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## Taxi and Bus Drivers Testify In Oswald Probe

By the Associated Press

A bus driver and a cab driver with whom Lee Harvey Oswald is said to have ridden right after the Dallas assassination of President Kennedy November

22 testified today before the Warren Commission.

The commission identified today's witnesses as Cecil J. McWatters, a bus driver, and William Wayne Whaley, a cab driver.

Witnesses before the commission yesterday included Buell Wesley Frazier, the neighbor with whom Oswald rode to work on the morning of November 22, and Mr. Frazier's sister, Mrs. Linnie Mae Randle.

Another witness was an FBI agent who identified the rifle and container found at the Texas School Book Depository building from which police say the fatal shots were fired.

Mr. Frazier and Oswald worked at the building. There have been reports that Oswald was carrying a bundle when he got into Mr. Frazier's car that morning and that when he was asked what it contained replied window blinds.

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*Oswald*

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UPI-251

(MRS. OSWALD)

DALLAS--MRS. MARGUERITE OSWALD, A THWARTED SPECTATOR AT THE TRIAL OF HER SON'S KILLER, TURNED SLEUTH TODAY.

PROSECUTING ATTORNEYS, FEARING HER PRESENCE IN THE COURTROOM WHERE JACK RUBY IS ON TRIAL FOR THE MURDER OF LEE HARVEY OSWALD MIGHT BE GROUNDS FOR A MISTRIAL, CALLED MRS. OSWALD AS A WITNESS. SHE MAY NEVER TESTIFY.

AFTER BEING ALLOWED TO GO HOME FROM THE COURTHOUSE BY JUDGE JOE BROWN, MRS. OSWALD DECIDED TO VISIT THE SCENE OF THE ASSASSINATION OF PRESIDENT KENNEDY LAST NOV. 22.

SHE WENT TO THE TEXAS SCHOOLBOOK DEPOSITORY BUILDING TO TALK TO THE MANAGER, BUT DID NOT GO UP TO THE SIXTH FLOOR WINDOW WHERE HER 24-YEAR-OLD SON WAS ACCUSED OF CROUCHING TO FIRE THE FATAL BULLETS AT KENNEDY.

"THIS IS MY PERSONAL INVESTIGATION," MRS. OSWALD TOLD NEWSMEN. "IF I SOLVE THIS CASE IT WILL BE A ONE-WOMAN SOLUTION AND I WILL TELL YOU BOYS."

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WASHINGTON CAPITAL NEWS SERVICE

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# THE MAN

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See Mr. J. Oswald

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by LLOYD SHEARER

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DALLAS, TEX.

It is an ironical fact of life that the death of President John F. Kennedy has brought fortune to many.

A few days after the President was assassinated, a 21-year-old Denver student ordered 5 million key chains stamped with the Kennedy impression. Today that student is worth \$250,000.

In New York a jeweler came out with Kennedy tie clips, a china-maker with Kennedy beer mugs, a silversmith with Kennedy memorial platters.

Newsstands are still cluttered with special Kennedy magazines. Music shops and supermarkets have sold Kennedy record albums and paperback books by the million, and at least half a dozen publishers are printing books this spring of the late President's speeches, most of which were largely written by Kennedy's speechwriter, Ted Sorensen.

The bonanza has also spread to persons connected with Lee Harvey Oswald, the suspected Kennedy assassin.

The family of the Dallas police officer allegedly gunned down by Oswald, J. D. Tippit, has to date received more than \$600,000 from 40,000 different people. The largest single donation was made by Abraham Zapruder, a Dallas garment manufacturer who contributed the \$25,000 paid him by *Life* for his motion pictures of the assassination. The second-largest donation, \$12,000, was made by Walter H. Annenberg, publisher of the *Philadelphia Inquirer*. This paid off the mortgage on the Tippit home.

Oswald's mother, Marguerite, has sold interviews to foreign publications, has announced a lecture tour and is reportedly working on a book.

Oswald's 23-year-old widow, Marina, has already received more than \$35,000 from the public. She has hired as her business manager (for 10 per cent of the take) James Herbert Martin, formerly manager of the 6 Flags Inn at Arlington, Tex. He reports that Mrs. Oswald has been offered a \$50,000 advance to write a book of memoirs on a 50-50 royalty basis in collaboration with Isaac Don Levine or James Burke. The *Saturday Evening Post* has also offered a large

sum, provided Mrs. Oswald has information to divulge that she did not reveal to the Warren Commission in Washington. Hollywood is also interested in filming Marina's life story.

One of the few principals involved in the Presidential assassination overlooked both by fame and fortune is Maurice "Nick" McDonald, 36, the Dallas patrolman who captured Lee Harvey Oswald in the Oak Cliff movie theater 90 minutes after Oswald allegedly killed the President.

McDonald is the forgotten man of the assassination. No one has offered him anything for a magazine article, a lecture tour or even a TV appearance. All McDonald received was a \$10 donation, which he turned over to the Dallas police fund.

A native of Camden, Ark., happily married, father of two girls, McDonald is a big, broad (5-foot-11, 200 pounds), balding man with an almost perpetual smile.

"I'm just glad to be alive," he says. "If Oswald's gun hadn't misfired, I'd be a dead goose today. Maybe," he reflects, "Sally and the kids would have then gotten more money than I'll ever make—no doubt about that—but I'd be dead, and what good is a dead husband? Marie Tippit—she lives just a few houses from here—she'd gladly give up the \$600,000 if only she had her husband back.

"Money can buy almost anything, but it sure can't bring back the dead. And brother! Let me tell you, I came that close to getting it!"

#### NICK TELLS HIS STORY

A few weeks ago in Oak Cliff, sitting in the living room of McDonald's one-story, 3-bedroom brick home (cost \$12,850—mortgage \$11,900), I asked the police officer to tape-record exactly what had happened to him on November 22, 1963.

Here are the words he spoke:

"On the day President John F. Kennedy was assassinated I reported for duty at my normal hour of 7 A.M. During November I was assigned a trainee who had graduated from the previous recruit class.

"With this recruit beside me, I went on routine patrol of my district, which is the western part of



South Oak Cliff, approximately 3 miles west of the Texas Theatre, where Oswald was finally captured.

"That morning was a routine day until we heard on the police radio that the President of the United States had been shot. At that time we were patrolling on Westmoreland Avenue, which is approximately 8 miles from Elm and Houston in downtown Dallas, where the assassination occurred.

"The police dispatcher ordered all police units to report to the vicinity of Elm and Houston to cordon off the district and try to find the assassin.

"We proceeded on Code 3 [the emergency procedure—siren blaring, red lights flashing] to Elm and Houston. We got out of the car and ran over to a police sergeant, who told us to stand by. Meanwhile, the Texas Book Depository Building from which the shots had been fired was cordoned off and completely surrounded, and the crowd was being controlled.

#### AN UNFAMILIAR VOICE

"At 1:15 we went back to the car, and suddenly I heard over the police radio an unfamiliar voice, a voice not acquainted with police procedure, obviously a civilian. 'A policeman has just been shot!' the voice announced. 'A policeman has just been shot! He was driving police car No. 10 from where I am now talking.'

"When I heard that announcement," McDonald continued, "I knew at once that officer J. D. Tippit had been shot. I knew Tippit had been assigned Patrol Car No. 10 in District 78.

"The voice then continued: 'It looks as if the officer is dead.' When I heard that, I ordered my partner into the car. 'Let's get over to Oak Cliff,' I said. 'We're standing around here doing nothing. Let's see if we can find the guy who shot Tippit.'

"We raced to the 400 block of East Jefferson Blvd. where a sergeant and a few reporters and policemen were trying to shake a house down, to search it to see if they could find the suspect. It had been reported that a possible suspect had made his way into that house.

"I let my partner out at this location and drove my

squad car around the alley, then drove up and down near-by alleys. That's the last time I saw my partner that day.

"As I was patrolling the alleys, another report came over the radio that a suspect with Oswald's general description had raced into the public library about a block away. I immediately drove to the public library on Jefferson. I got out in the alley and took my shotgun with me. I went through the side door of the library and ordered all persons out with hands up.

"Everybody inside the library came out with hands up. A teenager told me that he had just run in to tell the people of the assassination. He didn't match the police description of the unknown assassin at the time. No one else in the library did either.

"I ran back to my car. As I got in, there came another radio report. A suspect had just been seen running into the Texas Theatre in the 200 block of West Jefferson. I drove on Code 3 to the theater. When I got to the front, there were 3 or 4 police cars already at that location, so I decided to go to the rear of the theater. I got out of the squad car and joined 3 other uniformed officers at the rear of the theater, and we went in through the rear exit door. I remember that one of the movies at the Texas was *Cry of Battle*.

#### A LOOK AT THE SUSPECT

"Just inside the theater we were met by a shoestore salesman who had seen the suspect run into the theater without paying for a ticket and could identify him. This shoe salesman went to the stage with me, peeped through the curtain and identified the suspect who, he said, was wearing a brown shirt. It was Oswald. He was sitting in the back of the theater, alone. There were only about 10 or 15 people in the entire downstairs section.

"The theater house lights were up at the time. I peeked through the curtain, but the show was still playing. Several policemen were searching the balcony. As I stepped out through the curtain the lights became dim again, but the movie stopped.

"The two men closest to me were sitting in the center of the theater. I decided that I would search

every single person in the orchestra so that I would miss no one. I walked first to these two men. I had them stand on their feet, and I searched them.

"While I was frisking them I kept glancing over their shoulders at Oswald, just in case he should make a break. These first two men were sitting about 15 rows from the screen, in the center.

"After I decided that these men were unarmed and not suspect, I walked out of the 15th row, up the aisle and entered the row where Lee Harvey Oswald was sitting. Oswald was slumped down in the second seat, third row from the rear, on the right side of the center section.

"As I got within one foot of the suspect, I saw he was sitting calmly with his hands on his lap. He was wearing a brown shirt, with a white T-shirt underneath, and dark trousers.

"All right," I said, "on your feet." Oswald stood up and slowly raised both his arms. As he did this, he said in a tone of resignation, "Now it's all over." My hands darted over his body as I searched for a weapon. Quickly they reached Oswald's waist. On his right side tucked beneath his belt was a .38 snub-nosed revolver, a Smith & Wesson—what they call a Smith & Wesson snubnose—blue steel.

"As I reached for the gun, Oswald also grabbed for it with his right hand. I shouted, "I've got him!" With his left fist Oswald then smashed me right between the eyes as hard as he could, knocking my cap off. We both fell, fighting, into the seats, but I still had some portion of his gun in my hand, and so did he, only he had his hand on the trigger part. I remember thinking, "He can't beat me to death with his left fist, but he sure can kill me if I let go of this gun."

"I held on as we were wrestling for that gun. Once it came up and cut my face. When I tried to wrench it away from Oswald, he suddenly plunged it forward into my chest and pulled the trigger, but my hand over the gun slowed the action of the hammer and it only dented the primer. I could hear the snap, but no bullet was fired.

"When I heard that snap, I gave one final jerk with all the strength I had. My hand got down to the butt

and I pulled the gun out of Oswald's hand. I handed it to another officer, Detective Bob Carroll, who was in plain clothes. Officer T. A. Hudson then came up from the row behind and threw his arm around Oswald's neck. Officer C. T. Walker, running from the left, grabbed Oswald's left arm. Officer Ray Hawkins ran to the row in front of us and grabbed Oswald from the front. I held on to the suspect with my left hand.

"The officers then took Oswald out of the theater and transported him to the City Jail. It was then 2 P.M., about 90 minutes after President Kennedy had been assassinated.

#### PHOTOS TO PROVE A POINT

"When Oswald was taken from the Texas Theatre, I walked back to my squad car and drove downtown. There I reported to Captain Westbrook, and he escorted me to the crime lab, where pictures were taken of my face. The gun had cut it while Oswald and I had been fighting. My nose and lips were also a bit bloody from the fighting.

"The captain wanted photos taken because Lee Harvey Oswald was already hollering about police brutality. If Oswald had lived we would have presented evidence, photographic evidence, that he was resisting arrest and force had to be used to subdue him. After Oswald was arrested, no one laid a hand on him. I was the only one who hit him at any time, and that was in self-defense.

"At the time I captured Oswald, I had no idea that he had killed the President of the United States. I was fairly sure, however, that he was the man who had killed Officer Tippit."

While all this was going on, officer Nick McDonald's wife Sally—they were married 14 years this past February 15—was working as a receptionist for an oil company, Producing Properties, Inc., on the 35th floor of the Southland Center Building in Dallas.

"Like everyone else," she told me, "I was stunned by the news of the President's assassination. There was no radio in the reception room where I worked, so what I picked up of the happenings was ~~placement~~ from people coming and going."



## The officer's wife's first thought: "My husband has been shot"

"I heard from someone that a policeman had been shot near Oak Cliff, and the first thought that came to my mind—I guess every policeman's wife thinks the same—was that it was Nick. I phoned the Oak Cliff substation immediately, and they told me it was J. D. Tippit who'd been killed.

"Then a few minutes later," Mrs. McDonald recalled, "I got a phone call from Ann Williams. Her husband Frank is on the force with Nick. He's Nick's best friend. Ann said, 'Sally, hold on to yourself. Nick's been wounded.'

"I tell you, I went numb. It was a few minutes before I could feel or think anything. I was sure my husband was dead. He'd come real close to death two times before. I'd wanted him to quit the police force. Now I cursed myself for not having insisted.

"I began to sob and cry. I guess I was nearly hysterical. People gathered around, trying to console me. And then the phone rang again. Someone grabbed it and yelled at me, 'It's your husband.' I lurched for the phone, and I heard Nick's voice. 'I'm okay,' he said calmly. 'Just got a few scratches.'

"I couldn't believe it. I thought he was fibbing, just trying to make me feel good. 'Let me speak to someone else,' I said. He put Jerry Hill on the phone. Jerry assured me Nick was all right. But I still wasn't sure. I raced down to police headquarters, and when I saw Nick standing there, breathing, I said over and over, 'Thank God. Thank God.'"

Two days later Maurice and Sally McDonald were attending the Oak Woods Christian church with their two daughters, Vicki, 13, and Michelle, 10, when, following the invocation, the minister announced to his congregation: "Lee Harvey Oswald has just been shot in the basement of City Hall."

McDonald leaned back in his pew and said softly to himself, "Oh, my God."

When Oswald died, McDonald was genuinely sorry. "I'm convinced," he says, "that Oswald was guilty. We have an eye-witness to his murder of J. D. Tippit, a woman who saw the whole thing. And I'm equally sure he assassinated the President, but certainly he was entitled to his day in court. Jack Ruby had no right to take the law into his own hands."

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On January 4 of this year Nick McDonald, along with other Dallas policemen and several Secret Service agents, was assigned to guard and protect Marina Oswald, widow of the man who had tried to murder him, in North Dallas.

"In the month that assignment lasted," McDonald says, "Marina Oswald didn't know who I was. She's a fine young woman who looks after two babies. She apparently will have nothing to do with her mother-in-law, probably for good reason, and I wish her only the best. In marrying Lee Harvey Oswald I'm sure she didn't know what she was getting into. She's always been considerate, courteous and co-operative with all the authorities."

