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H,

BEST WISHES.

IF POSSIBLE,  
I'LL TRY TO  
GET HIS 1979  
ANALYTICAL  
ARTICLE (GWINN'S)

Gay

Dr. Gary Aguillar  
909 Hyde St., #530  
San Francisco, CA 94109

7/27/93

Dear Gary,

Thanks for the enclosures with your undated note, here today.

I am increasingly disappointed in Milan. He impressed me as a bright and cautious man when we met and several times in correspondence. But when he depends on Lane and makes strong statements based on anything Lane says he is risking getting kicked in the teeth. Ditto for some others he appears to trust. Sorry I can't do a thing about it and I think that by now Wallace is so hooked he does not want to get unhooked.

From the records I got in that FOIA suit of which I told you there is absolutely no doubt at all that Guinn did nothing for the FBI, which means not for the Commission either Gallagher of the FBI knew he had to freeze Guinn out and he did, as I told you. Also AEBER- sold. And as I told you and that bullshit artist Lane should know, the Commission was talked out of any NAA interest by the FBI. I know nothing about the allegedly quoted news story and knowing Lane have no reason to believe it existed. I am also certain that Guinn did not have the face casts. If Lane did not make this up he is likely quoting someone who told him there was such a story and repeated its alleged contents.

All that Jenkins says is conjecture and some of them are incorrect. He could not tell that the back wound was of entrance in feeling it only, with the body facing upward.

Perry and Clark were specific in saying that the anterior neck wound was of entrance- three times.

I caution you personally not to vest your reputation in what someone else writes or says, no matter how persuasive that person is.

*Best  
Hurd*

Lane even phonies his footnotes, aside from whether or not they say what he says. On the page you sent after the first the next nine are but a single one.

- c. The importance of the Guinn testimony can thus be demonstrated quite easily:
- (i) The single bullet theory is necessary to explain how Oswald or any other one person could have assassinated the President.
  - (ii) Guinn's neutron activation analysis provides the strongest "scientific" proof of the validity of the single bullet theory.

THE CHOICE OF DR. GUINN

1. When he presented Dr. Guinn as an expert witness, Chief Counsel Blakey stated: "Dr. Guinn had no relation to the Warren Commission." (HSCA, Vol 1, p. 490)
2. This statement (and Dr. Guinn's later elaboration) is, at worst, patently untrue, and, at best, disingenuous and misleading. Dr. Guinn did neutron activation work on paraffin casts of Lee Harvey Oswald's hand and cheek while working for General Dynamics in 1964! Guinn is quoted extensively about the work in the New York World Telegram & Sun, August 28, 1964. Among other comments, Dr. Guinn said, "I cannot say what we found out about Oswald because it is secret until the publication of the Warren Report."
3. As Mark Lane wrote (Rush to Judgment, p. 153), "Although Dr. Guinn worked closely with the FBI on behalf of the Commission, was entrusted with the precious paraffin casts by the Commission, and submitted his findings to the Commission, there is no reference to his name in the Report."
4. When Dr. Guinn testified, Congressman Fithian asked him about reports of a prior connection to the Warren Commission:  
FITHIAN. Dr. Guinn, this is not meant to be an embarrassing question, but I think I must ask it. Mr. Chairman, a recent article in the New Times magazine stated that you had worked for the Warren Commission and, therefore, your conclusions for this committee would be implicitly biased.  
Did you ever work for the Warren Commission or work for the FBI in connection with the analysis of these evidence samples?  
GUINN. Neither one. I think Mr. Wolf called my attention to the existence of this article, which I haven't seen, and I don't know where they got their misinformation, but I never did anything for the Warren Commission, and although I know people in the FBI, I have never done any work for them.
5. Unless the New York World Telegram & Sun misquoted Dr. Guinn twenty eight years ago, the nuclear chemist's answer is evasive. Although he may not have been paid by either the Warren Commission or the FBI, he clearly worked on evidentiary material submitted by the latter to be used in a

report by the former. For a man who worked with the paraffin casts of Lee Harvey Oswald to say "I never did anything for the Warren Commission" is patently dishonest.

