

30 Oct 1964

1. The Warren Commission states that the rifle Oswald ordered in March 1963 is the assassination weapon. You have called that statement a "flat falsehood." How do you reconcile your accusation with the apparent fact that the serial number C2766 appears on Klein's records as the rifle shipped to A. Hidell, that the same serial number appears on the rifle found on the sixth floor, and that the Italian authorities indicate that no other rifle of the same type was given the same serial number?

2. In the transcript of Warren's interrogation of Jack Ruby, your name was mentioned and Ruby asked if you were the lawyer who had been shot in his car. Warren replied that it was another lawyer named Lane. Do you have any further information on that crime and is there any indication that that shooting was a case of mistaken identity?

3. It was only when the Warren Commission report was issued that I learned for the first time that two policemen and 13 railroad employees had been present on the underpass at the time of the assassination. Previously it had appeared that the underpass had been left unguarded and that this in itself was a highly suspicious circumstance. Do any of the witnesses, especially those who thought that the shots came from the direction of the underpass, confirm the presence of those fifteen persons? Do any of the photographs or motion picture films taken at the scene include a view of the underpass and if so are those persons visible?

4. Can you explain the fact that the Warren Commission did not invite testimony from Richard Dudman of the St. Louis Post-Dispatch, or from his fellow-reporter, both of whom saw what appeared to be a bullet hole in the windshield but were prevented by the Secret Service from taking a closer look? Is there any assurance that the windshield examined by the Warren Commission is the same as the one seen by Dudman?

5. Who occupies the seventh floor of the Texas Book Depository Building, and what is its normal use? Was it occupied at the time of the assassination?

6. Marina Oswald's story that Oswald contemplated shooting Richard Nixon was discredited and has been discounted by the Warren Commission. In your opinion, could it have been an honest mistake on her part? How does it reflect on her credibility as a witness?

7. All previous accounts indicated that when Oswald was encountered immediately after the shooting by a policeman and Roy Truly he was standing at a vending machine and drinking a soft drink. The Warren Commission now gives a different account.

What happened to Oswald's coca-cola? *Truly's affidavit does not mention
Coke, dated 22-23 Nov. But Oswald
says he was drinking
Coke!*

8. Brennan explains his initial failure to make a positive identification of Oswald on the basis of his fear for the safety of his family and himself at the hands of Communists. However, his remarks (as reported in NEWSWEEK) that he couldn't identify the sniper but if he saw a man who looks like him, he would point him out, were made before anyone was arrested. Does this not invalidate his explanation of why he did not make a positive identification in the first instance, and also invalidate his later positive identification?

9. Brennan claims that he saw the assassin standing, from the waist up. If so, and if the assassin was a man of Oswald's height, his face would have been behind a double pane of glass (the window being only one-quarter open) which was reflecting strong sunlight. Furthermore, if the assassin fired his last bullet from a standing position, as Brennan claims, would the angle of fire be consistent with the bullet wounds?

*Crawford: -
angle would
be
assassin
blind
wall*

10. Oswald apparently felt that he was being badgered or even persecuted by the FBI. How could he assume on the day of the assassination, in the light of wide publicity about the intensive security measures being taken to protect the President, that he was not under surveillance---a measure that even the Warren Commission considers should have been an automatic precaution and a point on which it has strongly criticized the FBI.

11.) Elaborate explanations have been given for the failure of the Dallas police to have a transcript or tape recording made of the interrogation of Oswald while he was in their custody and questioned for a total of 12 hours. In Appendix XI of the Warren Commission report, H.D. Holmes, Postal Inspector who was present at the last interrogation session, reports that Oswald flared up on being questioned about the identification card in the name of Hidell and quotes Oswald as saying to Captain Fritz, "You took notes, just read them for yourself, if you want to refresh your memory." Do you agree that it is anomolous that the notes taken by Captain Fritz were not used as an exhibit by the Warren Commission?