Nick McDonald—he dislikes his given name, Maurice, and adopted the name Nick from the word "nickname"—has been on the Dallas police force 9 years. He began on March 3, 1955, following his discharge from the Air Force, at a starting salary of \$285 a month. Currently he earns \$489 a month. Because he found it rough to support a wife and two daughters and make mortgage and other finance payments on that salary, his wife also works.

McDonald was raised by his grandparents. His parents were divorced when he was 5. He attended Arkansas State Teachers College and served hitches in both the Navy and Air Force before he came to Dallas with his young bride, the former Sally Lou Plyler of Prescott, Ark.

"Police work," he says, "has become my life, and I love it more than anything else. My wife keeps nagging me to quit, but she knows I never will. She keeps thinking I'll come to some untimely end, and maybe I will. 'But after all,' I tell her, 'Who wants to live forever?'"

RECEIVED





Oswald after capture shows scars on head, inflicted when hero McDonald grappled with him for death pistol.

SECRET





McDonald after capture displays battered cheek. Police photo was taken to prove that Oswald resisted arrest.



Lee Harvey Oswald in police custody.

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Unsung hero of Oswald capture, Nick McDonald, poses with wife Sally, daughters Michelle (l.), Vicki.

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# FBI Denies Hiring Ruby Or Oswald

Associated Press

FBI Director J. Edgar Hoover said yesterday that Lee Harvey Oswald, accused assassin of President Kennedy and Jack L. Ruby, accused murderer of Oswald, never served as confidential informants of the FBI.

Hoover issued this statement:

"To set the record straight and to refute the misinformation which has been maliciously circulated, I want to state unequivocally that Lee Harvey Oswald and Jack L. Ruby were never FBI informants; that they were never employed by the Bureau in any capacity, and did they ever render any service for or receive any money from the FBI."

"Explicitly, I have on the part of the FBI no objection to any newspaper, magazine, radio, or television station to put a stop to them."

Ruby is now on trial in Dallas on charges of killing Oswald.

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# INQUIRY BOARD ACTS AS PUBLIC PRESSURE MOUNTS

## Oswald commission invites Lane

By Jack A. Smith

**I**N OBVIOUS RESPONSE to growing public criticism, the President's Commission on the Assassination of President Kennedy has reversed itself twice within one week in the case of Lee Harvey Oswald, the man accused of the assassination: (1) Mark Lane, named by Mrs. Marguerite Oswald to defend her slain son, has been invited to testify before the commission March 4. (2) Walter E. Craig, president of the conservative

American Bar Association, has been selected by the commission to be Oswald's "official" defense counsel.

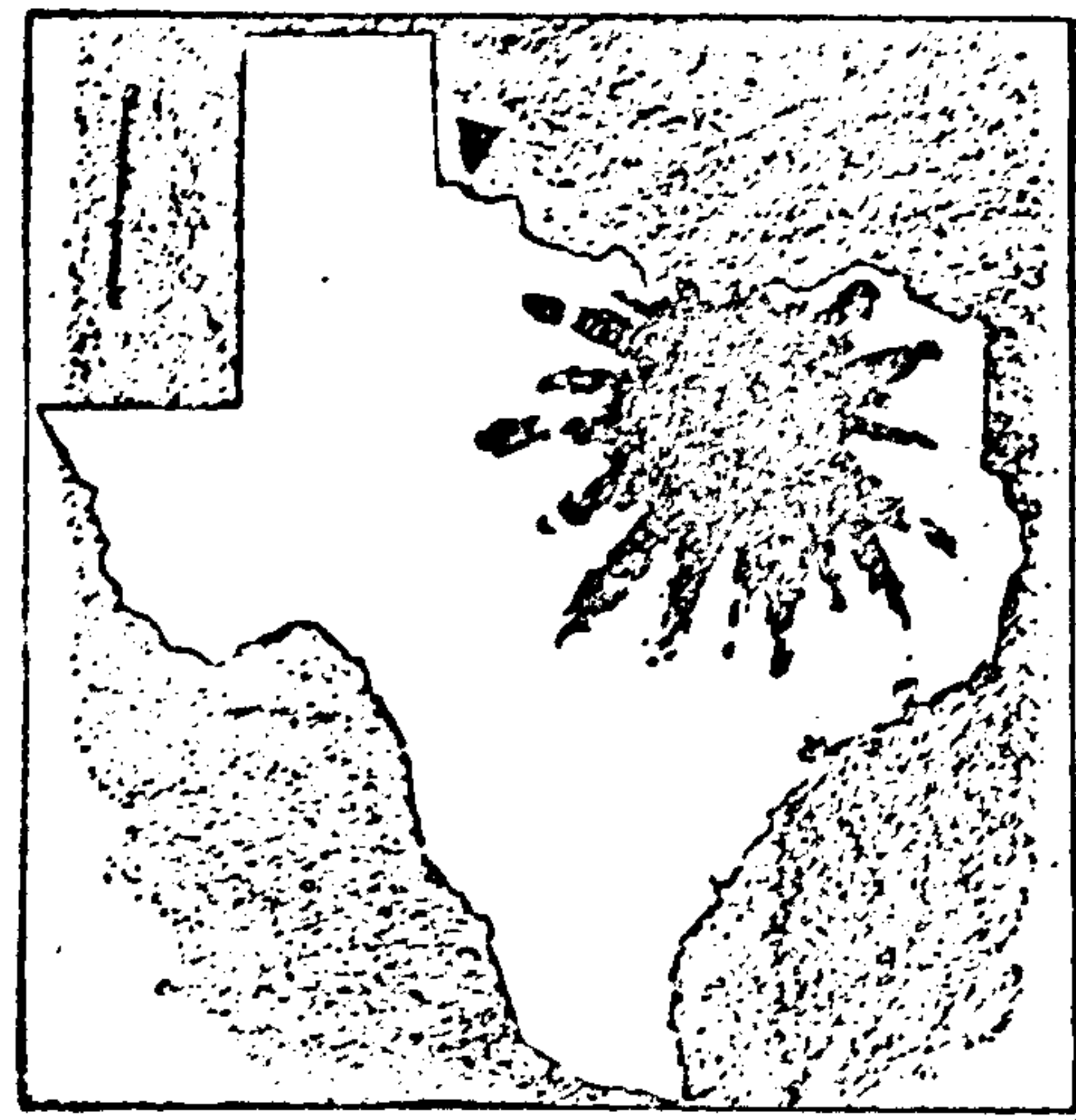
The developments appear to have this significance: The commission now realizes its initial refusal to allow counsel for Oswald was a tactical mistake, engendering as it did grave doubt in the public mind as to its method of inquiry. Lane, obvious choice as defense counsel, was unacceptable to the commission because he appears convinced of Oswald's

sion was really concerned about my client, it would let me represent him in fact, rather than by implication. I will testify March 4, but will not be satisfied until I can cross-examine witnesses."

**DATA SOUGHT:** In a letter from commission counsel J. Lee Rankin received March 2, Lane—author of "A Defense Brief for Oswald" (GUARDIAN, Dec. 19)—was told: "The commission is informed that . . . you have collected numerous materials relevant to this commission's work in your capacity as counsel to the alleged assassin." The former New York State Assemblyman was instructed to "bring all affidavits or other documents in your possession" relating to the assassination.

Lane responded in a statement: "I will of course appear before the commission and present to them all the information I have secured." The defense lawyer said he was uncertain, however, whether he would turn over copies of the 20 affidavits which were obtained from the files of Dallas District Attorney Henry Wade. One of the affidavits apparently rules out the possibility that Oswald fired a rifle at Kennedy Nov. 22.

Previously, the commission has refused to hear Lane on the grounds that the inquiry was concerned merely with finding facts about the assassination,



Little in the Nashville Tennessee  
"Deep in the hearts of America."

### Notice

Beginning with this issue, the NATIONAL GUARDIAN will be dated as of each Saturday. Thus, this issue is dated March 7. Advertising deadlines remain unchanged.

innocence. Thus Craig, an "independent lawyer," was appointed "official" defense counsel while Lane, acknowledged "unofficial" counsel, will be given his day in court. In this manner, the commission might obviate criticism of its methods by granting token recognition to Lane and his supporters, while continuing for reasons of "national security" to avoid genuine debate about Oswald's role.

Commenting on the new moves, Lane told the GUARDIAN: "If the commis-

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not in determining Oswald's guilt or innocence. During the last two months, Lane has made a nation-wide series of speeches, sponsored by the GUARDIAN, that have done much to spark public awareness that the truth about Kennedy's assassination—especially in regard to Oswald—was not being fully revealed.

**EARLIER BAN:** One month ago, in response to a request by Lane for the right to represent Oswald before the commission, Rankin replied: "The commission does not believe that it would be

## Oswald case

(Continued from Page 1)

useful or desirable to permit an attorney representing Oswald to have access to the investigative materials within the possession of the commission or to participate in any hearings to be conducted by the commission."

In appointing Craig Feb. 25, however, the commission said he would be given access to all its materials. In an accompanying statement, the commission said its action was not intended to cast doubt on Lee Oswald's guilt. "That there was reasonable cause to believe he was the assassin is unquestioned," the commission said. "But he did not have the opportunity to meet the accusations according to the American way of justice." Oswald was shot to death two days after his arrest by Jack Ruby, a nightclub manager. During the first three months of the commission's investigation, no one was allowed to defend his interests before the commission.

Commenting on Craig's selection, Lane said: "The appointment of the President of the ultra-conservative ABA may raise more questions than it resolves. Will the commission begin its proceedings anew, now that it recognized for the first time the necessity of representation for Oswald at all stages of the proceedings? Will counsel appointed by the commission conduct an investigation in order to adequately perform his function?"

**FRIEND OF GOLDWATER:** Craig said he undertook the task as "a public service." He has yet to state whether he believes his client to be guilty or innocent. According to the New York Times (Aug. 11, 1962), Craig "describes himself as a conservative Democrat and is a good friend and supporter of Barry Goldwater, conservative Republican Senator from Arizona," the new counsel's home state.

**PLOT ON NIXON?** The name of Rich-

ard Nixon was interjected into the commission hearings Feb. 27 when James Martin, former "business representative" for Oswald's widow, was questioned about a statement he made to the Houston Post the day before accusing Oswald of having plotted to assassinate the former Vice President on Nov. 21. Martin, who refused to reveal his source of information, told the newspaper that he had previously informed the commission of this allegation. After the hearing, during which the commission questioned him sharply about the interview, Martin refused to comment to reporters. Nixon was on a business trip to Dallas the day before Kennedy was killed.

Attorneys for Ruby have announced that they expect to call him as a witness during his trial for shooting Oswald—an unusual move in cases where a defendant pleads insanity. According to the New York Times (March 2), "appearing as a witness would expose Ruby to cross-examination by District Attorney Wade, but the defense believes that Ruby's case would be strengthened if hectoring by the prosecution caused him to act abnormally in front of the jurors."

Chief defense counsel Melvin Belli intends to call 59 defense witnesses in efforts to prove that his client suffers from an episodic (periodic) mental illness—psychomotor epilepsy. A day rarely passes when Belli does not make a reference to Ruby's alleged mental disease. On March 1, he told reporters: "I got a call (from the jail) that Jack was cracking."

Hearst columnist Dorothy Kilgallen reported Feb. 24: "Wade will produce witnesses who will testify that Ruby and Oswald were acquainted. Ruby has said repeatedly that he didn't know the alleged assassin—but then Ruby's plea is temporary insanity and there are a great many things he doesn't remember and isn't about to."

**ANOTHER DOCUMENT:** In other developments:

• Lane has revealed to the GUARD-

IAN the fourth in the series of 20 documents obtained from Wade's files. Less explosive than the first three (GUARDIAN, Feb. 20), it is the affidavit of the policeman who found the weapon allegedly used to assassinate Kennedy. The officer testified that he was standing at the intersection of Main and Houston Sts. when the shots were fired at the



**MURDER DEFENDANT JACK RUBY**  
Second mental test was ordered

Presidential motorcade. "I ran northwest in the direction of the shots," he said, "but then someone shouted, 'Go to the Old Texas Building.'"

The building referred to is the Texas Schoolbook Depository, one block north of the intersection. To the west is a railroad overpass which Kennedy's car was directly approaching. If the policeman ran northwest he was headed between the overpass and the Depository, closer to the overpass. Lane and others are convinced that the shots—at least some of them—issued from the direction of the overpass.

• Sen. Richard Russell (D-Ga.) refused to comment Feb. 26 on reports that he might resign from the Johnson-Warren commission. It had previously been speculated that several commission members were contemplating resignation because of dissatisfaction with the inquiry.

• A half-page advertisement in the New York Times (March 2) called on Chief Justice Earl Warren to resign as commission chairman. The "open letter" to Warren, purchased by The Minority of One, urged that a new body be composed of prominent public figures and distinguished private citizens to ascertain and publicly disclose all facts pertaining to the assassination.



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UPI-112

(OSWALD)

WASHINGTON--THE FBI TODAY OFFICIALLY DENIED WHAT IT TERMED "MALICIOUSLY CIRCULATED" RUMORS THAT ACCUSED KENNEDY ASSASSIN LEE HARVEY OSWALD HAD BEEN AN FBI INFORMANT. DIRECTOR JIM EDGAR HOOVER SAID THAT IN A TWO-PARAGRAPH STATEMENT, NEITHER OSWALD, NOR HIS ALLEGED MURDERER, DALLAS NIGHT CLUB ENTREPRENEUR JACK RUBY, EVER WORKED FOR THE FBI. HOOVER SAID HE MADE THE OFFICIAL DENIAL TO "SET THE RECORD STRAIGHT AND TO REFUTE THE MISINFORMATION WHICH HAS BEEN MALICIOUSLY CIRCULATED."

SINCE THE ASSASSINATION OF PRESIDENT JOHN KENNEDY LAST NOV. 22 THERE HAVE BEEN RECURRING RUMORS THAT EITHER RUBY, OSWALD, OR BOTH WERE ON THE FBI PAYROLL. HOOVER MADE IT PLAIN THAT THERE WAS NO BASIS FOR THE SPECULATION. HE SAID: "I WANT TO STATE UNEQUIVOCALLY THAT LEE HARVEY OSWALD AND JACK L. RUBY WERE NEVER FBI INFORMANTS. HE ADDED THAT NOT ONLY WERE NEITHER OF THE TWO MEN INFORMANTS, BUT THEY WERE "NEVER EMPLOYED BY THIS BUREAU IN ANY CAPACITY." NOR, HE SAID, DID OSWALD OR RUBY EVER RECEIVE ANY MONEY FROM THE FBI FOR "ANY SERVICE."

3/7--EG553 PES

CLIPPING  
 FD 3-8-64  
 Wash Post  
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MAR 17 1964 27

WASHINGTON CAPITAL NEWS SERVICE

109-82555-A  
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 128 MAR 10 1964



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# Oswald's Mother Defends Him

By GLORIA NEGRI

Mrs. Marguerite Oswald, sometimes nervously fingering a novena medal around her neck, came to this hometown of President Kennedy Wednesday night to try to vindicate her son accused of killing him.

Frequently during a two-hour radio and press interview, Mrs. Oswald referred to "Lee Harvey Oswald" as if she were some lawyer pleading his defense.

Over and over again, she recited her message:

"Lee Harvey Oswald did not assassinate President Kennedy. Lee Harvey Oswald was murdered without benefit of trial and counsel, and that is contrary to the American way of life. I believe that the nation should know if the assassins are still at large."

