

WARREN, III

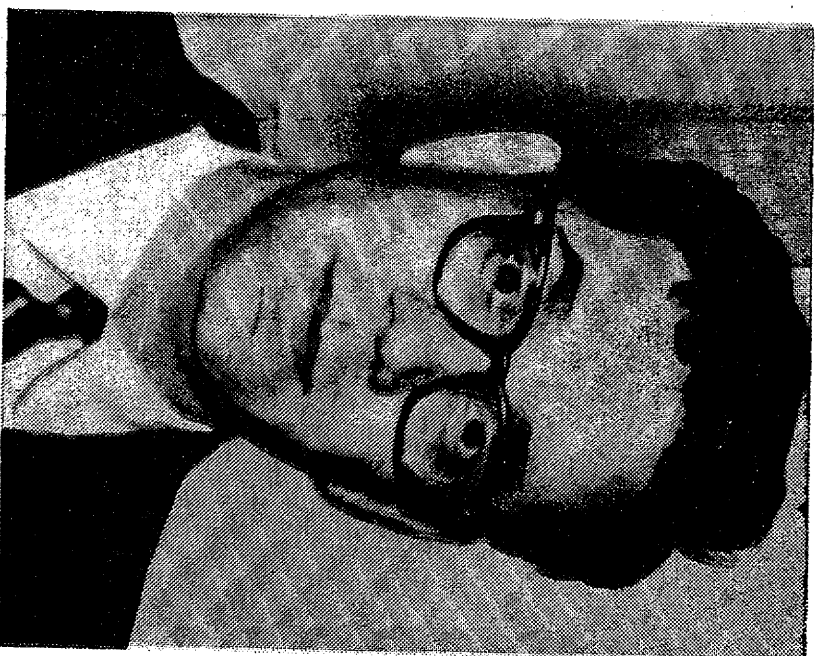
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# An Oddball View of the Warren Report

*Here is a book that will be considered deliberately perverse by many readers. It is eloquently denounced on this page by our reviewer, a law professor at Northwestern university, co-author of the book, "The Jack Ruby Trial," a trial lawyer of outstanding experience, and one of the nation's most articulate writers on the law. Why do we give prominence to such a book? We do so because we believe that the subject is important, that it should and will be widely discussed, and that the unpopular side of a case is entitled to a hearing.*

## Rush to Judgment

BY MARK LANE



Mark Lane

*Reviewed by Jon Walitz*

"SOME BOOKS are so horrible . . . that we feel obliged to ignore them," says the publisher of "Rush to Judgment." An admirable declaration of restraint, it underscores the only insoluble mystery posed by this book: Why was it published? This latest critique of the Warren commission report is truly horrible, altho not in the titillating sense intended by the blurb-writer.

We now have three books attacking the report. One was written by an ex-communist computer operator for European consumption and was absurd; one was written by an American graduate student and was superficial; this one was written by Mark Lane, whatever he is, and passes beyond the merely silly and superficial, being frequently dishonest as well.

Lane, for obscure reasons, early appointed himself a one-man adjunct of the Warren commission. He gave unhelpful but occasionally sensational testimony before it and briefly held himself out as an "unpaid attorney" obtained by Mrs. Marguerite Oswald to clear her deceased son.

Lane's fevered arguments have no semblance of logic or even of organization. He presents a phantasmagoric hodge-podge of unrelated and often wholly irrelevant second-guessing. If, in assembling his collection of quibbles, Lane had any ultimate purpose other than confusion and profit, it goes unstated. Instead, he relies on sly and thinly-veiled innuendo.

His book is largely a rehash—with a few imaginative embellishments—of the notion, first concocted abroad, that Jack Ruby, Oswald, Patrolman Tippit and countless other Dallas police officers were the unlikely conspirators in an assassination plot. Lurking beneath the surface is an undefined implication that Castro-Cuban politics were somehow involved.

Lane struggles to make Jack Ruby the central figure in a fuzzy pattern of deceit. Ruby's job, Lane implies, was to

liquidate Oswald after President Kennedy's murder. Ruby had been friendly with some Dallas cops. This proves—to Lane's satisfaction—that they let him into the police and courts building to kill Oswald. The public had been informed that Oswald would be removed from the building at 10 a. m. but Ruby did not appear until 11:20. This proves—to Lane's satisfaction—that Ruby's "friends in the police department alerted him, long in advance, to the true departure time.

The irrefutable evidence, unknown to Lane or ignored by him, guts this frail theory. Ruby, less than 4 minutes before his shooting of Oswald, was in a Western Union office some distance from the police and courts building. There, in response to a telephoned plea, he was calmly wiring a little money to one of his strippers. The clerk's testimony and the stripper's, backed by the time-stamped telegram form and telephone company records, all attest that if Ruby had a prearranged and momentous appointment with Lee Harvey Oswald, he was slicing it wondrously thin.

And the fact is that Ruby could not have known when the transfer of Oswald was to commence. It was to begin as soon as interrogation of Oswald by secret service agent Forest Sorrells was concluded. Even Sorrells had not known when this session would end until the answer to his last question, asked while Jack Ruby was still in the telegraph office, had been received.

Of course, the most important reason for doubting that Ruby was in any way a conspirator to assassinate Kennedy or to silence Oswald stems from the likelihood that no sane person conspiring to do anything would have permitted Ruby to join the plot. Ruby was a compulsive blabbermouth. It stretches credulity to imagine that such a person would be trusted with a clandestine scheme—especially one that would almost certainly leave him in the hands of state and federal authorities.

*Jon Walitz is a lawyer and member of the Northwestern university law school faculty.*

Unlike the numerous eyewitnesses, author Lane is not even sure that Oswald slew officer Tippit. Lane telephoned one of these eyewitnesses and sought manfully to shake her identification of Oswald. Having failed in this effort, he nevertheless suggested to the commission that he had succeeded and then repeatedly refused to provide it with a tape recording he had surreptitiously made of the telephone conversation. In his book he attributes this recalcitrance to a fear of federal prosecution; before the commission he relied on a legally incomprehensible claim of attorney-client privilege. To cast doubt on the eyewitness' credibility, Lane quotes her as inquiring of a commission lawyer whether she might "get into trouble" because of her taped talk with Lane. The commission's records reveal that the witness' remark, an altogether innocent one, was related to an entirely different matter.

At another juncture Lane asserts that the commission denied him permission to see the assassination rifle. The reader with enough patience for the necessary task of checking Lane's every statement against the record will find that this one, too, is inaccurate. The weapon, understandably, was not available in the hearing room when Lane first testified; it was obtained and submitted to him freely upon his second appearance.

The catalog of this book's distortions and apparent fabrications, large and small, is a long and sorry one. It is a meretricious book, all the more reprehensible because only those able to test it against the voluminous factual record can clearly recognize it for what it is.

Mark Lane, who has termed the Warren commission work "crazen" and "incompetent," complains that he was "one of the few witnesses to be excused [by the commission] without thanks." This statement, at least, is true and it demonstrates that hypocrisy is not one of Earl Warren's shortcomings. No one will thank Lane for his book, either. [Holt, Rinehart, Winston, Inc., 402 pages, \$5.95].