12. At first glance, the fact that Oswald left \$170 and his wedding ring behind when he left Irving on the morning of the assassination seems incriminating. Is it not possible, however, that this was related purely to his quarrel with Marina and her refusal to reconcile? She had rejected his attempts to make up, which she had thought was his purpose in coming to Irving when he was not expected, and she had furthermore asked for a washing machine which he had agreed to provide. Is it not a possibility therefore that leaving the money and the ring was related solely to the marital quarrel, which he had failed to patch up? It is also noteworthy that he left no letter of instructions, as he allegedly did on the occasion of the attempt to shoot General Walker.

13. Do you consider that the Warren Commission has accounted satisfactorily for Oswald's possession of fairly large sums of money such as that \$170? or for his having on his person or in his possession a record of General Walker's phone number or that of the FBI agent Hosty?

14. The Warren Commission dismisses the "speculation" that no palmprint was found on the rifle with the statement that no FBI agent ever made statements to the press about the existence or non-existence of a palmprint. The Commission next deals with the speculation that Oswald would have had to leave fingerprints on the rifle since he did not have time to wipe them off, rejecting it on the basis that the poor quality of the metal and wood parts of the rifle would make a clear print unlikely. How, then, was the palmprint so clear as to be easily and categorically identified as Oswald's?

15. The Warren Commission considers that the paraffin test is unreliable in determining whether or not a person has fired a rifle or revolver. What is the status of the paraffin test in criminology and forensic medicine? How is it that the FBI and Dallas police/were so misguided as to consider the positive results of the Oswald paraffin test as such significant and incriminating evidence?
(as well as D.A. Wade)

NOTES: Mark Lane lecture.....Saturday 8 pm...3 October 1964

The Warren Commission (WC) report has now been presented at long last. It is an impressive document, in terms of sheer size. Murray Kempton said in his column after it was released that the WC has "raised the implausible to the relatively probable." It is clear that the WC acted the role of the prosecutor. The report is massive. William Buckley Jr. in the National Review editorial says that no one may question it. The New York Post goes even further, denouncing various individuals for holding the "diabolical conspiracy" theory---which Lane has never put forward. Lane and Lord Russell intend to sue the Post for libel.

Bob Ferranti, ABC-TV news correspondent, originally found the picture of Oswald in the doorway which the WC says is actually a picture of Billy Lovelady. He discovered the photograph two or three days after the assassination. A few weeks ago he insisted, after seeing the photograph blown up in a huge enlargement, that he would testify that it was Oswald in the doorway. He had intended, soon after the assassination, to show the photograph on television. FBI agents came to him and told him that he could not do so and when he maintained his plans to show it they took the photograph away from him by physical force. It did not come to light for a considerable time afterwards, when the NY Herald-Tribune and then other media called attention to it.

Susskind has cancelled an invitation extended to Mark Lane, Dorothy Kilgallen and William Buckley Jr. to debate the WC report on Channel 11. He did so only after pressure had been put on the station (which is owned by the NY Daily News) and they absolutely refused to permit the debate. (Susskind was so outraged that he was on the verge of quitting completely.)

Lesx Crane had invited Lane and Melvin Belli to discuss the assassination on his Channel 7 program. Again pressure resulted in cancellation of the invitation to Lane and the substitution of Marguerite Oswald (!).

The AP Los Angeles story of 23 November 1964 on Dick Godwin, Marine, recalling that Oswald was a violent and rotten person, was retracted within hours, when Godwin realized that he had someone else in mind and had never even known Oswald. Not a single paper has yet printed that retraction and the NY Post actually published the original AP dispatch after it had received the retraction.

There was wide scepticism about the guilt of Oswald in the USA as well as in foreign countries: a Gallup poll on 29 November 1964 showed that the majority of American people did not believe the Government story.