Mrs. Oswald, a comfy-looking woman of 58, was interviewed on WBZ radio's "Bob Kennedy's Contact" program.

The program invites questions from telephone callers, and there were some Wednesday night who were angry that Mrs. Oswald was here at all.

Others questioned Mrs. Oswald's method of financing her lecture forays, and she was quick to retort:

"I am not making money on the dead body of my son. I believe I am the only member of the Oswald family who can say that"

WBZ declared it gave Mrs. Oswald \$50 for her round-trip transportation between New York and Boston and for her hotel room here Wednesday night.

Twice during the press interview after the broadcast, the subject of money or her lack of it brought tears to Mrs. Oswald.

She pointed out that she had only \$863 from Lee Harvey Oswald's inheritance and that she was fired from her job as a practical nurse because of her son's notoriety.

Mrs. Oswald wore a black suit dress, a single strand of pearls, pearl earrings and dark-rimmed eyeglasses. She said the novena medal on a chain around her neck was sent her by a group who "prayed for Lee."

She said she has received many similar signs of sympathy since Lee was shot by nightclub owner Jack Ruby two days after President Kennedy's death.

At the outset of the program, Mrs. Oswald vowed to reveal hitherto unknown information which would support her claim that Lee was not a traitor to his country, but on the contrary an agent working for the United States government.

This information was that Lee had joined the Civil Air Patrol at age 15, during which service he met a man who influenced him to join the Marines; that Lee quit school to do so, against his mother's wishes and that three days after he signed up in the Marines he defected to Russia, from then on to become an agent in this government's service.

Mrs. Oswald said she was beyond any personal feelings for Jack Ruby, now on trial for Oswald's murder, but that, "I hope Lee Harvey Oswald knew Jack Ruby because that will prove Lee was an agent for this government."

She stuck to her story that an FBI man showed her a photo of Jack Ruby before Ruby shot and killed her son. "Hoover, (J. Edgar, head of the FBI), acknowledged they showed me a picture but said it was not of Jack Ruby."

Mrs. Oswald said the photo was shown her cupped in the hand of an FBI man who visited her and Lee's Russian wife, Marina, in their room at the Executive Inn in Dallas on Nov. 23, the day before Lee was shot.

Mrs. Oswald said she decided the photo was of Ruby after seeing his picture in the newspapers after he killed her son. "It was the same picture, but greatly enlarged," she maintained.

She said she thought the Warren Commission investigating the murder of the President was trying to do a fair job, "but I don't see how they can make any true conclusions without allowing cross-examination of witnesses." Possibly a "congressional" commission would have been better, she said.

Marguerite Oswald admitted daughter-in-law and sons have been strained of late. "I do not know where Marina is," she said. "This in no mother-in-law rift. The Secret Service has refused to let me see her. her relationship with her "She (Oswald) is guilty and I think he's innocent. We are all entitled to our own opinion."

Mrs. Oswald said she will go on speaking wherever the opportunity is offered her. She said she has already made a recording of letters sent her by Lee Harvey Oswald and that she will write a book about him soon.

"Lee wasn't perfect, but he was not the louse the papers made him out to be," his mother said.

- Mr. Tolson \_\_\_\_\_
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- Mr. Casper \_\_\_\_\_
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- Mr. Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Miss Holmes \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

(Indicate page, name of newspaper, city and state.)

16 BOSTON GLOBE  
Boston, Mass.

BOSTON HERALD  
Boston, Mass.

BOSTON TRAVELER  
Boston, Mass.

CHRISTIAN SCIENCE  
MONITOR  
Boston, Mass.

RECORD AMERICAN  
Boston, Mass.

Date: 3/5/64  
Edition: Morning  
Author: Gloria Negri  
Editor: Victor O. Jones  
Title: Lee Harvey Oswald

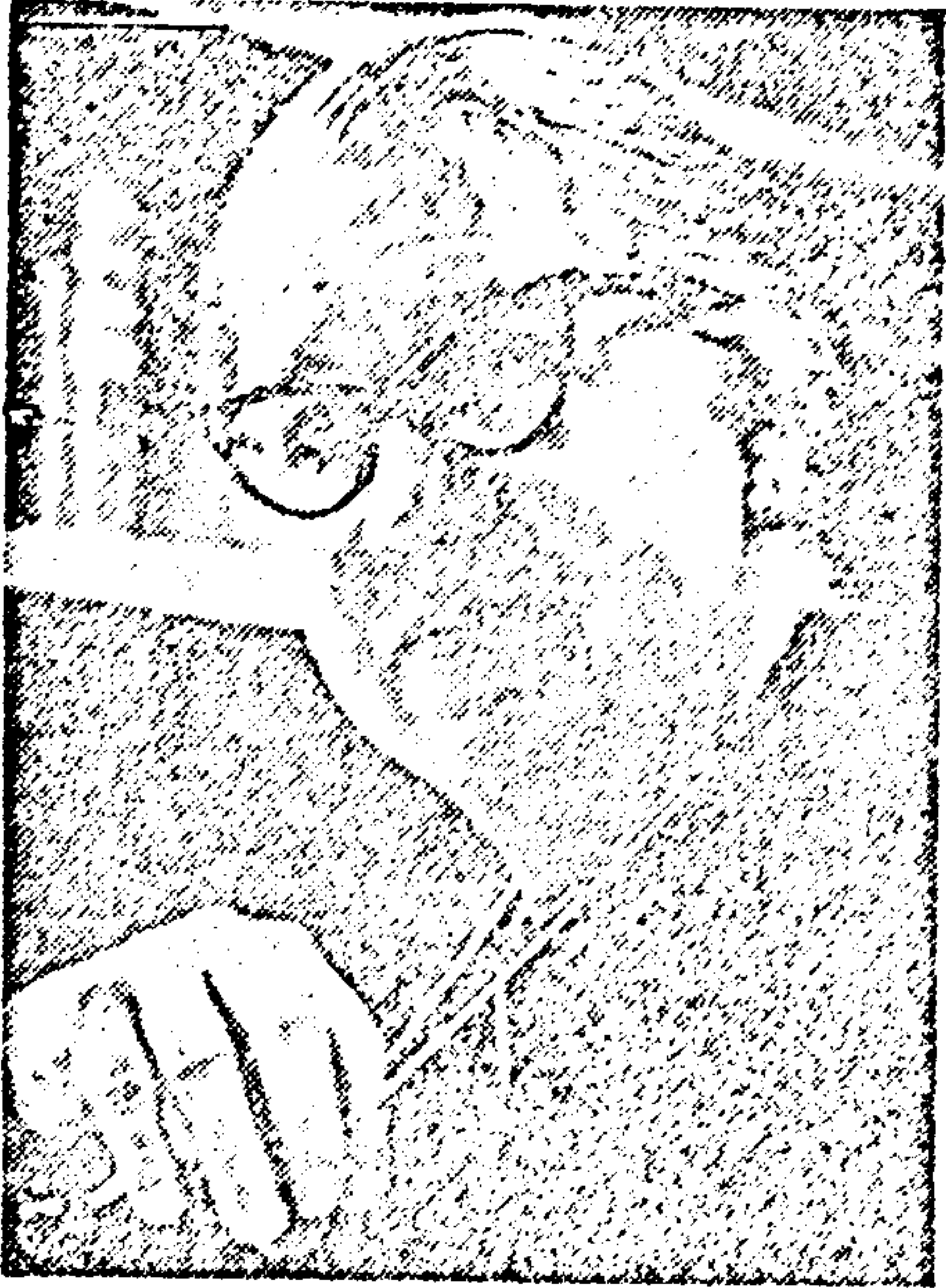
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128 MAR 13 1964

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MRS. MARGUERITE OSWALD IN BOSTON (Photos by Philip Preston)



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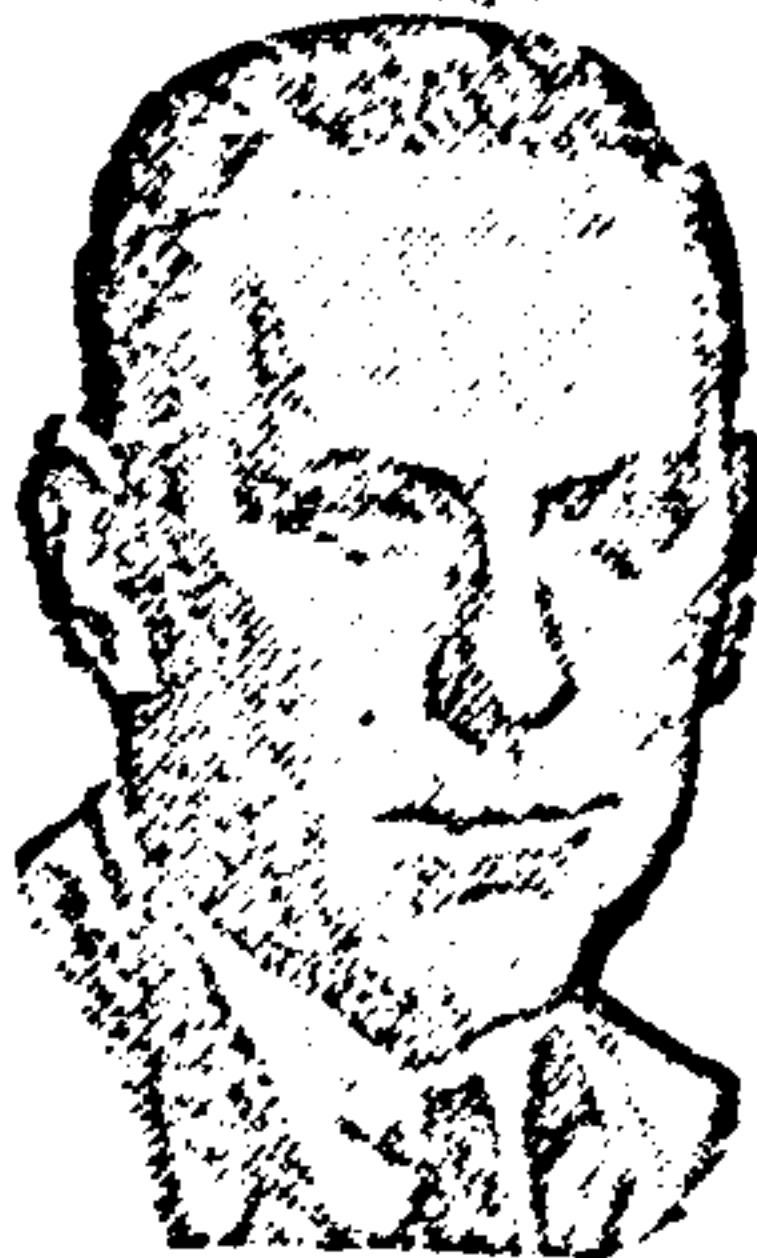
**ON THE LINE:**

# Just an 'Ordinary Shooting'

By BOB CONSIDINE

DALLAS: Called Capt. Will Fritz of the Dallas Police Department the other day to inquire about the shooting here two months ago of a car dealer who identified Lee Oswald in a police lineup, after the assassination.

The dealer witnessed Oswald running away from the site of the murder of officer J.D. Tippit, reloading his gun as he ran. The dealer was shot in the head by an unknown assailant early in January.



CONSIDINE

"I didn't handle his case," Capt. Fritz said.

"He didn't die, see? I'll switch you over to Forgery. They handle ordinary shootings."

\* \* \*

OSWALD'S Russian-born widow rented a house here the other day and is moving herself and her two young children into it. She wants to live in Dallas and become an American citizen. (Several letters received by this correspondent lately demand that she be deported for not having tipped off police that her husband had tried to kill Maj. Gen. Edwin Walker.)

Mrs. Oswald is having big troubles in the wake of firing her lawyer and her business manager, James Martin and John M. Thorne. They will probably take her to court. Between them they claim 25 per cent of "everything we promoted for her," Martin told the Dallas Morning News' Hugh Aynsworth. They want no part, they said, of the \$68,000 which has come to the accused assassin's wife from all parts of the U.S. and foreign countries.

"Our money was to come from negotiations with publishers and movie companies," Martin said.

The amounts are unnerving, considering the appalling circumstances: —An Italian movie firm's offer of \$75,000 for rights to her story was signed Feb. 11, Martin says.

—Meredith Press, Des Moines, Iowa, is said by its general manager, Jack Barlass, to be ready to go with an even meatier contract "when the confusion goes away."

—Barlass says, "We have negotiated about \$132,000 in just advance money. The whole deal, with royalties and percentages, will run around \$300,000."

The Morning News learned that Mrs. Oswald wants to offer the two men 15 and 10 per cent of the money contributed to her, in exchange for severing business relations with them.

\* \* \*

DEFENSE ATTORNEYS say they spotted in advance whether a prospective juror would vote yes or no when asked if he or she could vote to send Jack Ruby to the electric chair if the evidence that he murdered with malice and in full possession of his wits was apparent.

"Those who were about to say yes to the question always sat there with their hands perfectly still," Melvin Belli says. "The prospect who was going to say no, he couldn't do a thing like that, wrung his hands or twiddled his fingers during the period leading up to the question."

Fifty of the first 133 panelmen were opposed to capital punishment, which strikes at Belli's assessment of Dallas as a "hanging town."

\* \* \*

THE DEFENSE plans to be very rough on the shade of Lee Oswald during the course of the testimony taking. It won't wait for the findings of Chief Justice Earl Warren's investigation group. It will state, probably vociferously at times, that Oswald and only Oswald did the deed and that he was a thoroughly despicable Communist. Ruby will be portrayed as a patriot who heard his country's call in 1942 and spent two and a half years doing stateside duty with the Army Air Force.

*Handwritten notes:*  
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 7-16-64  
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 10-12-64

- The Washington Post and Times Herald \_\_\_\_\_
- The Washington Daily News \_\_\_\_\_
- The Evening Star \_\_\_\_\_
- New York Herald Tribune \_\_\_\_\_
- New York Journal-American \_\_\_\_\_
- New York Mirror \_\_\_\_\_
- New York Daily News \_\_\_\_\_
- New York Post \_\_\_\_\_
- The New York Times \_\_\_\_\_
- The Worker \_\_\_\_\_
- The New Leader \_\_\_\_\_
- The Wall Street Journal \_\_\_\_\_
- The National Observer \_\_\_\_\_
- People's World \_\_\_\_\_
- Date \_\_\_\_\_

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- Mr. Casper .....
- Mr. Callahan .....
- Mr. Conrad .....
- Mr. DeLoach .....
- Mr. Evans .....
- Mr. Gale .....
- Mr. Rosen .....
- Mr. Sullivan .....
- Mr. Tavel .....
- Mr. Trotter .....
- Tele. Room .....
- Miss Holmes .....
- Miss Gandy .....

# On Your Guard: Rosenberg-Oswald

BY JACK LOTTO

**T**HE SCENE is the Federal Building in Foley Square, New York. The time: April 5, 1951. Judge Irving Kaufman is looking down at Julius and Ethel Rosenberg. Before sentencing them to death as atomic spy conspirators he declares in measured words:

"I consider your crime worse than murder."

Despite the magnitude of the crime of the husband-wife communist spy team, a propaganda barrage erupts that has not stilled to this day.

Opening gun is a series of articles charging the Rosenbergs were "framed" and were "innocent victims." The articles appear in the "National Guardian," a pro-communist newspaper.