6. The question of who chose Dr. Guinn to do the neutron activation analysis remains unanswered. Blakey stated simply, "...the committee engaged as a consultant Dr. Vincent P. Guinn, professor of chemistry at the University of California at Irvine." (HSCA, I, p. 490). For his part, Dr. Guinn stated "we made arrangements in advance" and then the samples were delivered to his laboratory. (HSCA, I, p. 495)

THE FRAGMENTS GUINN TESTED

1. Dr. Guinn was given fragments with the same CE and/or Q numbers which the FBI had used in its 1964 NAA tests, but none of these "same" fragments weighed the same!
2. HSCA implied that this was due to alteration of the fragments during the previous tests:
  - a. "There are differences in the count and weight of the materials examined by the FBI and Dr. Guinn. This is attributable to the character of the FBI tests and to the fact that the FBI disposed of the samples examined after the tests." (HSCA Report, p. 599, note 33)
  - b. No footnotes or other citation offers proof of this explanation.
  - c. The implication here is that the FBI's tests were of a kind which destroyed some of the samples being tested. However, Dr. Guinn's testimony clearly disputes this explanation:

FITHIAN. You have said this whole process that you go through does not destroy the material, is that correct?

GUINN. That is correct.

FITHIAN. Now, then, did you test exactly the same particles that the FBI tested in 1964?

GUINN. Well, it turns out, I did not, for reasons I don't know, because as they did the analysis, they DID NOT destroy the samples either. [emphases added]

FITHIAN. So?

GUINN. The particular little pieces that they analyzed, I could just as well have analyzed over again, but the pieces that were brought from the Archives--which reportedly, according to Mr. Gear--were the only bullet-lead fragments from this case still present in the Archives--did not include any of the specific little pieces that the FBI had analyzed. Presumably those are in existence somewhere, I am sure nobody threw them out, but where they are I have no idea.

**Appendix E--The "Analytical Chemistry" Article**

The article in Number 28 of Transactions of the American Nuclear Society was very helpful, since it contained Guinn's characterization of Western Cartridge Company Mannlicher ammunition as "somewhat...heterogeneous" within a given bullet, and also gave data and insights into the FBI's 1964 NAA tests. It was obvious, however, that the two-page text represented only an abstract or a summary. In late February, I called the current editor of Transactions in an attempt to get the entire article. I was informed that the complete article had never been published in Transactions, but that Dr. Guinn had delivered an address on the same topic in June, 1978 [3 months before testifying to HSCA], to a convention in San Diego. The editor doubted that the text of the speech had ever been published.

I decided to turn to Dr. Guinn himself. A telephone call to the University of California Irvine revealed that Dr. Guinn had moved two years previously to the University of Maryland in College Park. After several tries, I finally spoke with Guinn on March 5. He indicated that the complete text of his speech was printed in Analytical Chemistry in 1979.

The April, 1979 issue of Analytical Chemistry contains a 6-page article by Vincent P. Guinn. It is titled, "JFK Assassination: Bullet Analyses" [Volume 51, No. 4, pp. 484A-493A], and is a brief account of Guinn's entire involvement with Mannlicher ammunition and the Kennedy assassination. I found the article added to both my information about Guinn's work and also my doubts about his conclusions:

1. The piece opens with a "background" to the Kennedy assassination which is little more than a brief for the prosecution. Guinn accepts Oswald as an "avowed Marxist" and follower of Fidel Castro, asserts that Oswald's palmprint was found on the rifle (glossing over the dubious history of how that "fact" entered the chain of evidence), and generally adheres strictly to the Warren Commission's official line.

2. Guinn's comments also underscored the accuracy of New York World Telegram & Sun's reporting of his work with paraffin casts of Oswald at Oak Ridge. Guinn wrote:

The FBI took the Oswald paraffin casts to the Oak Ridge National Laboratory and analyzed them by neutron activation analysis [NAA] for the possible presence of primer residue...still there after the Dallas dermal nitrate tests. The effort was thwarted by the fact that the casts were badly contaminated, essentially as much Ba and Sb being found on the outside surfaces of the casts as on the inside surfaces--which had been in contact with Oswald's skin. The right cheek cast, if it had not been contaminated by improper handling, might have established that Oswald had recently fired a rifle.

