

Notes on discussion on Barry Gray radio program midnight 2/3 July 1964  
between Mark Lane and Professor Charles Rice, Professor of Law, Fordham  
University, on Lee Harvey Oswald

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Mark Lane charged that he was recalled by the Warren Commission for purposes of entrapment, with respect to a tape recording in his possession of a conversation with the sole witness to the shooting of Tippit.

Lane, at his own request, was shown the alleged murder rifle, now in possession of the Warren Commission. It was clearly and indelibly marked "Made ~~in~~ Italy" and gave the <sup>6.5</sup> gauge number. The affidavit executed by the Dallas policeman who found the alleged murder rifle, signed 24 hours later, on 23 November 1963, attests that he found a German Mauser. Henry Wade also identified the rifle as a German Mauser at first and then without explanation or apology changed the identification.

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Oswald allegedly purchased the Italian rifle by mail order in March 1963 but he did not obtain the post office box (in the names of both Oswald and A. Hiddell) until MAY 1963.

Lane has in his possession a photostatic copy of the report of the paraffin test of Oswald performed on 22 November and the results reported on 23 November by the Dallas police laboratory, which certified that the test was positive for both hands, indicating the use of a revolver, but negative for the face. (Professor Rice suggested that there might have been other paraffin tests of the face that were not negative; and Mark Lane had to point out the elementary fact that only one paraffin test can be performed after a suspected use of firearms.) Despite this fact the FBI district chief, <sup>STANKLIN</sup> had made a public statement to the effect that he personally had seen the lab. report and that it was positive for Oswald's face—i.e., that nitrate particles had been found on his face. Lane charges that this was a deliberate falsehood calculated to convince the public of Oswald's guilt; and that Wade's statement on the result of the paraffin test, while not containing the same falsehood, was deliberately misleading in that Wade failed to mention the negative results of the paraffin test of Oswald's face and was evasive when asked a direct question—with the same objective of fixing Oswald's guilt in the public's mind. If he had acknowledged that the test was negative for the face, it would have cast immediate and strong doubt on Oswald's guilt.

Lane said that he had photostatic copies of the complete file on Oswald from the office of Henry Wade. He had obtained the copies from a member of the staff who was convinced that Castro was behind the assassination and who gave Lane the complete file on the understanding that he would make public everything he discovered, regardless of who might be implicated.

2 Lane and Rice also discussed the wounds. Lane insisted that it was certain and beyond any doubt that the first bullet had entered Kennedy's throat and had been fired from in front of the car. In attempting to refute this Prof. Rice said that he had seen a copy or a summary of the autopsy report and that the autopsy had indicated that the throat wound might have been caused by the exit or entry of a bullet fragment. It is not clear if this was a slip of the tongue on Rice's part, if it was a mistake, or if he was indeed reporting accurately what the autopsy report said. In any case, it casts further doubt on the information leaked to the press by the FBI that the autopsy established categorically that the throat wound was an exit wound.

After further heated exchanges, Lane said that Rice had provoked him to reveal information he had not intended to mention: that is, that he had in his possession affidavits from three (?) witnesses who say, minutes before the assassination, three (?) radio cars (like police or FBI cars but unmarked) --bearing Goldwater stickers--rush up to the Book Depository Building. Men jumped out and ran into the building (and out again in a few minutes (?)).

Lane also said that to his knowledge there was no evidence whatever that Oswald was even implicated in a conspiracy to kill Kennedy, although he was not prepared to exclude that possibility entirely. However, he had no doubt whatever that the crime was not committed by Oswald acting alone.

NBC-TV News - Huntley Brinkley Friday 7-7:30 p.m. 3 July

Brinkley said that Mark Lane, an attorney who has been going around the country and abroad giving paid lectures in which he claimed that Oswald is innocent, including lectures in many universities, had been called in by the Warren Commission and asked to give his evidence. However, he had no such evidence and Justice Warren had come to the conclusion, he had said, that Lane was a liar (words to that effect, but not those precise words).

(Note: Lane must be causing uneasiness, if NBC has decided to do a job on him.)