Soon after, a national committee to "secure justice" for the Rosenbergs and their co-conspirator, Morton Sobell, comes to life. Its purpose, as determined in later years by a congressional investigation: to blacken the name of America throughout the world by casting doubt on American courts, agencies and judicial processes. The campaign serves another purpose. It becomes the vehicle to collect hundreds of thousands of dollars from Americans to vilify their own country.

## Rally Sponsor

During all the agitation to save the Rosenbergs from the electric chair, one of the sponsors of clemency rallies and petitions is an artist, Robert Gwathmey.

The scene shifts. It is now 1964, a few months after the crime of the century — the assassination last November of President Kennedy in Dallas. Lee Harvey Oswald, a self-proclaimed Marxist, is arrested and charged with the killing. The FBI reports he was the "lone and unaided assassin." Obviously, he can never go on trial, because he is shot down.

In December of 1963, the "National Guardian" began its propaganda blasts reminiscent of the days of 1951. It published what is described as a "defense brief for Oswald," written by New York attorney Mark Lane.

Lane previously had been associated with such activities as agitation to abolish the House Committee on Un-American Activities and was a signer of a clemency petition for imprisoned communists.

Soon after his article appears, Lane is hired without

fee by Oswald's mother to "defend" her son before the Warren Commission, which is investigating all aspects of the presidential assassination.

Issue after issue, the Guardian pushes the theme Oswald was "framed." It becomes the sponsor of a coast to coast lecture tour by Lane, in which he also claims Oswald is innocent. In some cases, Mrs. Marguerite Oswald, the mother, appears on the same platform with Lane, such as in New York on February 18, to make the unsubstantiated claim that her son was a "scapegoat" of the CIA, set up to take the blame for the killing.

## Friends Sought

Lane says chapters have already been set up in New York, Detroit, San Francisco, Los Angeles, Chicago and other cities. The New York chapter is headquartered in Lane's law office. Solicitations for funds are under way. Treasurer of the new committee is Robert Gwathmey. He is the same man who was active in the Rosenberg clemency agitation.

Gwathmey was also a sponsor for many years of the American Committee for the Protection of the Foreign Born. This group was officially cited by the U.S. attorney general in 1948 as "subversive and communist." He also was among those who sponsored a 1952 conference to win amnesty for communists convicted under the Smith Act, as well as one of the petitioners to President Eisenhower in 1955 asking a halt to the trial of communists. In 1952, Gwathmey also appealed to President Truman for amnesty for jailed Reds.

(Indicate page, name of newspaper, city and state.)

*Barbara*  
*Barbara*  
*JES*  
*John*

17 - SEATTLE  
POST-INTELLIGENCER  
SEATTLE, WASH.

Date: 3-2-64

Edition: SUNRISE

Author:

Editor:

Title:  
LEE HARVEY OSWALD

Character: IS - R

or  
Classification: 89-47

Submitting Office: SEATTLE

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Mr. Rosen	.....
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Miss Holmes	.....
Miss Gandy	.....

# New York Lawyer Thinks Oswald Is Not the Assassin

New York Attorney Mark Lane reviewed the case against Lee Harvey Oswald Friday evening and attacked the procedure of the Warren commission investigating President Kennedy's assassination.

In a three-hour session in Unitarian-Universalist Church, Elmwood Ave. and West Ferry St., Mr. Lane said: "I think the facts in the case indicate Oswald did not assassinate President Kennedy."

Discussing the Warren commission, he told 300 persons, mostly college students:

"Each citizen has a stake in this case and I don't think such an inquiry should be conducted behind closed doors. The Warren commission is a very bad commission."

### Refused by Commission

Mr. Lane, retained by Mrs. Marguerite Oswald to defend the interests of her son, charged that the commission is first "going to find out why Oswald killed the President and then, who killed the President."

The commission refused Mr. Lane's request to represent Oswald at commission hearings.

Discussing the events in Dallas, Mr. Lane charged the Secret Service, FBI, Dallas police and district attorney were "unfair and unethical" in revealing information to the communications media.

"Never, never before in the history of civilization has a defendant been so completely and thoroughly prejudiced before trial as the case of Lee Harvey Oswald," he said.

### Sponsored by Committee

Urging formation of citizens committee for free inquiry to raise funds to send private investigators to Dallas, he said:

"I didn't come to tell you all the answers. I don't claim to know them. . . I think the procedure of the Warren commission is incorrect. I will continue to go all over the country asking these questions until we secure some intelligible answers."

Mr. Lane's talk was sponsored by the six-member Committee to Hear Mark Lane. His appearance was initially to be held at Hotel Buffalo but the hotel later refused to permit the use of its facilities.

Mrs. Maryann Weissman, a committee member, read a prepared statement, noting the group will appeal the court decision upholding the hotel's refusal as "a fundamental violation of our constitutional rights."

### Meeting Is Picketed

During the last few days, she said, "I was followed constantly by Buffalo's finest anti-subversive squad. . . The only way to fight them is not to let them get you down."

A collection was taken up to defray the committee's expenses.

Four persons carrying signs ("Our Churches Are for God Not for Communism. Oswald and Lane Are Two of a Kind. Oswald Was a Red Killer") picketed outside the church before and after the meeting.

Stressing they represented no organization, Robert Groben, 25, of 37 Allen St., and his wife, said they and their friends, Michael Russell and Agapito Baddillo, were "representing the United States. We think it needs it."

(Indicate page, name of newspaper, city and state.)

B-10)  
BUFFALO EVENING NEWS  
BUFFALO, NEW YORK

BUREAU FILE: 105-82555

BUFFALO FILE: 105-4467

Date: 2/29/64  
Edition: FINANCIAL  
Author:  
Editor:  
Title: LEE HARVEY OSWALD, aka IS-R, CUBA

Character: INTERNAL SECURITY  
or  
Classification: 105  
Submitting Office: BUFFALO

Being Investigated

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- Mr. Callahan .....
- Mr. Conrad .....
- Mr. DeLoach .....
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- Mr. Rosen .....
- Mr. Sullivan .....
- Mr. Tavel .....
- Mr. Trotter .....
- Tele. Room .....
- Miss Holmes .....
- Miss Gandy .....

# Hotel Is Upheld In Denying Room for Oswald Discussion

An application for an injunction to require the Hotel Buffalo to allow Mark Lane, New York attorney, to use hotel facilities for a discussion of the Lee Harvey Oswald case was denied today in Supreme Court.

"This is not a question of whether Mr. Lane has a right to be heard; he has such a right, but it is a question of where," Justice Matthew J. Jasen said at the close of arguments.

"Perhaps the committee can find other facilities. I feel that this is not a case for an injunction. It is a civil matter between you and the Hotel Buffalo."

## Room Had Been Rented

Richard Lipsitz, attorney for the sponsoring committee, said a \$25 rental had been paid on Feb. 20 for the Mahogany Room.

He said later the group was told that the reservation would be canceled because the same room had been promised to "the Committee for Preservation of Family Life."

The attorney claimed that this was "a patent excuse to avoid an obligation."

Donald J. McCarthy, attorney for the hotel, asserted that if there had been a breach of contract the injured persons could bring an action to recover any damages sustained in the way of additional expenses.

## Threat of Picketing

"We respect everyone's right to speak," Mr. McCarthy said, "but we prefer that the hotel, which has its own troubles, may not become a battleground for differing ideologists."

"We have received information that if the meeting is held the hotel will be picketed and there is the danger of breach of the peace and damage to hotel property and guests."

"If there is anything untoward," replied Mr. Lipsitz, "it won't be us that is doing it."

Mr. Lipsitz said an attempt will be made at once to obtain other quarters for the meeting.

*J. J. [Signature]*

(Indicate page, name of newspaper, city and state.)

(25) BUFFALO EVENING NEWS  
BUFFALO, N.Y.

BUREAU FILE #  
105-82555

*[Handwritten signature]*

Date: 2-28-64  
Edition: FINANCIAL  
Author:  
Editor:  
Title: LEE HARVEY OSWALD, AKA;

Character: IN-R, CUBA  
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Classification:  
Submitting Office: BUFFALO

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- Mr. Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Miss Holmes \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

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# Oswald Had Nixon on List, Warren Told

By ALFRED T. HENDRICKS

The Warren Commission has been told that Lee Harvey Oswald planned to kill former Vice President Nixon, it was reported today.

Nixon was in Dallas on a business trip Nov. 21, the day before President Kennedy was assassinated.

In an interview in the Houston Post, a former business representative of Mrs. Marina Oswald, said he had given evidence to this effect to the commission.

John Martin, who was dismissed by Mrs. Oswald as her business representative just a few days ago, refused to say how he had learned of the alleged intent to assassinate Nixon.

"It's a part of the testimony," he said. "I can't comment on it."

Martin himself was scheduled to appear before the commission today.

Nixon, who returns to New York today from a business trip to Minneapolis, was not available for comment.

In a televised interview after the assassination, Nixon deplored violence and said:

"The greatest tribute we can pay to his (Kennedy's) memory is in our everyday lives to do everything we can to reduce the forces of hatred which drive men to do such terrible deeds."

In his public utterances since then, however, he has never suggested any awareness that he too might have been marked for death.

Martin, in the Texas interview, refused to comment on his dismissal by Mrs. Oswald. There were reports that the action was taken on the advice of Robert Oswald, brother of Lee.

Martin said he had offered to release Mrs. Oswald from a ten-year contract with him in return for a share of some \$150,000 in cash advances he said were already promised to her.

Under the agreement, he said, he was guaranteed 15 per cent of her future income, which may go as high as \$300,000.

"I'm willing to forego my share on the future payments," Martin said, "but I've gone through a lot of misery with this, and I think I'm entitled to my share of the advances."

In Buffalo, meanwhile, a State Supreme Court judge ordered the owner of a hotel into court to show cause why he should not be stopped from refusing the use of a room to Mark Lane, attorney for Mrs. Marguerite Oswald, who is scheduled to address a group of college students tomorrow night.

(Indicate page, name of newspaper, city and state.)

3 NEW YORK POST

*J M Siro*

*File 5/6/64  
105-82555*

Date: 2/27/64  
Edition: LATE CITY  
Author: ALFRED T. HENDRICKS  
Editor: JUDITH SCHIFF  
Title: LEE HARVEY OSWALD  
UNDER INVESTIGATION

Character: AFO  
or  
Classification: BU 62-109060  
Submitting Office: NYO

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# Is the Oswald inquiry

## America's Dreyfus case?

The following is a major excerpt from an address given by Staughton Lynd, professor of history at Spelman College, Atlanta, at the GUARDIAN-sponsored meeting Feb. 18 in Town Hall, N.Y., to inquire into the facts about the assassination of President Kennedy.

**YOU MAY BE THINKING:** Can one really suppose that here, in these United States, there may have been a conspiracy to kill the President? Or that, if there was a conspiracy, parts of the federal government may desire to conceal it? Let me, as a historian, suggest an answer to these questions by an historical analogy.

There was once a man accused of treason on the basis of circumstantial evidence. He was convicted because a secret dossier was sent to his judges by the counter-espionage agency of his government with the consent of the Minister of War, but without the knowledge of the rest of the cabinet. The prosecution was unable to suggest a motive for the alleged crime of the defendant, and the defendant himself steadfastly affirmed his innocence. Yet the defendant was declared guilty. No one in public life questioned the judgment of the court. Only the family of the condemned man protested the decision and was determined to bring about a revision of the trial by working to find evidence pointing to the real traitor. Eighteen months later a new head of the secret service accidentally discovered that the condemned traitor was, in fact, innocent. When he attempted to have the case reopened he was broken in rank and given a job outside the country. Not until 12 years later did a court finally clear the name of—Alfred Dreyfus.

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

To quote another historian of the Dreyfus affair, it was "not that the leaders of all those forces deliberately meant to invent a charge against an innocent man, but once it had been levied, and its solidity assumed, the innocence of the accused became really

Lee Harvey Oswald

*Brigman J.P. [unclear]*  
*Ladd*

- The Washington Post and Times Herald \_\_\_\_\_
- The Washington Daily News \_\_\_\_\_
- The Evening Star \_\_\_\_\_
- New York Herald Tribune \_\_\_\_\_
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- The Wall Street Journal \_\_\_\_\_
- The National Observer \_\_\_\_\_
- People's World \_\_\_\_\_

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Date 2-27-64  
 National Guardian  
 pg. 6

58 MAR 20 1964

File 115-5555





Guardian photo by Robert Joyce  
**PROFESSOR STAUGHTON LYND**  
*He cites a lesson from history*

unthinkable." Still later, when it was realized that the original trial of Dreyfus had gone astray because of evidence concocted by the French secret service, a military court of review—comparable to the Warren commission—nonetheless once more declared Dreyfus guilty, in the belief (to quote Prof. Thomas) that "the counter-espionage service would have been disorganized, to the great cost of national security, if its methods had been divulged."

**A**CTUALLY, I DON'T THINK the conspiracy theory is unbelievable to persons close to this story. I would be prepared to wager that a majority of high officials in Washington privately have their doubts about the received version of the crime. The real problem is what they do about their doubts. For I think most of them go on to say to themselves: Even if Oswald is not guilty, isn't it better things be left as they are? Lee Harvey Oswald and John Fitzgerald Kennedy are dead, we can't help them now; so isn't it wiser to keep silent rather than challenge the prestige and authority of those agencies and individuals in government who are committed to the theory of Oswald's guilt?

No, it is not better. The fundamental issue in this case is whether truth and the welfare of individuals should be sacrificed to a putative national interest. And I say, "No." There was a time when Americans were convinced, with Milton, that let winds of doctrine blow, so long as truth be in the field, then there is nothing to fear. There was a time when Americans could say, with Thoreau in Walden, that finally, we want only the truth. Now we seem to have become a society in which, when push comes to shove and the chips go down, we fall back on a previously prepared cover story. And so we lied about the U-2, we lied about the Bay of Pigs, and now, in my judgment, we are lying about the assassination of a President. Surely at some point we should stop and ask ourselves why our society has become so fearful of the truth.

**T**HE ANSWER to those who plead for silence in the national interest was long ago phrased by the French intellectual, Charles Peguy. Peguy, commenting on the Dreyfus case, put the case of the pseudo-patriot as strongly as it can be put, and then refuted it. "A nation," said Peguy, paraphrasing the condemners of Dreyfus,

"is something unique, a gigantic assemblage of the most legitimate, the most sacred, rights and interests. Thousands and millions of lives depend on it in the present, the past and the future . . . It is all of infinite price because it can only be made once, be realized once; it cannot be made or begun over again . . . The first duty of so unique an achievement is not to let itself be jeopardized for one man, whoever he be, however legitimate his interests; that is a right no nation possesses. That is the language of wisdom, of reason. Dreyfus had to sacrifice himself, and to be sacrificed against his will, if needs be, for the repose, the safety of France."

Thus Peguy put the case of his opponents. And then he said, and I would like to lay these words on the conscience of each person here tonight:

"But we answered that a single injustice, a single crime, a single illegality, especially if it be officially confirmed and registered, a single insult offered to justice and to right, especially if it be universally, legally, nationally, conveniently accepted, a single crime, is enough to break the whole social pact; a single breach of honor, a single disgraceful act, is enough to dishonor and disgrace a whole nation. It is a gangrenous spot, which soon spreads over the whole body. What we defend is not our honor only, not only the honor of our nation now, but the historic honor of our nation, the honor of our ancestors, the honor of our children."

