

Report to Readers: The murder that will not out

A GIANT ADVERTISEMENT in the New York Times Dec. 6 for Mark Lane's book **Rush to Judgment** ("The #1 Best Seller that is changing history") said: "THREE YEARS AGO . . . Mark Lane stood alone." Correction: Mark Lane would have stood alone if the NATIONAL GUARDIAN had not determined to stand with him.

Exactly three years ago this week a staff member of the GUARDIAN informed me that attorney Lane, troubled about the circumstances surrounding the arrest, conviction-without-trial and assassination of Lee Harvey Oswald in the murder of President Kennedy, had prepared and was seeking to publish an article expressing his doubts.

I called Lane and said that the GUARDIAN would like to see the manuscript with a view to printing it. He told me that two journals were considering it—after it had been turned down by several others—and

that he was awaiting their decision that day. Perhaps gratuitously, but on the basis of long experience, I told him that no one would touch it except the GUARDIAN; if he called me the next day we could still make it for the issue coming up. He called me at home early the next morning and said: "It's yours."

When the article arrived later that morning, I read it and passed it around the editorial staff, as often is the case with articles of controversy. Without a dissent, the opinion was to print it.

Thus, in the issue of Dec. 19, 1963, the GUARDIAN devoted five pages (the largest space ever given to one article) to Lane's commentary: "A Lawyer's Brief for Lee Harvey Oswald." It did not seek to establish Oswald's innocence, or the existence of more than one assassin. It put the case that the evidence thus far presented would have been insufficient to obtain a conviction if Oswald had been permitted to live to stand

trial on a charge of murder.

ON THE BASIS of the interest and excitement created by this article—greater than any other in the GUARDIAN'S 18-year history—Mark Lane was launched on a crusade which culminated in the publication of **Rush to Judgment**. With a sense of journalistic pride and gratification—but with undiminished concern that the truth has not been told in the Kennedy assassination—the GUARDIAN notes that **Rush to Judgment** has for weeks maintained its No. 1 position among the non-fiction sales (225,000 copies). It notes also that the publisher, Holt, Rinehart & Winston, has advertised and publicized the book with vigor and persistence. This has not always been the case with publishers, who have taken controversial books and then buried them under their cold feet.

After the publication in the GUARDIAN of the Lane
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NATIONAL

20 cents

GUARDIAN
the progressive newsweekly

VOL. 19, NO. 11

NEW YORK, DECEMBER 17, 1966

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brief—it was reprinted ten times for a total of 50,000 copies—the GUARDIAN investigated every lead toward new evidence in the assassination. Much of the material we published—largely in the stories researched and written by Jack A. Smith—has reappeared consistently in the dozen and more books written about the assassination and the Warren Commission Report of Sept. 27, 1964.

In the Oct. 3, 1964, GUARDIAN, Mark Lane wrote a critique of the Report in which he concluded: "The Report . . . despite its possible present tranquilizing effect upon America—will rank in history with the finding that Dreyfus was guilty of treason and with the trial of the Trotskyists in the Soviet Union. When the government of the United States finds the courage and the conscience to emulate the government of France and reverses its false findings, respect for due process of law and justice in our land may return."

WITH NO FAITH in the courage and conscience in the national leadership, the GUARDIAN persisted in its efforts to establish the facts in the assassinations—however much they were at variance with the findings of the Warren Commission—and aroused, among other things, the wrath of