OSWALD CASE TESTIMONY

NG-7/11

Mark Lane challenges Warren to hear tape on disputed evidence

Mark Lane, New York lawyer who has testified before the President's Commission investigating the assassination of President Kennedy, issued July 6 a statement in answer to published remarks by Chief Justice Earl Warren doubting the veracity of some of Lane's testimony. Lane's answer follows:

ON JULY 2, 1964, Chief Justice Earl Warren announced that he had "every reason to doubt the truthfulness" of the statement made by me under oath. This rather extreme expression is out of character for the Chief Justice in general, but much in keeping with the Warren Commission's commitment to publicly reject all evidence tending to show that Lee Harvey Oswald was not the sole assassin of President Kennedy.

In view of the statement made by the Chief Justice, I again invite him to submit my testimony to the United States Attorney's office for prosecution for perjury so that I may be afforded the opportunity to prove by documents and recordings the absolute accuracy of my testimony. The facts in the matter are these:

In testifying before the commission on March 4, 1964, I stated that I had had a conversation with Mrs. Helen Louise Markham, the prosecution witness who contends that she was the sole witness to the slaying of J. D. Tippit, the Dallas policeman killed 35 minutes after the assassination. Mrs. Markham told me, as I stated to the commission, that the killer was "short, a little on the heavy side, and his hair was somewhat bushy." Oswald was of medium height, quite slender, and had thin, receding hair. Subsequently, J. Lee Rankin, counsel to the Warren Commission, informed me that Mrs. Markham denied the substance of the conversation she had with me and denied further that such a conversation ever took place.

I have informed the commission that I possess a tape recording of my conversation with Mrs. Markham. During my second appearance before the commission on July 2, Mr. Rankin asked me: "Did Mrs. Markham give permission to you or anyone to make that recording?" Clearly, the commission, by that question, was laying the foundation for prosecution for making the tape recording and was deliberately placing obstacles in my path in making the tape available to them. I have stated to the commission that, if I am informed that no prosecution will result, I will make the recording available to them. Thus far they have not responded, indicating that it is they who are seeking to suppress the facts and the tape recording, not I. Regardless of the final response of the commission in this regard, I shall play the tape recording during this month at a public meeting to which members of the press and members of the Commission will be invited. Perhaps at that time Mr. Warren will tell us some of those "every reasons" he has had to doubt my testimony.

The commission, by its conduct from the very outset, has indicated that it wishes to believe and to prove that Oswald was the lone assassin. The series of "leaks" and public statements made to the press by the chairman and other members of the commission clearly indicates that. The refusal to permit Oswald to be represented by counsel and the insistence that the testimony be taken in secret behind closed doors gives further credence to the belief that the commission seeks to hide, not to secure and release, the evidence.

The intemperate public statement in this matter, so out of character for the Chief Justice, falls, unhappily but quite logically, into that pattern of commission behavior.

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