"Our adversaries," Peguy concluded, "were concerned with the temporal salvation of our country; we were concerned with the salvation of its eternal soul."

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

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PA  
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Mark Lane  
... a legal issue

### Hotel Speech Goal of Writ

Supreme Court Justice Matthew J. Jasen signed an order late Wednesday directing the owner of Hotel Buffalo to show cause why he should not be restrained from refusing use of a room for a talk by Atty. Mark Lane, of New York City, a former state assemblyman.

The order, obtained by counsel for the Committee to Hear Mark Lane, is against Joseph Radner, owner of Hotel Buffalo, and is returnable at 10 Friday morning in special term of Supreme Court.

The committee, composed of students at the University at Buffalo and State University College in Elmwood Ave., made arrangements for Lane to speak at 8 Friday evening.

Lane was scheduled to speak "about his investigations into the alleged involvement of one Lee Oswald in the assassination of the late President John F. Kennedy." Lane maintains there is no substantial evidence that Oswald killed the President. The committee claims the hotel management revoked its reservation for the

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BUFFALO COURIER  
EXPRESS  
BUFFALO, NEW YORK

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BUFFALO FILE: 105-440

*S. H. [unclear]*

*Lee Harvey Oswald*

Date: 2/27/64  
Edition: FOUR STAR  
Author:  
Editor:  
Title: LEE HARVEY OSWALD  
IS-R, CUBA

Character: INTERNAL  
or SECURITY  
Classification: 105  
Submitting Office: BUFFALO

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**FBI 'DEAL' WITH RUBY DEFENSE REPORTED**

# New break on Oswald's gun

By Jack A. Smith

IT IS BECOMING increasingly evident that the federal government is suppressing facts about the assassination of President Kennedy in Dallas Nov. 22 and leaking others which are misleading. Despite massive obstruction, the efforts of independent individuals—journalists, lawyers and concerned citizens—are beginning to penetrate the wall of official secrecy. Here are the latest developments:

• The owner of a Chicago mail order house that allegedly supplied the "murder rifle" to Lee H. Oswald, the assassination suspect, is reported to have said: "I don't think that rifle killed Kennedy."

• Hearst's Dorothy Kilgallen, in a story copyrighted by the New York Journal-American Feb. 21, wrote from Dallas that the FBI has made a deal with lawyer defending Jack Ruby, Oswald's killer, that "provides Ruby's side with reams of helpful information that they

would never have been able to get without the G-Men—on the condition that they do not ask for anything at all about Ruby's alleged victim."

• Mark Lane, appointed by Mrs. Marguerite Oswald to defend her late son's interests, stated that a meeting took place in the nightclub operated by Ruby, two weeks before the assassination, attended by policeman J. D. Tippit, whose death shortly after Kennedy's murder was attributed to Oswald; Bernard Weissman, New York ultra-conservative who placed an advertisement in a Dallas newspaper Nov. 22 accusing Kennedy of being "soft on Communism," and a third person whose identity Lane said he is withholding until a more auspicious moment.

**COMMISSION LEAK:** The President's Commission on the Assassination of President Kennedy has apparently found itself the victim of a news leak emanating from one of its members. Commission member Allen Dulles, former CIA

chief, was reported "disturbed" Feb. 22 by a story in the New York Times detailing testimony by Robert Oswald, brother of the accused assassin, who said he thought his brother had been a Soviet agent. Oswald, according to the Times, retreated from his position after questioning. Dulles presided at the hearing in the absence of Chief Justice Earl Warren and apparently had instructed commission members not to reveal this portion of Oswald's testimony, which could have been disclosed only by someone present in the hearing room.

Robert Oswald also testified that he believed his brother was innocent, as did his mother in testimony two weeks earlier. Mrs. Marina Oswald, wife of the accused, told the commission that she "was now convinced" her husband was the assassin. Following the brother's appearance, the commission adjourned without revealing when the next meeting would

(Continued on Page 8)

*J. Edgar Hoover*

*Leah  
B. Maguire*

- The Washington Post and Times Herald \_\_\_\_\_
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- New York Journal-American \_\_\_\_\_
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- The New Leader \_\_\_\_\_
- The Wall Street Journal \_\_\_\_\_
- The National Observer \_\_\_\_\_
- People's World \_\_\_\_\_

Date 2-27-64  
*National Guardian*  
*pg. 1*

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# Oswald story

(Continued from Page 1)

be held.

**THE WRONG RIFLE?:** Augusto Marcelli, correspondent for the Italian magazine *L'Europeo*, interviewed Milton Klein, owner of Klein's Sporting Goods of Chicago, who cast doubt on FBI reports about the alleged murder weapon, a bolt-action, 6.5mm Italian carbine. Oswald is said to have ordered the rifle last March. Marcelli provided the *GUARDIAN* with an English translation of his story.

According to the correspondent, Klein prefaced the interview by stating: "I've had more than enough publicity . . . and the FBI has warned me to keep my trap shut." Marcelli then asked the businessman whether he thought it possible for the ancient, cheaply made rifle to be fired accurately three times in five and a half seconds, to which Klein responded:

"Listen, you withdraw the question and I'll tell you something else—maybe even more important. I already told the FBI but it doesn't seem to me that they gave it much importance.

"I don't think that rifle killed Kennedy. Not because it's too slow or too fast. Right after the murder the Dallas police discovered a Fort Worth armorer who said that he was the man who put the telescope on Oswald's gun. He said he drilled the holes in the gun for the screws of the telescope and that he mounted it. He showed the police the invoice for the telescope and the work, and he recognized the rifle.

"What is strange about this is that the gun was shipped from here with the telescope already mounted and with holes for the screws already drilled. Therefore, either the Dallas weapon is not the one I sold and Oswald ordered, or the Dallas police persuaded the Fort Worth armorer to issue a false statement. And if that's

the case, why?"

**RUBY BACKGROUND:** Marcelli, digging deeply into Ruby's past years in Chicago, reported that he had been closely associated with several underworld figures who were assassinated in gang-style, but that Ruby himself had never been an intended victim.

"Most often in Ruby's past," Marcelli wrote, "he has served the criminal underworld of Chicago as an informer and spearhead for penetrating [the gambling mob] into Dallas. This was demonstrated by repeated instances of hospitality of-

fered by Ruby at the Carousel club to the Mafia of Lake Michigan. But, at the same time, Ruby was also an informer for the FBI, and this can explain, but only to a certain point, the consideration he seems to enjoy."

According to the Italian correspondent, rumors are "rampant" in some Chicago circles to the effect that "Kennedy's assassination was being organized since last February by a group of Cuban exiles who met on Chicago's west side." He continued:

"The rifle, meant for Oswald, left Chicago for Dallas in March. But Oswald would have been the man meant only to appear as the assassin: he had never been a champion as a marksman and they did not trust him. Ruby might have enlisted him, making him believe that the President was to be shot because he was planning to invade Cuba another time. Ruby, for his own part, would have known only a part of the story and of the plot. In this case, even patrolman Tippit would have been involved in the conspiracy, with the task of waiting for Oswald at the exit of the Book Depository in order to kill him to prevent him from talking. This is another absurd theory in a matter in which everything is absurd.

"We have already seen, through Klein's declaration, that there were probably two rifles involved in this affair, not just one. We could suppose, therefore, that instead of it being Oswald who shot Kennedy there might have been someone else or others. We could then suppose that Oswald managed to get far away from the scene of the attempt because of some error on Tippit's part; and that Tippit chased after him knowing full well where Oswald was heading."

**SECRET DATA:** Dorothy Kilgallen's story, apparently written after a talk with Ruby's lawyers, noted that "it appears Washington knows or suspects something about Lee Oswald that it does not want Dallas and the rest of the world to know or suspect." Two weeks earlier, commission chairman Warren gave validity to this observation by declaring that "certain aspects" of the assassination mystery may never be revealed in full.

Miss Kilgallen wrote: "One of the best kept secrets of the Jack Ruby trial is the extent to which the federal government is cooperating with the defense. The unprecedented alliance between Ruby's lawyers and the Department of Justice in Washington may provide the case with the one dramatic element it has lacked—mystery.

"This was never a whodunit. It was only a why-did-he-do-it and what-will-he-get. But an arrangement that was made last month between the defense

counsel and the FBI has a fascinating 'kicker.' It provides Ruby's side with reams of helpful information . . . on the condition that they do not ask anything at all about . . . Oswald.

"Why is Oswald kept in the shadows, as dim a figure as they can make him, while the defense tries to rescue his alleged killer with the help of information from the FBI?"

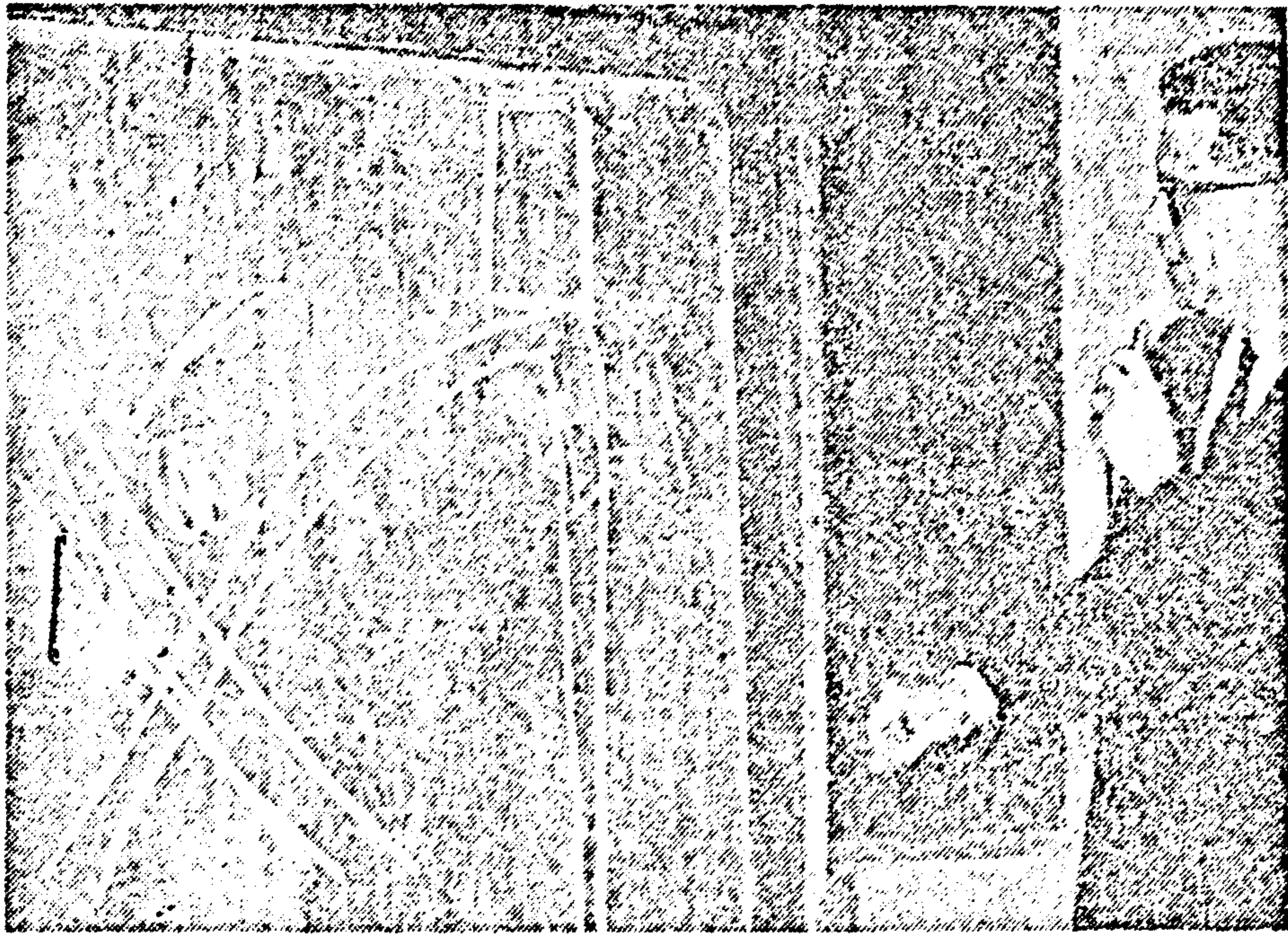
The Hearst writer reported that on Jan. 28 Assistant Attorney General Herbert Miller responded to a request by one of Ruby's lawyers for "all the reports and minutes and evidence in possession of the Johnson-Warren commission" by stating that the "FBI would be instructed to turn over to the defense the names and present addresses of persons who knew Ruby, or had met him at some time in his life, who had expressed opinions about his personality or recalled incidents which might be important to the case."

Miss Kilgallen concluded: "The kicker, the punch line? Miller's sentence, 'Information concerning Oswald's assassination of the President will not be available as it does not appear relevant.'"

**THE THIRD MAN:** Lane revealed information about the meeting at Ruby's Carousel club during a public "inquiry into the Oswald case" at Town Hall, New York, Feb. 18, sponsored by the *GUARDIAN*. Weissman has denied being present at the meeting. Lane, how-

(Continued on Page 9)





Guardian photo by Robert Joyce

**THE TOWN HALL CLASS GETS A LESSON IN DIRECTION**  
*Mark Lane demonstrating his findings on the course of the Dallas bullets*

## Oswald story

(Continued from Page 8)

ever, contends that his source is certain of Weissman's appearance.

Lane told the GUARDIAN his investigations have led him to the belief that Oswald is innocent and was set up "as a perfect patsy" to take responsibility for the crime.

Another newspaperman, N. S. Finney, Washington bureau chief of the Buffalo News, has theorized that Cuban exiles may have been involved. In a speech in Buffalo Feb. 8, Finney noted that Oswald arrived in Mexico City Sept. 28, five days after it was announced that Kennedy would visit Dallas, and immediately checked into the Hotel Comercio, a residence "substantially used by Cuban exiles."

Also, Finney said, the "Cuban exile community was brought to rage" following the arrest in Virginia Sept. 27 of "the authentic Cuban exile leader in this country on charges of attempting to counterfeit Cuban money." Because of this, he said, "the exiles again felt they had been betrayed by President Kennedy."

