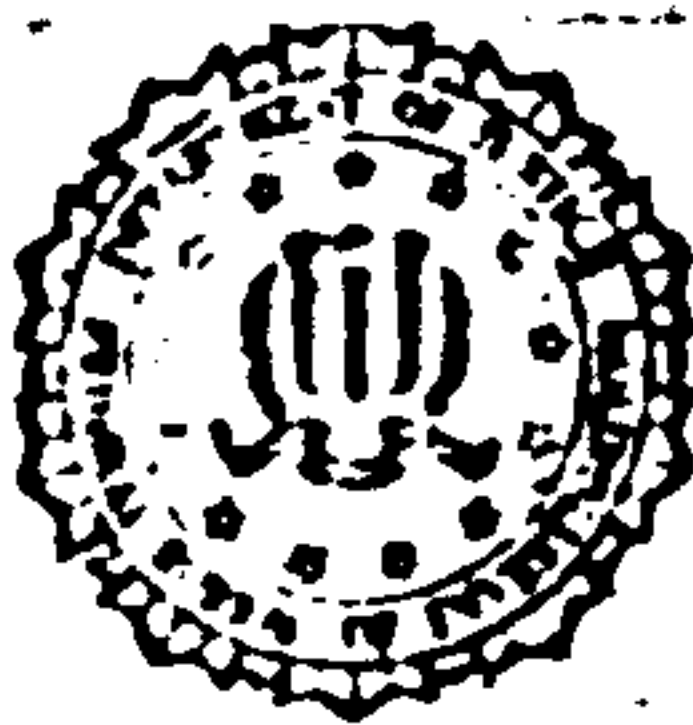
3 - Bureau (Enc 450) (WJ) REC 31
2 - Dallas
HLL:les
(5)

105-82555-2806

111
SEARCHED
INDEXED
SERIALIZED

Approved: *[Signature]*
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Dallas, Texas
March 20, 1964

LEE HARVEY OSWALD

Marina Oswald was interviewed by Special Agents Richard L. Wiehl and Wallace R. Heitman at her place of residence, 629 Belt Line Road, Richardson, Texas, on March 19, 1964. A number of photographic exhibits were exhibited to her. These exhibits are identified herein below by item number and by the description of the item as furnished by Marina Oswald, where known.

These photographs are as follows:

<u>ITEM NO.</u>	<u>DESCRIPTION</u>
65-1	Photo of Lee Harvey Oswald and Marina Oswald taken in their Minsk apartment.
65-2	Marina Oswald in front of an office building in Dallas, Texas. Photo taken while Oswalds were on walk.
65-3	Photo depicting Lee Harvey Oswald and a train conductor on train at time Oswalds left Russia.
65-4	Marina Oswald on train leaving Russia.
65-5	Scene depicting the river bridge on the Nevsky Prospect in Leningrad, Russia.
65-6	Photo of Lee Harvey Oswald and daughter June taken in Minsk.
65-7	June Oswald in her baby bed taken at Elsbeth Street address in Dallas.
65-8	From left, June Oswald, Marina Oswald, and Mrs. Anna Zieger in the Oswald apartment in Minsk.

LEE HARVEY OSWALD

ITEM NO.

DESCRIPTION

67-1 Photo of Mrs. Marguerite Oswald sent to Oswalds while they were in Russia.

67-2 Photo of Mrs. Marguerite Oswald sent to Oswalds while they were in Russia.

187-1 These photographs are not familiar to
187-2 Marina Oswald. She stated they could
187-3 either be photographs of Michael Paine
187-5 taken while he was in the service or
187-6 photographs of Lee Harvey Oswald taken
187-7 while he was in the service. She cannot identify the photographs.

187-4 Photo of Lee Harvey Oswald as a Marine.

287-1 These five photographs are of June Oswald
through taken in New Orleans, Louisiana.
287-5

287-6 Photograph of Marina Oswald and June Oswald taken in New Orleans.

287-7 June Oswald in New Orleans.
287-8

287-9 Marina Oswald and June Oswald in New Orleans.

287-10 June Oswald in New Orleans.

287-11 Marina Oswald and June Oswald in New Orleans.

331 Photo depicting women on the assembly line in the radio-TV factory in Minsk, Russia, in which Lee Harvey Oswald was employed.