The notorious photograph in which Oswald had obligingly posed with the murder rifle and revolver, holding what was first called the Daily Worker and then the Militant and later both the Worker and the Militant, was doctored. Both the NY Times and Newsweek "retouched" it, not as the WC said "apparently for the purpose of clarifying the lines of the rifle and other details" but to delete the telescopic sight, which at the time was inconsistent with the official thesis of Oswald's having the sight mounted on a date subsequent to the alleged date the photo was taken. This deliberate falsification by Newsweek and the NY Times to support the case against Oswald has been covered up by the WC and did not earn those publications even a gentle slap on the wrist.

To date, not a single of the publications concerned (LIFE, NEWSWEEK, AP, NY TIMES) has mentioned the fact that they retouched this photo. Mark Lane took it to the French Scientific Academy, which had the photograph (in its various versions) analyzed by aerial photographers and other experts and concluded that the photo was a composite with the face superimposed. The shadow of the nose is straight, falling neither to the right nor the left, while the shadow of the body falls to its sharp right.

While Oswald was in custody, no record was made of his interrogation (now reduced from 30 to 12 hours), according to the WC report. This is incredible on its face, since all FBI interviews are transcribed as a standard procedure; and it is given the lie by Oswald himself, who is quoted in Appendix XI by H.D. Holmes, Postal Inspector who was present at the last interrogation just before Oswald was shot while handcuffed to a police officer, as saying to Captain Fritz, "You took notes just read them for yourself if you want to refresh your memory." (Page 568 Bantam edition).

The WC report misrepresents the original identification of the alleged murder rifle. (Lane shows projection of slide of photocopy of Waitzman affidavit dated 23 November 1963, in which he states that he (not Captain Day) found the rifle at about 1:22 p.m. that it was a German Mauser 7.65 mm, thick leather strap, and other details).

In March 1964 Lane testified to the WC at his own request and told them that he had a copy of the paraffin test (positive for both hands and negative for the face, which is completely consistent with innocence and strongly supports Oswald's claim that he did not kill anyone). That was a major block in the prosecution's case. In an effort to overcome that block, the WC arranged for a neutron-activation analysis, but that was of no help. The WC therefore disposed of this key point by concluding that the barium test was "unsuccessful" and the paraffin test "unreliable."

Key witnesses whose evidence was inimical to the case against Oswald were never called by the WC. These witnesses include an eyewitness to the Tippit murder, an old negro woman who described the killer as short and fat, who was warned by the Dallas police not to testify or the gang who killed Kennedy, which was still in Dallas, would get rid of her. The WC misrepresented this in its "speculations" by stating that the FBI had never interviewed this woman---which was never claimed and which is indeed true. The WC never attempted to find her or obtain her testimony. Other witnesses never called to testify, some never even asked to submit a deposition, affidavit or statement and whose very existence is not mentioned by the WC, include Mary Woodward (and her three companions) who was standing near the grassy knoll and heard four shots, deafeningly loud, coming from the direction of the knoll and published that on 23 November in the Dallas newspaper on which she is a senior reporter; Seth Kantor, reporter, who knew Ruby extremely well (not, as the WC says, who had "met Ruby before") and a woman (not even named by the WC) who testified that they saw Ruby at the Parkland Hospital while the President and the Governor were in the emergency room; Deputy Sheriff Roger Craig, who claimed that he saw Oswald enter a station-wagon driven by another man shortly after the assassination when he left the TSBD building; Mrs. Earline Roberts, housekeeper in Oswald's rooming house, who changed her story about the time he arrived there three times and whose sister, Bertha Cheek, also not called before the WC, had dealings with Ruby and visited him four days before the assassination at the Carousel Club; Arnold Rowland, who testified that he saw two men at the sixth-floor window; Larry Craford, who said that he saw Ruby and Bernard Weissman together at Ruby's club and that Ruby addressed him by the name "Weissman", and who left Dallas very suddenly the day before Oswald was killed; and others.

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