**NEW EVENTS:** In other aspects of the assassination case:

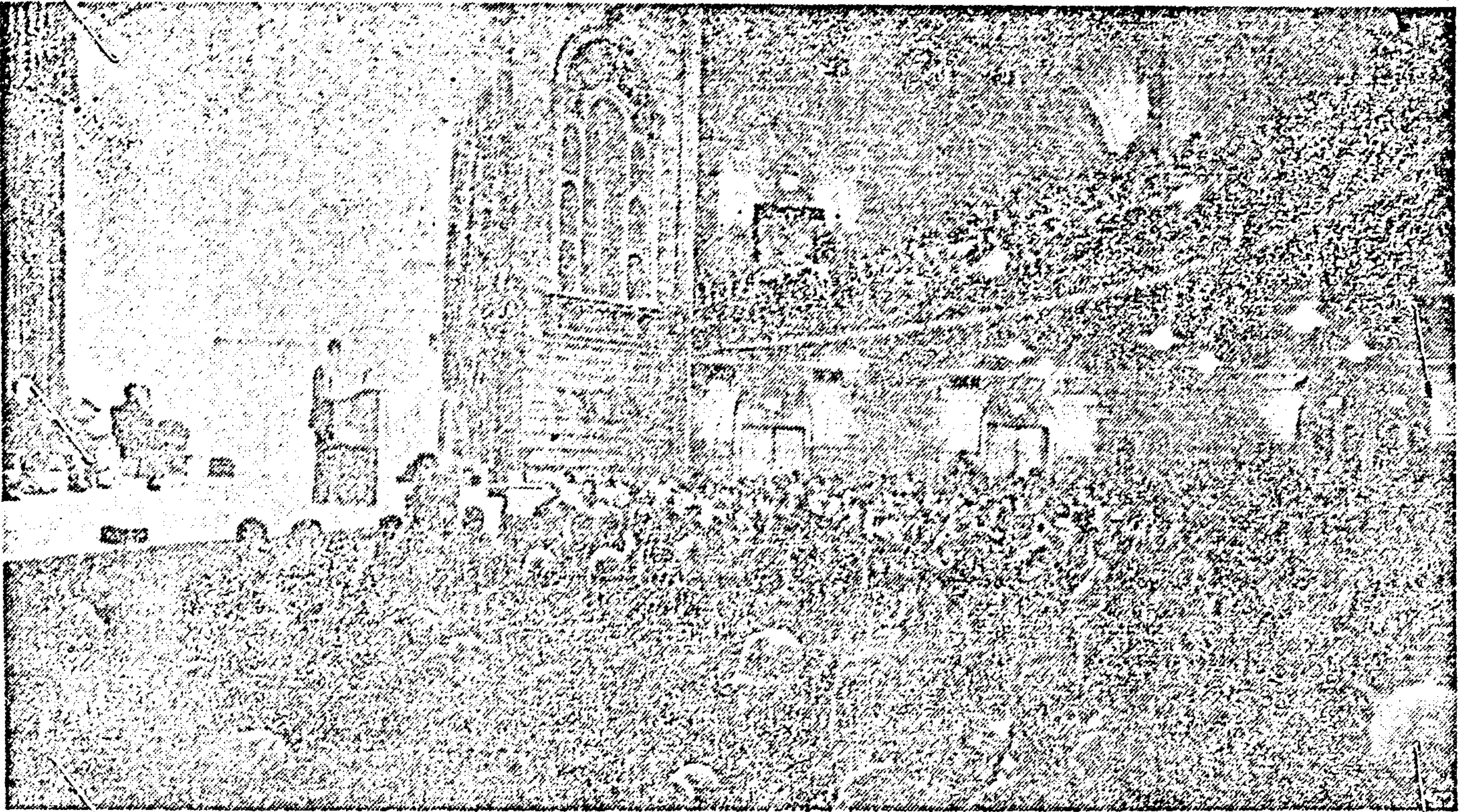
- Mrs. Marina Oswald, apparently with the approval if not recommendation of the Secret Service, her constant companions, has terminated the services

of both her "business adviser," James Martin, and lawyer, John Thorne. Her new attorney is William McKenzie of Dallas, who represents Robert Oswald too.

- Norman Redlich, professor of law at New York University and assistant to commission counsel J. Lee Rankin, is under investigation by the commission following allegations that he "has been affiliated with a civil liberties group



February 27, 1964



**A VIEW OF TOWN HALL AT THE OSWALD INQUIRY ON THE NIGHT OF FEB. 18**  
*At the microphone telling the story of the Battle of Town Hall is editor James Aronson*

Guardian photo by Robert Joyce



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### ACTION IS TAKEN TO PROVIDE ROOM FOR LANE SPEECH

Sponsors of a scheduled appearance by Mark Lane, a former assemblyman and a New York attorney, to discuss the Lee Harvey Oswald case have taken legal action to force the Hotel Buffalo to provide a room for the meeting.

A show-cause order against Joseph Radner, hotel owner, is returnable in Supreme Court at 10 AM tomorrow.

The order, requested by Richard Lipsitz, counsel for the Committee to Hear Mark Lane, was signed Wednesday afternoon by Supreme Court Justice Matthew J. Jasen.

It requires Mr. Radner to show why he should not be restrained from refusing use of hotel facilities for a public meeting, scheduled at 8 PM Friday.

Wednesday the Niagara Frontier Branch, American Civil Liberties Union, protested the hotel's action.

The sponsoring committee is composed of students at the State University of Buffalo and the State University College at Buffalo.

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BUFFALO EVENING NEWS  
BUFFALO, NEW YORK

TITLE:

LEE HARVEY OSWALD, AK  
IS-R, CUBA

BUREAU FILE 105-82555  
BUFFALO FILE 105-4467

Date: FEBRUARY 27, 1964

Edition: C. FINANCIAL

Author:

Editor:

Title: SEE ABOVE

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Classification:

Submitting Office: BUFFALO

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UPI-14

(OSWALD)

WASHINGTON--JAMES MARTIN, SOMETIME BUSINESS ADVISER TO MRS. MARINA OSWALD, TODAY TESTIFIES BEFORE THE WARREN COMMISSION INVESTIGATING THE ASSASSINATION OF JOHN F. KENNEDY.

THE HOUSTON (TEX.) POST YESTERDAY QUOTED MARTIN AS SAYING THAT LEE HARVEY OSWALD, THE MAN ACCUSED OF KILLING KENNEDY, ALSO PLOTTED TO KILL FORMER VICE PRESIDENT NIXON.

MARTIN, WHO SERVED AS BUSINESS MANAGER FOR OSWALD'S WIDOW UNTIL A FEW DAYS AGO, WOULD NOT TELL THE NEWSPAPER HOW HE LEARNED OF OSWALD'S ALLEGED INTENT TO KILL NIXON. "IT'S PART OF THE TESTIMONY," HE SAID. "I CAN'T COMMENT ON IT."

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WASHINGTON CAPITAL NEWS SERVICE



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- Miss Gandy \_\_\_\_\_

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# Oswald Planned To Kill Nixon, Martin Reports

James Martin, business representative until a few days ago for the widow of accused assassin Lee Harvey Oswald, was quoted in a Houston newspaper Wednesday night as saying Oswald had planned to kill former Vice-President Richard Nixon.

Martin would not enlarge on the statement, the Associated Press reported.

Nixon was in Dallas the day before President John F. Kennedy was killed.

Martin is slated to testify in Washington, D.C., Thursday before the Warren commission investigating the assassination.

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3 "The Dallas Morning News" Dallas, Texas

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Date: 2-27-64  
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 Editor: Jack B. Krueger  
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- Gandy \_\_\_\_\_

# Oswald Plot on Nixon Reported

James Martin, once a business advisor to Mrs. Marina Oswald, will tell the Warren Commission investigating the assassination of President Kennedy, today that Lee Harvey Oswald plotted to kill former Vice President Nixon.

The Houston (Tex.) Post yesterday quoted Mr. Martin as revealing the plot. But the paper said, Mr. Martin would not tell how he learned of Oswald's alleged intent to slay Mr. Nixon, who was in Dallas the day President Kennedy was slain.

"It's part of the testimony," he said, "I can't comment on it."

Mr. Martin was dismissed by Mrs. Oswald a few days ago, reportedly on the advice of Robert Oswald, the accused assassin's brother.

Robert, who testified before the Commission last week, has maintained a strict public silence about his younger brother and the assassination.

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- The Washington Daily News 2
- The Evening Star \_\_\_\_\_
- New York Herald Tribune \_\_\_\_\_
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- The Worker \_\_\_\_\_
- The New Leader \_\_\_\_\_
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- The National Observer \_\_\_\_\_
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5 NEW YORK POST

# Oswald Widow Faces Suit

The tangled affairs of the Oswald family took another twist today as a Texas attorney vowed a court fight to keep a contract guaranteeing him 10 per cent of Marina Oswald's income.

John Thorne, former lawyer for Mrs. Oswald, widow of the accused Presidential assassin, said in Dallas that "I understand Robert Oswald advised her to change attorneys. He may have advised her into the courthouse."

Under the contract, Thorne is eligible for part of the \$75,000 advance an Italian film company has paid for motion picture and television rights for Mrs. Oswald's story, as well as a pending contract with a Des Moines, Iowa, publisher for her biography.

Dallas attorney William A. McKenzie has replaced Thorne as Mrs. Oswald's legal adviser.

The language barrier is considered a key in the contract dispute. Thorne has said that he did not provide Russian translations of his agreements with Mrs. Oswald, whose understanding of English is limited.



MARINA OSWALD  
Too many lawyers.

*Handwritten initials/signature*

*Legal*

Date: 2/25/64  
Edition: LATE CITY  
Author:  
Editor: DOROTHY SCHIFF  
Title: LEE HARVEY OSWALD

UNDER INVESTIGATION  
Character: AFO  
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*R.H.K.*  
*10/11/64*

UPI-202

(MRS. OSWALD)

DALLAS--MRS. MARINA OSWALD HAS FIRED HER LAWYER AND HER BUSINESS ADVISER, BUT NEITHER WANTS TO ACCEPT DISMISSAL.

THROUGH HER BROTHER-IN-LAW, THE 22-YEAR-OLD WIDOW OF LEE HARVEY OSWALD HAS HIRED ANOTHER ATTORNEY. HE IS WILLIAM MCKENZIE OF DALLAS, WHO REPRESENTED ROBERT OSWALD BEFORE THE WARREN COMMISSION IN WASHINGTON LAST WEEK.

SOON AFTER HER LATE HUSBAND WAS CHARGED WITH THE ASSASSINATION, MARINA HIRED ATTORNEY JOHN THORNE AND BUSINESS ADVISER JAMES MARTIN. BOTH WERE SAID TO BE RECOMMENDED BY ROBERT OSWALD, 28, OLDER BROTHER OF THE ACCUSED ASSASSIN.

THE WIDOW MAILED REGISTERED LETTERS TO MARTIN AND THORNE ON FEB. 14, TELLING OF THEIR DISMISSAL, MARTIN SAID. NEITHER KNEW WHY. "WE HAVE SOME SUSPICIONS, BUT NOTHING CONCRETE," MARTIN SAID TODAY. BOTH HE AND THORNE SAID THEY WERE UNWILLING TO ACCEPT THE DISMISSAL WITHOUT FURTHER INVESTIGATION. THORNE SAID, "I STILL HAVE A CONTRACT WITH MRS. OSWALD."

THE WOMAN HAS RECEIVED MORE THAN \$60,000 SINCE THE ASSASSINATION AND IS REPORTED TO HAVE MORE FUNDS IN PROSPECT FOR MAGAZINE AND BOOKS ABOUT HER HUSBAND AND THEIR LIFE. MARINA IS REPORTED STAYING WITH THE ROBERT OSWALD FAMILY AND WITH ANOTHER WOMAN WHO SPEAKS HER NATIVE RUSSIAN.

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WASHINGTON CAPITAL NEWS SERVICE



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- Mr. Tolson \_\_\_\_\_
- Mr. Belmont \_\_\_\_\_
- Mr. Mohr \_\_\_\_\_
- Mr. Casper \_\_\_\_\_
- Mr. Callahan \_\_\_\_\_
- Mr. Conrad \_\_\_\_\_
- Mr. DeLoach \_\_\_\_\_
- Mr. Evans \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Miss Holmes \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

### Oswald's Defender Called Red-Fronter

TRUTH is the mainstay of responsible journalism. The Detroit Free Press should inform its readers that Oswald's defender, Mark Lane, is listed in the National Lawyers Guild directory.

He spoke at Wayne State University and addressed the Detroit chapter of the National Lawyers Guild. At another meeting he was sponsored by the National Guardian.

The Guide to Subversive Organizations and Publications, obtainable from the U.S. Government Printing Office, lists the National Lawyers Guild as a "Communist front" set up to "defend the cases of Communist law-breakers..."



Lane

This same source lists the National Guardian newspaper, which the Free Press called "a left-wing liberal magazine," as a "virtual official propaganda arm of Soviet Russia."

How many Oswalds will it take to wake Americans up to the diabolical nature of the Communist conspiracy?

ANN BYERLEIN

(Indicate page, name of newspaper, city and state.)

8A Detroit Free Press  
— Detroit, Mich.

Date: 2/24/64  
Edition: Metro Final  
Author:  
Editor: Lee Hills  
Title:

Character:  
or  
Classification:  
Submitting Office: Detroit

*REC 29*  
*Ind. Mich.*  
*Oswald*  
*File*

EX-114

REC 29

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REC 29

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Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

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ANN BYERLEIN

Ind. Mich.

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Oswald  
Lane  
Oswald

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Lee Hills

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J. M. Wood

(Indicate page, name of newspaper, city and state.)

8A Detroit Free Press  
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Date: 2/24/64  
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REC 4

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- Tele Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

# Oswald's Identifier Also Shot

By BOB CONSIDINE  
 Hearst Headline Service Special  
 to N. Y. Journal-American

DALLAS, Feb. 22.—The jinx of violence around the President Kennedy assassination figures persists in a manner which is slightly bizarre.

Call it a series of coincidences, if you will. But here they are:

Last month a Dallas used-car dealer named Warren Reynolds was shot in the head. A shooting is not necessarily front-page news here, particularly if the victim lives.

There were 113 murders here last year. At one time, not long ago District Attorney Wade had five men in the death house, awaiting their turn in the chair.

## THIS IS DIFFERENT

But the shooting of Warren Reynolds was different.

The Reynolds Motor Co. is close to the spot where Officer J. D. Tippit stopped Oswald as he hurried away from the scene of the assassination. Oswald reportedly shot the officer three times.

The sound of shooting brought Reynolds out of his office. He told police that he saw Oswald running away, putting shells into a pistol as he did. He later joined with others in identifying him as the man.

Last month Reynolds was locking up his office for the night and had pushed two of the 30 buttons which doused the lights of the establishment when a man rose from behind a filing cabinet and shot him

Texas

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- The Worker \_\_\_\_\_
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- The Wall Street Journal \_\_\_\_\_
- The National Observer \_\_\_\_\_
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**JACK RUBY (RIGHT) LED INTO COURT**  
*Closely Guarded at Saturday Session*

AP Wirephoto

In the temple with a .22-cal rifle.

Mr. Reynolds has made a remarkable recovery after doctors had feared permanent loss of speech.

**SUSPECT CLEARED**

A local desperado named Garner was picked up by the police after the Reynolds shooting but was cleared. Her girl Betty (Mooney) McDonald, took a lie detector test that helped spring Garner. Two weeks ago she was arrested for engaging in a public brawl with her roommate. Last week she hanged herself in her cell.

Betty never won any beauty contests, but she always said she had a claim to fame.

She had worked as a stripper at a place called the Carousel. Jack Ruby's Carousel.

**3 MONTHS TODAY**

There is pathetically little to mark the spot at which John Fitzgerald Kennedy was assassinated just three months ago today.

The sixth floor window of the ugly Schoolbook Depository, the window from which briefly protruded the barrel and muzzle of the 6.55 mm. Mannlicher-Carcano, is shut now. It alone among the windows on that top floor of the building where Oswald wrked, is shuttered—with a Venetian blind.

The bend around which the open car was passing is heavy with traffic, trucks and cars hammering along the one-way street on assorted errands toward the complex of overpasses just down the road. None stops. Few slow down.