332 Similar picture to 331.

333 Similar picture to 331.

LEE HARVEY OSWALD

<u>ITEM NO.</u>	<u>DESCRIPTION</u>
338-1	Photograph of the Army Recreation Building, Minsk. A postcard.
338-2	A postcard depicting the Polytechnical Institute in Minsk.
338-3	A postcard depicting a theatre in Minsk.
338-4	A photograph of a movie theatre in Minsk.
338-5	A photograph of a historical building in Minsk which is now a museum. This is a building in which one of the early communist meetings in 1918 was held.
366-1	A postcard depicting a Belorussian Scene.
366-2	A photograph of a war hero museum in Minsk.
366-3	A photograph of a scene at the Minsk Airport.
366-4	A scene in Minsk photographed by Pavel Golovachev and sent to the Oswalds in the United States.
371-1 through 371-197 372-1 through 372-66 376-1 through 376-10 377-1 through 377-30	These photographs belong to Michael and Ruth Paine. Marina Oswald examined each one of them. She advised that the photograph of Michael Paine appears on Item No. 371-152 (Paine is the second person from the right), Items 371-160, 371-174 (Paine can be seen in the left upper part of the picture) and in Item 376-4.
451-1	Photo of Lee Harvey Oswald taken in Minsk.

LEE HARVEY OSWALD

ITEM NO.	DESCRIPTION
451-2	Army Office Building in Minsk.
451-3	Photo of Lee Harvey Oswald taken in Minsk.
451-4	Photo of Lee Harvey Oswald taken after his return from Russia. Marina Oswald had not previously seen this photograph.
451-5	A scene in Minsk.
451-6	Marina Oswald. Photo taken in Minsk.
451-7	Lee Harvey Oswald. Photo taken in Minsk.
451-8	Marina Oswald cannot identify this photograph.
B1-1	Photo of Marina Oswald in Minsk.
B1-2	June Oswald at one month in Minsk.
B1-3	Lee Harvey Oswald as a Marine.
B3-1	From left. Lee Harvey Oswald; Marina Oswald; Marina's aunt, Lobova Aksionova (her husband is Vasily Aksionov and they will be referred to hereinafter as Aunt Lubova and Uncle Vasily). Photo taken in Minsk.
B3-2	From left. Uncle Vasily, Aunt Lubova, Lee Harvey Oswald and Marina Oswald.
B3-3	From left, Uncle Vasily, Aunt Lubova, and Marina Oswald.
B3-4	From left, Uncle Vasily, Aunt Lubova.
B3-5	Uncle Vasily, Marina Oswald, Aunt Lubova.
B3-6	Marina Oswald on train leaving Russia.

LEE HARVEY OSWALD

ITEM NO.

DESCRIPTION

B3-7

From left, Lee Harvey Oswald, Anatole (last name unknown) (a boy friend of Larissa Petrovna Petrusevich, a girl friend of Marina in Russia) and Mr. Alexander Romanovich Zieger. *USSR*

B3-8

Marina Oswald in Minsk.

B3-9

Uncle Vasily, Aunt Lubova.

B3-10

From left, Eleanor Zieger (daughter of Alexander Romanovich Zieger and Anna Zieger, mentioned above), Anatole (above) who is holding June Oswald.

B3-11

Nevsky Prospect in Leningrad.

B3-12

Photo of Marina Oswald in Minsk.

B3-13

Photo of June Oswald on balcony at Neely Street address in Dallas.

B3-14

Uncle Vasily, Aunt Lubova, and Marina Oswald.

B3-15

Lee Harvey and Marina Oswald on train leaving Russia.

B3-16

Marina and June Oswald in Minsk.

B3-17

June Oswald on balcony at Neely address.

B3-18

From right, Larissa Petrovna Petrusevich, mentioned above, and her cousin, believed named VALENTIN (last name unknown).

B3-19

From left, Marina, June and Lee Harvey Oswald in Minsk.