There is a little rise of lawn at the place where President Kennedy's head was shattered, while he acknowledged cheers that had caused him to agree with the Governor's lady, riding on the jump seat, that Dallas certainly had turned out fine for him.

The lawn leads gently up

to a concrete perula and walking gallery, part of the decor of Dealey Plaza, a bit of park provided by the publisher of the Dallas Evening News to relieve the hard features of the neighborhood.

**SAD WREATHS**

Against the wall of the memorial are a lot of wreaths, sprays and potted plants, none of them bearing either his name or the name of the donors.

There were 10 offerings when I dropped by. Three wire stands held arrangements of artificial flowers somewhat the worse for having been exposed to the elements. The center stand features a cross of rain-streaked white plastic. On the ground are a black wreath with a tangled purple bow, a spray whose yellow flowers of undetermined species have long since expired.

A little bowl of three bright red full-blooming tulips was a relief, but not enough of one to keep the eyes off a blanket of red roses decorated with a few Christmas tree balls.

The story turns from chapter to chapter, never ending. It resounds in the sometimes thunderclap trial of the man who killed the man who killed the man. It is debated in the solemn councils of the Warren Commission in Washington. It remains "open" on the books of the FBI and the Secret Service.

And the spot where it happened is as forlorn as an unkept grave.

\* As approved \*



PARAFFIN TEST SAYS 'NO'

# Did Oswald fire the gun?

By Jack A. Smith

**"NO NITRATE FOUND** on exhibit number one." This simple sentence could disrupt the entire case against Lee Harvey Oswald, accused assassin of President Kennedy. It was written by L. L. Anderson, analyst at the Dallas County Criminal Laboratory, on Nov. 22, hours after Kennedy was shot to death, and distorted by Chief Jesse Curry of the Dallas police the following day.

Exhibit number one is a paraffin cast of the right side of Oswald's face. If the 24-year-old ex-Marine had fired at Kennedy, as the FBI and Dallas police charge he did, traces of nitrate would have been evident on the cast.

Photostatic copies of the nitrate test, as well as 19 other documents, were obtained by Mark Lane—unpaid defense counsel for Oswald—from the files of Dallas District Attorney Henry Wade. Lane, a former New York State Assemblyman and author of "A Defense Brief for Oswald" (NATIONAL GUARDIAN, Dec. 19), disclosed the contents of three of the documents in a press conference Feb. 17. The others, he said, would be divulged at an appropriate time.

**EVIDENCE 'ADJUSTED':** In releasing the results of the paraffin cast to the press Nov. 23, Curry said: "The tests show that Oswald fired a weapon." When questioned, Curry gave the clear implication that the "weapon" was a rifle as well as the revolver Oswald allegedly used to kill police officer J. D. Tippitt. Lane told the GUARDIAN Feb. 18, however: "The absence of nitrate (gunpowder burns) from the facial cast reveal rather clearly that Oswald did not fire a rifle on Nov. 22, 1963."

Curry, who arranged Oswald's transfer from the city to county jail on Nov. 24—when the suspected assassin was shot to death by Jack Ruby—was aware of the facial test when he made his statement. Wade, too, was undoubtedly familiar with the test when he declared Nov. 23: "We have the evidence to convict Oswald." According to Ruby, whose trial began in Dallas Feb. 17, he was inspired to murder Oswald because Wade pronounced him guilty.

Lane and Mrs. Marguerite Oswald arrived in New York to address a public meeting on the case at Town Hall Feb. 18 sponsored by the GUARDIAN. During the meeting, Lane planned to disclose that a Dallas school teacher, probably the closest bystander to Kennedy the moment he was killed, is convinced that she heard four to six shots. The FBI and Dallas police insist that only three shots were fired, despite rumors from newsmen and others at the scene that more than three rifle reports were heard. If more than three bullets were discharged, it would have been physically impossible within a time sequence of a few seconds for Oswald to have been the "lone and unaided assassin," as the FBI report on the case stipulates.

According to Lane, the teacher told  
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- The New Leader \_\_\_\_\_
- The Wall Street Journal \_\_\_\_\_
- The National Observer \_\_\_\_\_
- People's World \_\_\_\_\_

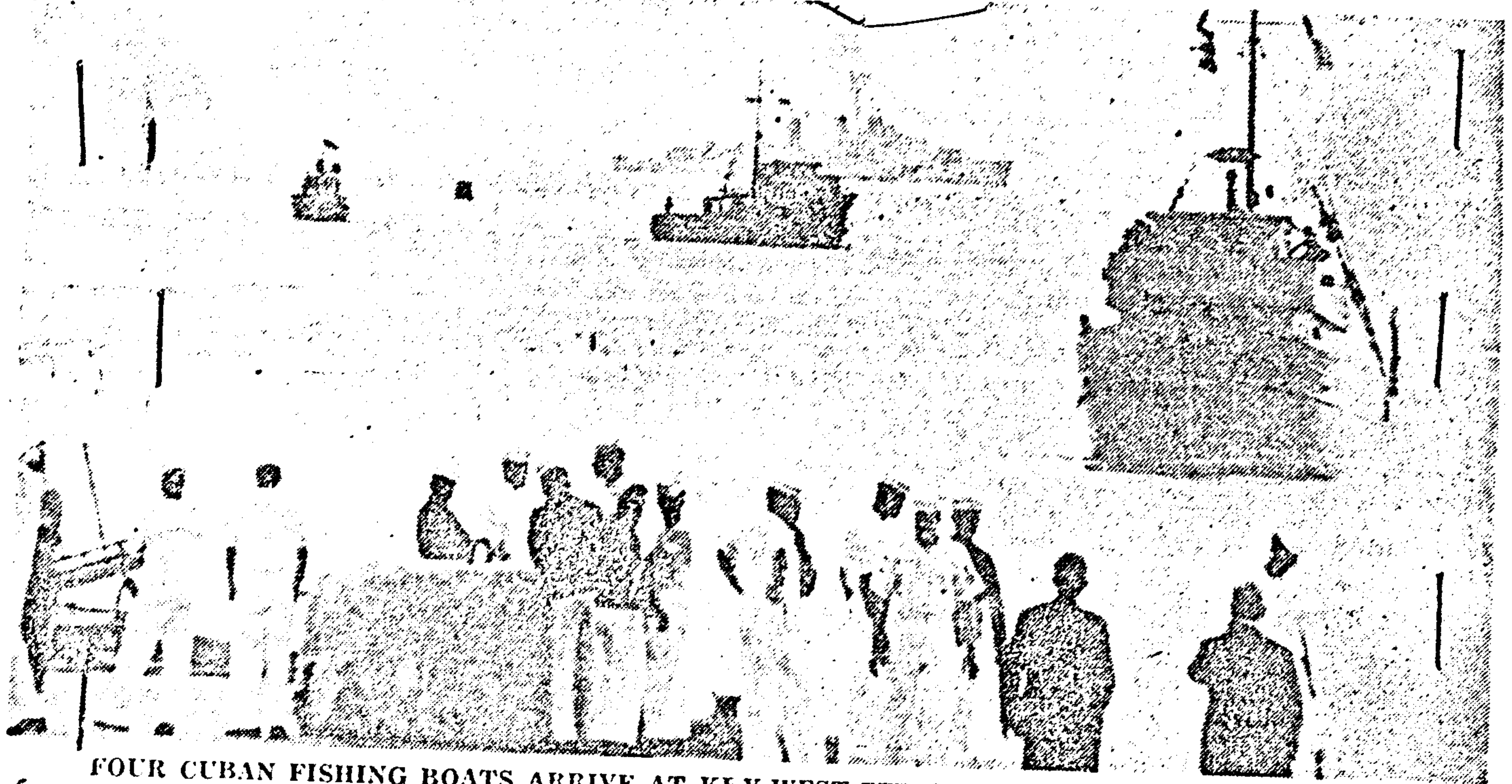
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**FOUR CUBAN FISHING BOATS ARRIVE AT KEY WEST FEB. 3—A BIG HAUL FOR THE U.S. NAVY**  
*For Premier Castro's reaction to the diplomatic furor that followed, see the story on Page 4.*

## Oswald inquiry

*(Continued from Page 1)*

the FBI, Secret Service and local police that she heard more than three shots. Quoting the teacher, Lane said an official responded: "There may have been more than three shots—several people say they heard more—but there were only three wounds and we found three bullets, so the figure we're releasing is three."

**STRANGERS PRESENT:** At his press conference, Lane told reporters that he had "discovered some evidence that other persons very different from Lee Harvey Oswald in political philosophy may have been involved." He said he could not elaborate at present. Of the other two documents, Lane disclosed:

- "A number of persons may have been involved in efforts to take the President's life." One of Wade's papers, Lane said, was a collection of affidavits from persons present in the Texas Schoolbook Depository Building where Oswald worked. The suspect allegedly fired three bullets at the passing Presidential motorcade, two of which killed Kennedy. According to the affidavits, a group of strangers had been in the warehouse and left moments before the shots were fired.

One of them, it was stated, entered a car "bearing a sticker for a rival Presidential aspirant."

- The third of Wade's documents was an affidavit from a woman eyewitness to Tippitt's slaying. Oswald is accused of shooting the policeman with a revolver as he was fleeing the assassination scene. According to the affidavit, "a young white man" shot Tippitt after calmly leaning on the police car. At a press conference after giving her affidavit, the woman told reporters that she described the killer as being "short, stocky, with bushy hair." This description—at distinct variance with Oswald's appearance—was not included in the official report. In addition, Lane said, it seemed extremely doubtful to him that a man who had just assassinated the President would be able to evidence such calm.

During his 30 hours of police interrogation, Oswald continuously maintained his innocence. When arraigned, he said, "This is ridiculous. I don't know what it is all about." Brought before reporters Nov. 23, he said, "I was given a short, sweet hearing."

**SOURCES PROTECTED:** Lane said he had obtained the documents from a source whose name he would not reveal. "I like to think that he secured them legally," he said. The civil liberties lawyer disclosed that he intends to return to Dallas soon but would not name his source even if Wade attempts to prosecute him.

Lane has attempted unsuccessfully to give testimony in Oswald's behalf before the President's Commission on the Assassination of President Kennedy. He had submitted his "Defense Brief" earlier by mail. He was allowed to submit two questions to Oswald's mother when she appeared before the commission Feb. 10-13. He said he would not request another



opportunity to confront the commission, depending instead on hopes that his own efforts will become so relevant that the commission can no longer ignore them. He estimated that he will conclude his investigation in two months.

**INVESTIGATION?** There are indications that the commission's investigation of "the crime of the century" is moving inexorably, if confusedly, toward an anti-climax.

After three months of operation, it seems assured at this point that the seven-member panel will neither certify nor deny Oswald's guilt. In addition:

- A schism is reported to have developed on the panel, with some members contemplating resignation.

- Chief Justice Earl Warren, whose selection as commission head helped create public confidence in the panel, apparently does not wield so much influence on the panel as was assumed.

The commission has heard two witnesses—Mrs. Marina Oswald, wife of the murdered suspect, who attested to her husband's guilt, and Mrs. Marguerite Oswald, who testified that she is convinced her son was being used as a scapegoat. A third witness, Robert Oswald Jr., Lee's brother, was scheduled to testify Feb. 20.

**'NO PROOF':** Commission counsel J. Lee Rankin was first to disclose that the chief suspect's guilt or innocence—the primary concern of any criminal investigation—would not come under panel purview. A magazine that purports to have close contacts on the commission, *U.S. News and World Report* (Feb. 24), has offered the following rationale for Rankin's puzzling statement: "When [the investigation ends] . . . Oswald will not be named positively as the assassin . . . The commission has found that almost all the evidence points to him as the killer. But the panel is not expected to say so in so many words. The final verdict is to be left to the public. Reason: There just is no positive proof."

The Johnson-Warren panel is in a delicate position. In order to alleviate pub-

lic doubt about the circumstances surrounding Kennedy's death, the commission must determine that Oswald committed the murder. It cannot so determine, however, because of lack of positive evidence. Thus, it seems, he will be convicted by implication.

Reports of a split on the commission also appeared in *U.S. News*. "The inquiry has been painstaking and slow," the magazine reported, "so slow that some members reportedly are thinking about resigning if it is not speeded up . . . All seven are busy men. They were reportedly reluctant to accept the assignments in the first place. Some are said to fear their business and political interests may suffer. This is especially true of the Senators and Representatives, particularly in an election year."

Commission members, in addition to Warren, are Sen. Richard Russell (D-Ga.); Allen W. Dulles, former head of the CIA; Rep. Gerald Ford (R-Mich.); John J. McCloy, banker and government advisor; Rep. Thomas Hale Boggs (D-La.), and Sen. John Sherman Cooper (R-Ky.).

**LITTLE CONTROL:** An indication of Warren's difficulty in determining the exact course of the investigation was evidenced Feb. 12 when—in answer to a reporter's question—he was not able to reveal when the next witness would be called because this would depend on "when certain members of the commission can be here."

When asked about reports that a janitor in the Texas Book Depository would be the next witness, Warren replied: "I don't know. Maybe they know," presumably referring to the other panel members or staff. The janitor, according to the *Fort Worth Star-Telegram*, was an eye-witness who was being held in protective custody until he could appear before the commission to testify that he saw Oswald fire the murder gun. The Justice Department denied the report.

In light of the commission's activities, several new questions must be added to the endless series of unanswered queries that have arisen since Nov. 22:

- If, after three months, Warren does

not know who his witness will be or when the next hearing will be held, who is in charge of the commission?

- When Warren disclosed that certain aspects of the case may never be revealed, what evidence, if any, was he attempting to suppress?

- Did the *Fort Worth* newspaper create the mysterious janitor to fill space on its front page Feb. 9—and in newspapers throughout the world via wire service reports—or is there some substance to its report, though not precisely of the same interpretation?

**MOTHER'S CHARGE:** Following her three days of testimony before the commission, Mrs. Marguerite Oswald said she believed her son was "a U.S. intelligence agent set up to take the blame" for the killing. She continued: "Who can prove he is not a CIA agent?" she asked. "He isn't going to say he's a CIA agent, and the government isn't going to say he is."

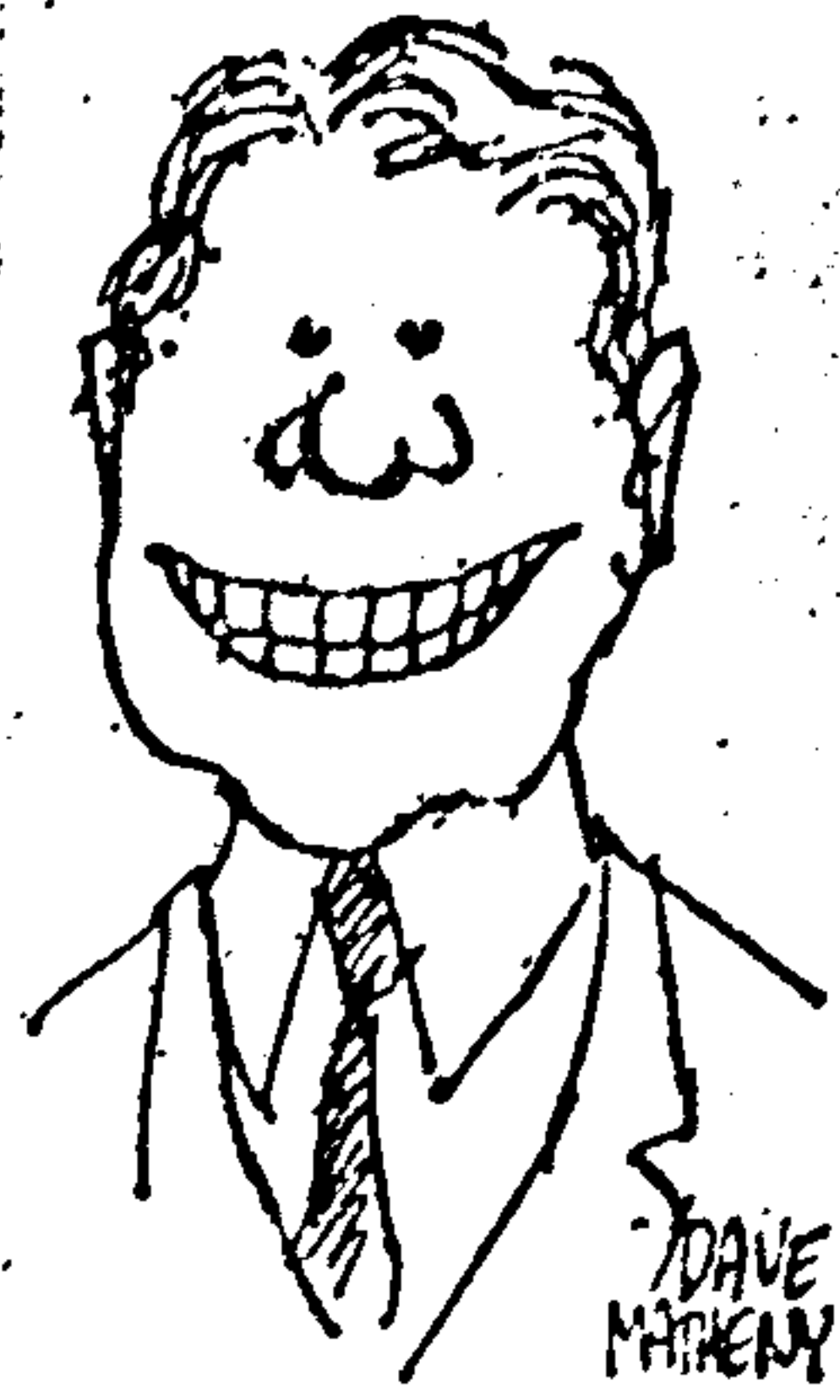
After her statement, CIA chief John McCone, in a peculiarly phrased denial, said that "Oswald was never directly or indirectly linked with the CIA." Warren also discounted the mother's charge.

**BARRED BY PANEL:** Lane, who was chosen by the mother to defend her son, was not allowed to appear at Mrs. Oswald's hearing because, said Warren "the commission is not prosecuting Lee Oswald."

The Town Hall meeting was one in a series of *GUARDIAN*-sponsored events that have brought Lane before audiences across the nation. He has encountered overflow crowds wherever he has spoken. "There is a great interest in the case, especially on campuses," he said.

As an outgrowth of his speaking engagements, Lane has organized citizens groups in Detroit, Chicago, San Francisco, Los Angeles, New York and other cities composed of persons interested in pursuing facts in the Oswald case. They are named Citizens Committee of Inquiry. Persons concerned about the case may contact the New York committee at 164 West 79th St. Volunteer workers and funds would be appreciated, Lane said. The treasurer is Robert Guathmey of New York.





Let's have no more of this loose talk. See Harvey Oswald did it, and he did it alone. He was a Communist . . .

. . . or maybe an anti-Communist. He fired three times (or was it four? or five?). From behind the President (or was it from in front)? Anyway . . .

. . . we have his fingerprints (or we thought we did) to prove it. And don't forget the paraffin test. (Well, maybe we should forget the paraffin test.) In fact . . .

Dave Matheny in the Minnesota Daily . . . the case is air-tight.



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## IMMIGRATION POLICIES TO COME UNDER FIRE

# 2 Probes Slated on Oswald

## Passport Case

By DAVID SENTNER

Hearst Headline Service Special to the N.Y. Journal-American

WASHINGTON, Feb. 19.—Two Congressional committees are primed to take up the case of Lee Harvey Oswald, assassin of President Kennedy, after the Warren Commission completes its inquiry.

There are many unanswered questions regarding the passport and visa treatment accorded the Oswalds which the Commission, concentrating on the assassination itself, is unlikely to go into.

More significantly, the Congressional Oswald probe is due to springboard a far-reaching investigation of a general immigration mess.

It will involve a check into a Communist blackmail network preying on would-be immigrants to the U. S. and the granting of more than 500 passports to Communists by the State Department.

### QUERY ON WIFE'S VISA

The Senate Internal Security Subcommittee, among other aspects, would like to know:

How was it that a visa to the U. S. was granted Mrs. Marina Oswald, a native Russian, after she married Oswald who had renounced his American citizenship in an effort to become a Soviet citizen? The Soviets turned down Oswald's request in 1962 and he returned to the U. S.

Why was Oswald's intended defection and later repatriation not publicized by the State Department in Moscow and Washington and why wasn't his testimony made available to Congressional committees?

Why was the American consul in Moscow who handled Oswald's repatriation transferred to Tokyo and instructed by his State Department superiors not to talk about the case?

Rep. Michael Feighan (D-Ohio), chairman of the Joint Committee on Immigration and Nationality Policy, which is planning a non-partisan review of the immigration bog, also would like to know the details of how Oswald obtained revalidation of his passport in New Orleans in September,

Oswald subsequently went to Mexico intending to revisit

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- The Washington Daily News \_\_\_\_\_
- The Evening Star \_\_\_\_\_
- New York Herald Tribune \_\_\_\_\_
- New York Journal-American \_\_\_\_\_
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- The New Leader \_\_\_\_\_
- The Wall Street Journal \_\_\_\_\_
- The National Observer \_\_\_\_\_
- People's World \_\_\_\_\_
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the Soviet Union but Mexican authorities refused to give him a visa. Two months later Oswald killed President Kennedy.

Rep. Feighan wants to know why there were no records in the "lookout" file in the State Department which would have warned the New Orleans passport office of the background of Oswald.

Frances Knight, director of the Passport Office, has testified in a closed session before a Senate committee on the Oswald passport revalidation.

Miss Knight, in her testimony, has been an outspoken critic of the policies developed by Abba Schwartz, administrator of the State Department Bureau of Security and Consular Affairs who bosses the passport bureau.

Mr. Schwartz and his associates are currently doing their

best to get rid of the efficient passport director, according to her supporters.

Miss Knight testified that while there once had been a notation in the "lookout" file on Oswald, as soon as he repaid his loan to the State Department the red tab on his name was removed.

Miss Knight further asserted:

That there was no record in the "lookout" file of Oswald ever having been a Communist or pro-Communist or living in the Soviet Union for two years;

- That there was no record in this file of Oswald making an affidavit of intended Soviet citizenship or even of his being repatriated;

That in the face of the absence of such records in the "lookout" file and the Supreme Court rulings which have created a soft State Department treatment of passport applications by Communists or pro-Communists, the revalidation of Oswald's passport was approved in routine fashion.

### FILE WAS TAKEN AWAY

It went through the computer-like passport assembly line among thousands of other cases and her attention was never called to it, Miss Knight testified.

Miss Knight further testified that she could not cite the contents of the regular passport application file of Oswald in her office because Mr. Schwartz had taken it away shortly after the assassination of the President and it has not been returned.

The lack of any reference to Oswald's questionable security background in the "lookout" file is considered a vital matter. If Oswald's intent to renounce American citizenship had been on the record in connection with his New Orleans passport revalidation application, the Secret Service might have been forewarned and a tragedy of history averted.



# Mrs. Oswald Defends Her Son Before 1,500

NEW YORK, Feb. 19 (AP).— Mrs. Marguerite Oswald and the question "Did Lee Harvey Oswald kill President Kennedy?" drew a sellout crowd of 1,500 to Town Hall last night.

A New York attorney, Mark Lane, whom Mrs. Oswald has retained to defend her dead son's name, played a tape recording of a Dallas woman who claimed to have heard four to six shots fired at the site of Mr. Kennedy's assassination. Authorities insist only three shots were fired.

He showed a photostat he said was of a parafin test on Oswald's hands and face. The test was negative on Oswald's face, Mr. Lane said, making it impossible for him to have fired the rifle shots which killed Mr. Kennedy because "when you fire a rifle the face is a lot closer to the gunpowder than the hands."

Mr. Lane quoted gun experts who said Oswald's cheap Italian carbine couldn't have fired three shots in such quick succession. He quoted another woman witness who described the man with a revolver, running away from J. D. Tippit, slain Dallas policeman, as "short, stocky and bushy-haired," while Oswald, he said, was of medium height, slender and partly bald.

The New York meeting was sponsored by the left-wing publication, National Guardian.

Before Mr. Lane made his case, questions about Oswald's guilt were raised by David Haber, professor of law at Rutgers University, and Staughton Lynd, described as an historian and writer who will teach at Yale next year.

Then Mrs. Oswald, dressed in black, with her gray hair pulled into a neat bun and wearing black horn-rimmed spectacles, told of her efforts to see President Johnson and to get the investigating commission headed by Chief Justice Warren to permit Mr. Lane to defend her son before it.

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

*Handwritten signatures and initials:*  
 J. Edgar Hoover  
 DeLoach  
 Mohr  
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 Conrad  
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 Evans  
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 Rosen  
 Sullivan  
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 Trotter  
 Tele Room  
 Holmes  
 Gandy  
 [Large handwritten signature]

- The Washington Post and Times Herald \_\_\_\_\_
- The Washington Daily News \_\_\_\_\_
- The Evening Star \_\_\_\_\_
- New York Herald Tribune \_\_\_\_\_
- New York Journal-American \_\_\_\_\_
- New York Mirror \_\_\_\_\_
- New York Daily News \_\_\_\_\_
- New York Post \_\_\_\_\_
- The New York Times \_\_\_\_\_
- The Worker \_\_\_\_\_
- The New Leader \_\_\_\_\_
- The Wall Street Journal \_\_\_\_\_
- The National Observer \_\_\_\_\_
- People's World \_\_\_\_\_
- Date \_\_\_\_\_

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*Handwritten:* file [Signature]

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

*Handwritten notes and signatures:*  
 J...  
 F...  
 R...

### Rifle Is Linked To Walker Slug

DALLAS, Tex., Feb. 19 (AP). —The mail-order rifle believed to have killed President Kennedy was the same one used in an attack on former Gen. Edwin Walker, a police ballistics test reported indicates.

for the first time yesterday by the comparison points of the Chief Jesse Curry and Chief of slugs were good." Detectives M. W. Stevenson. The ballistics report, couple Mr. Stevenson said points of with Marina Oswald's state-comparison of the slug which ments to the Federal Bureau of was aimed at Mr. Walker investigation and later to the match fragmentations of the Warren Commission, point to bullets which took the Pres-her late husband—Lee Harvey dent's life. Oswald—as not only the slayer "The ballistics report cannot of President Kennedy but also be final or conclusive," Mr. as the sniper who tried to shoot Stevenson said, "but generally Mr. Walker.

*Handwritten signature:*  
 W...

*Handwritten signature:*  
 R...

*Handwritten signature:*  
 Feb 19 1964

- The Washington Post and Times Herald
- The Washington Daily News
- The Evening Star
- New York Herald Tribune
- New York Journal-American
- New York Mirror
- New York Daily News
- New York Post
- The New York Times
- The Worker
- The New Leader
- The Wall Street Journal
- The National Observer
- People's World
- Date

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 Tele. Room \_\_\_\_\_  
 Holmes \_\_\_\_\_  
 Gandy \_\_\_\_\_

*[Handwritten signature]*

UPI-62

(MRS. OSWALD)  
 NEW YORK--MRS. MARGUERITE OSWALD TOLD A TOWN HALL AUDIENCE LAST NIGHT THAT HER SON, LEE HARVEY OSWALD, WAS IN THE EMPLOY OF THE CENTRAL INTELLIGENCE AGENCY.

MRS. OSWALD, ON A CROSS-COUNTRY TOUR WITH HER ATTORNEY MARK LANE, SAID HER SON HAD BEEN READING MARXIST AND COMMUNIST LITERATURE "TO BECOME ACQUAINTED WITH THE PEOPLE HE HAD TO WORK AGAINST."

THE TOWN HALL MEETING WAS SPONSORED BY THE PUBLICATION NATIONAL GUARDIAN PROGRESSIVE NEWS WEEKLY.

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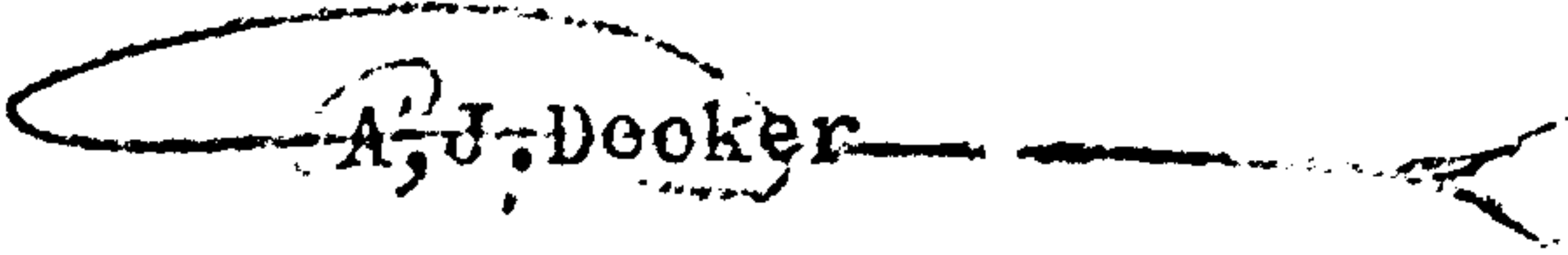


2-17-64

Mr. Sullivan:

Re: Attached

We interviewed Nebel, a commentator for WOR, New York City, previously and the results were furnished to the President's Commission by our report dated 12-11-63. He furnished the same information as appears in the attached column with exception that he advised us that he received a call from Oswald during the Summer of 1962 and not six weeks prior to the assassination.

A. J. Decker



File  
5/10/64



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*Lee Oswald*  
*W. J. ...*  
*...*

UPI-235

(MRS. OSWALD)

NEW YORK--TOWN HALL OFFICIALS ESTIMATED TODAY THAT MRS. MARGUERITE OSWALD MADE MORE THAN \$5,000 LAST NIGHT ON A LECTURE IN WHICH SHE DEFENDED HER SON AS AN EMPLOYEE OF THE CENTRAL INTELLIGENCE AGENCY.

THE GRAY-HAIRED MOTHER OF LEE HARVEY OSWALD, THE ACCUSED ASSASSIN OF PRESIDENT KENNEDY, DREW AN AUDIENCE OF 1,500, INCLUDING MANY PROMINENT NEW YORKERS, TO THE FAMED CONCERT HALL FOR HER FIRST APPEARANCE ON A CROSS-COUNTRY LECTURE TOUR. ALL SEATS WERE SOLD TWO HOURS BEFORE THE LECTURE AND HUNDREDS OF PERSONS WERE TURNED AWAY.

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*file Oswald case*

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