LEE HARVEY OSWALD

<u>ITEM NO.</u>	<u>DESCRIPTION</u>
B3-10	From left, Petrusovich, above, and Marina Oswald.
B3-21	Photo of Lee Harvey Oswald with rifle taken at Neely Street address by Marina Oswald.
B3-22	River scene at Minsk taken from Oswalds' apartment.
B3-23	Similar to B3-22.
B3-24	Similar to B3-22.
B3-25	From left, Anna Zieger, Mr. Zieger, June Oswald as baby, Eleanor Zieger, Lee Harvey and Marina Oswald in Minsk.
B3-26	Lee Harvey Oswald on train leaving Russia.
B3-27	Marina and Lee Harvey Oswald on bridge in Minsk.
B3-28	Lee Harvey Oswald on bridge in Minsk.
B3-29	June Oswald on balcony at Neely Street address in Dallas.
B3-30	Lee Harvey and Marina Oswald on train leaving Russia.
B3-31	Lee Harvey Oswald ironing diapers in Minsk apartment.
B3-32	From left, Marina Oswald, Valentin (last name unknown) (cousin of Petrusovich, above mentioned), and Petrusovich.
B3-33	Appears to be a scene in Russia. Marina Oswald cannot identify this photograph.

LEE HARVEY OSWALD

ITEM NO.

DESCRIPTION

B22-1 A photograph of Karl Marx similar to one in possession of Lee Harvey Oswald.

B22-2 A scene in Minsk depicting the Belorussian Communist Party Building.

B23-1 From left, Marina, June, and Lee Harvey Oswald in Minsk.

B23-2 Photo of June Oswald taken in Minsk.

D20 Photo of Lee Harvey Oswald with rifle taken at Neely Street address.

D33-1 Pavel Golovachev in Moscow. Photo believed to have been given by Pavel Golovachev to Lee Harvey Oswald in Minsk.

D33-2 Lee Harvey Oswald on the steps of a building in Minsk.

D33-3 Scene showing public buildings in Minsk with the Army Building in the center.

D33-4 Marina cannot identify this photograph.

D33-5 From left, Mrs. Zieger, Mr. Zieger, June Oswald, Eleanor Zieger, Lee Harvey and Marina Oswald in Minsk.

D33-6 Pavel Golovachev-sent to Oswalds in United States.

D33-7 Lee Harvey Oswald with June Oswald in Minsk.

D33-8 Marina Oswald on train leaving Russia.

D33-9 Lee Harvey Oswald as boy in Bronx Zoo, New York City.

LEE HARVEY OSWALD

ITEM NO.

DESCRIPTION

D33-10

In front from left, Lee Harvey Oswald and Pavel Golovachev. At rear from left, Rosa (last name unknown) (Intourist guide in Minsk and friend of Lee Harvey Oswald) and Ella German, friend of Lee Harvey Oswald in Minsk. USSR

D33-11

Marina cannot identify this photograph.

D33-12

Opera house in Minsk.

D33-13

Lee Harvey and Marina Oswald and Aunt Lubova.

D33-14

Marina cannot identify this photograph.

D33-15

Lee Harvey and Marina Oswald on train leaving Russia.

D33-16

Lee Harvey Oswald with rifle, photo taken at Neely Street address.

D33-17

Photo of Lee Harvey Oswald with rifle taken at Neely Street address.

D33-18

Photo of Lee Harvey Oswald taken in Minsk.

D33-19

A Minsk scene near the Oswalds' apartment house.

D33-20

Lee Harvey Oswald on a picnic.

D33-21

Marina, June, and Lee Harvey Oswald in Minsk.

D33-22

From left, Lee Harvey Oswald, Anita Zieger, and Mrs. Zieger. Person standing is believed to be a Hungarian resident of Minsk, Alfred (last name unknown).

LEE HARVEY OSWALD

ITEM NO.

DESCRIPTION

- D33-23 A Minsk river scene.
- D33-24 Lee Harvey Oswald and Alfred (last name unknown - above mentioned)
- D33-25 Apartment in which Oswalds resided - Minsk.
- D33-26 A photo of Pavel Golovachev in Russia.
- D33-27 Lee Harvey Oswald and the Intourist guide Rosa (last name unknown).
- D33-28 Scene in Minsk.
- D33-29 The Palace of Culture where Lee Harvey and Marina Oswald met.
- D33-30 From left, Lee Harvey Oswald, person with back to camera unidentified by Marina, Mrs. Zieger, standing, and Anita Zieger (lying on ground).
- D33-31 June Oswald, Marina Oswald, Mrs. Zieger, in Oswalds' apartment in Minsk.
- D33-32 Anita Zieger and Lee Harvey Oswald in Minsk.
- D33-33 Lee Harvey Oswald in Minsk.
- D33-34 Palace of Culture in Minsk.
- D33-35 Lee Harvey Oswald in Japan while in the U.S. Marines.
- D33-36 Marina and Lee Harvey Oswald on a bridge in Minsk.

LEE HARVEY OSWALD

ITEM NO.

DESCRIPTION

- D33-37 Marina believes this is a picture of John Pic half brother of Lee Harvey Oswald and Pic's two children.
- D33-38 Pavel Golovachev in Minsk.
- D33-39 Pavel Golovachev in Minsk.
- D33-40 Lee Harvey Oswald and Pavel Golovachev in the Oswalds' apartment in Minsk.
- D33-41 Marina Oswald on train leaving Russia.
- D33-42 River scene in Minsk.
- D33-43 Scene in Minsk.
- D33-44 A Russian scene. Marina cannot further identify the photograph.
- D33-45 Marina cannot identify this photograph.
- D33-46 Lee Harvey Oswald (in dark glasses) and fellow workers at the radio-TV factory where Oswald was employed in Minsk.
- D33-47 Larissa Petrovana Petrusevich and Marina Oswald.
- D71 Marina recognizes the photograph of Lee Harvey Oswald which appears on this card. She cannot recall seeing the card previously.
- D82-1 A scene showing the Admiralty Building in Leningrad.
- D82-2 A Minsk street scene.

LEE HARVEY OSWALD

ITEM NO.

DESCRIPTION

D82-3

Heroes Monument in Minsk.

D82-4

A close up of the Palace of Culture in Minsk.

D84-1

D84-2

D84-3

These photographs are not identifiable by Marina Oswald. She said the person in the center front of the photograph depicted in D84-1 appears to be Lee Harvey Oswald.

D91

Marina Oswald said she cannot identify this photograph of the October, 1963, page of a calendar nor could she identify positively the handwriting which is written on this page.

The actual 448 items which were exhibited to Marina Oswald and which are listed above, are submitted herewith as enclosures.

March 26, 1964

Airtel

- 1 - R. E. Lenihan
- 1 - W. M. Gheesling

To: SAC, Dallas (100-10461)

From: Director, FBI (105-82555) *PFC-31*

2806

LEE HARVEY OSWALD
IS - R - CUBA

Re Dallas airtel and LHM 3-20-64, which reported Marina Oswald's identification of various photographs.

Several pages of referenced LHM were retyped at the Bureau to incorporate certain corrections telephonically furnished by your office to Section Chief Branigan on 3-25-64. Enclosed are two copies of the corrected LHM and two copies of same have been furnished to the President's Commission.

Enclosures (2)

WEG:hc
(5)

Wing

W.C.S. W.C.S.

B. M. R.

MAILED 20
MAR 26 1964

- Tolson _____
- Belmont _____
- Mohr _____
- Casper _____
- Callahan _____
- Conrad _____
- DeLoach _____
- Evans _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

53 APR 3 1964

MAIL ROOM TELETYPE UNIT

1-Mr. Belmont
1-Mr. Rosen
1-Mr. Sullivan
1-Mr. Malley

March 26, 1964

By Courier Service

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, Northeast
Washington, D. C.

to Oswald

REC'D-READING ROOM
F B I
MAR 26 11 38 AM '64
- 105-82555-280
MAR 26 11 38 AM '64
MAR 26 11 38 AM '64

Dear Mr. Rankin:

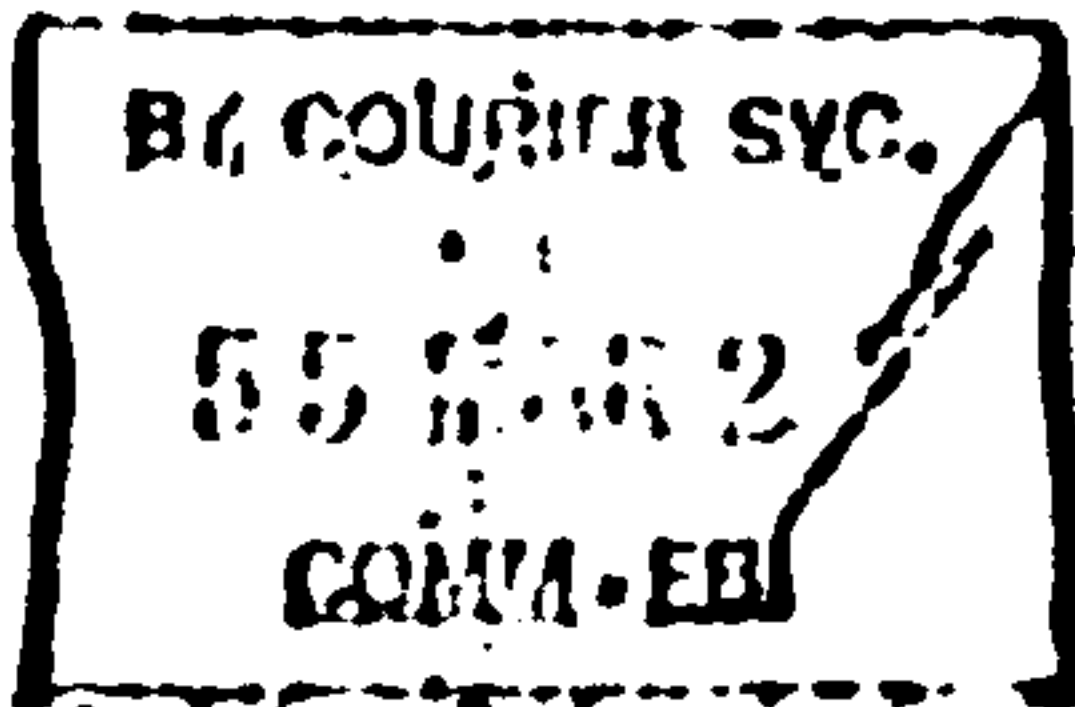
In accordance with the oral request of
Mr. Howard P. Willens on March 25, 1964, evidence
item number C15 was delivered to Mr. Willens on
that same date.

Sincerely yours,

J. Edgar Hoover

REC-41

105-82555-280
MAR 30 1964 2807
MAR 26 11 38 AM '64



105-82555

NOTE: Based on telephonic request of
Willens to G. H. Scatterday
3/25/64.

REN:fch
(10)

- Tolson _____
- Belmont _____
- Mohr _____
- Casper _____
- Callahan _____
- Conrad _____
- DeLoach _____
- Evans _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

Handwritten notes and signatures:
C-15 in Oswald's
handwritten.
58 APR 2 1964
J. Edgar Hoover
G. H. Scatterday
D. J. [unclear]

MAIL ROOM TELETYPE UNIT

- 1 - [unclear]
- 1 - [unclear]
- 1 - L. Loach
- 1 - Rosen
- 1 - Sullivan
- 1 - Malley
- 1 - Frazier
- 1 - Lenihan
- 1 - Branigan

March 30, 1964

BY COURIER SERVICE

1 - Gheesling

Honorable J. Lee Rankin
 General Counsel
 The President's Commission
 200 Maryland Avenue, N. E.
 Washington, D. C.

Lee Oswald

Dear Mr. Rankin:

Reference is made to your letter dated March 3, 1964, which requested that certain investigations be conducted by this Bureau based on the Commission's review of the testimony of Marina Oswald before the Commission. Item number six in your letter concerned a "15 power telescope" (which is identical to our Evidence Item Number 375) and a "hunting knife with a 4-5 inch blade" (which is identical to our Evidence Item Number B-5) and you requested efforts be made to determine whether these two items belong to theaines and, if not, an attempt be made to trace their origin and ownership.

REC'D-READING ROOM
 MAR 30 11 38 AM '64
 105-82555-2808
 UNRECORDED COPY FILED IN 105-82555-2808
 F B I
ne
2808
REC-41
REC'D

This telescope bears the identifying information "5X Telescope hollensak Rochester U.S.A." On March 11, 1964, a photograph of this telescope was shown to Michael Ralph Paine and he stated it belongs to him.

This knife is 3 1/2 inches in over-all length and has a four-inch blade. The blade bears the stamped inscription "Imperial Trov. R.I. USA." A small figure representing a crown appears over the second "i" in the word "Imperial." It has a black and gold striped handle and it is contained in a sheath.

On March 11, 1964, Michael Ralph Paine and Ruth Paine were shown a photograph of this knife and both stated it is not their property and added that they could not recall ever having seen it. Both stated they did not know to whom this knife belongs.

(SEE NOTE PAGE TWO)

55 MAR 30
 COMM-FBI
 105-82555
 113: pah
 (13)
 MAR 30 1964
 MAIL ROOM
 TELETYPE UNIT

Wm
Wm