(p. 484A)

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RUSH TO JUDGMENT

also cited Commission Exhibit 3087,<sup>45</sup> a letter from J. Edgar Hoover.<sup>46</sup> This letter, delivered by courier to Rankin,<sup>47</sup> undoubtedly reveals more than was intended. It refers to a 27-page transcript of remarks made by me on the Barry Gray radio program in New York<sup>48</sup> and to page 26 of a transcript of my remarks at a New York Town Hall discussion.<sup>49</sup> My remarks were extemporaneous on both occasions; the two lengthy verbatim transcripts evidently had been prepared by FBI agents in the audience.<sup>50</sup> In defense of Shanklin, Hoover noted that I asked my audience to recall that 'Chief Curry told the press . . . that the paraffin test . . . was positive.'<sup>51</sup> He went on to say, 'You can readily see in this instance Mr. Lane attributes this statement concerning the paraffin test to Chief Curry of the Dallas Police Department.'<sup>52</sup>

The Commission was presumably content with that unusual explanation by which the blame was shifted from Shanklin and Curry to Curry alone,<sup>53</sup> even though Shanklin and not Curry had been quoted by *The New York Times* as stating that the test showed gunpowder remained on Oswald's cheek.<sup>54</sup> The Commission did not call Shanklin<sup>55</sup> or the reporter from *The New York Times*:<sup>56</sup> It accepted a hearsay denial in defense of Shanklin.<sup>57</sup> Curry did testify, but he was spared the embarrassment of a single question about his statement.<sup>58</sup> The Commission's faith in the federal and local police was thus chastely preserved.

Tests were also made with a nuclear reactor on the cast of Oswald's cheek.<sup>59</sup> Dr. Vincent P. Guinn, head of the activation analysis program of the general atomic division of General Dynamics Corporation, made an analysis of the paraffin cast, the results of which were presented to the Commission.<sup>60</sup> Dr. Guinn said that he and his colleagues reasoned 'that if a gun was fired and some of the powder came back on the hands and cheek, some of the bullet primer should also come back.'<sup>61</sup> They decided 'to try looking for elements by putting the wax impressions of hands and checks into a nuclear reactor'.<sup>62</sup> Guinn said he had informed the FBI that it would be worthwhile to utilize 'activation analysis' because the Dallas police had merely used the chemical paraffin test.<sup>63</sup>

'We bought a similar rifle from the same shop as Oswald and conducted two parallel tests,' Guinn said.<sup>64</sup> 'One person fired the rifle on eight occasions.'<sup>65</sup> The scientist stated that paraffin casts

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THE PARAFFIN TEST AND THE LATENT PALMPRINT

were made and when tested by means of radioactivity 'it was positive in all eight casts and showed a primer on both hands and both cheeks. Then we took the casts of Oswald's cheek and put them in a nuclear reactor.'<sup>66</sup> Guinn added, 'I cannot say what we found out about Oswald because it is secret until the publication of the Warren Commission Report.'<sup>67</sup>

The secret has indeed survived publication of the Report. The Commission, evidently differing with its own authority, stated only that it was 'impossible to attach significance' to the radioactive response to Oswald's paraffin casts.<sup>68</sup> The Commission, which gave much space to the results of tests conducted with a pistol prior to the assassination,<sup>69</sup> refused to inform its readers of the results of tests performed after the assassination with an Italian carbine identical to the so-called assassination rifle.<sup>70</sup> Although Dr. Guinn worked closely with the FBI on behalf of the Commission,<sup>71</sup> was entrusted with the precious paraffin casts by the Commission,<sup>72</sup> and submitted his findings to the Commission,<sup>73</sup> there is no reference to his name in the Report.<sup>74</sup>

On April 2, 1964, Sebastian Francis Latona testified before the Commission,<sup>75</sup> identifying himself as the Supervisor of the Latent Fingerprint Section of the Identification Division of the Federal Bureau of Investigation,<sup>76</sup> a graduate of Columbia University School of Law, the recipient of the degrees of LL.B., LL.M. and M.P.L.,<sup>77</sup> and an employee of the FBI for 32 years,<sup>78</sup> where, he said, he had made literally millions of fingerprint examinations.<sup>79</sup>

Latona examined the alleged assassination weapon for latent prints\* on November 23, 1963,<sup>80</sup> and discovered faint ridge formations near the trigger guard which were insufficient for purposes of identification.<sup>81</sup> 'Accordingly, my opinion simply was that the latent prints which were there were of no value,' Latona said.<sup>82</sup> He examined the weapon still more thoroughly for prints, employing various techniques such as photographing the weapon, highlighting, sidelighting, every type of lighting that we could conceivably think of.<sup>83</sup> Latona said that 'to completely process the entire rifle' he used a gray fingerprint powder<sup>84</sup> and that 'there

\* A print taken by a law-enforcement agency is known as an 'inked print' and is carefully taken so that all characteristics of the print are reproduced.<sup>85</sup> A print which is left without ink is known as a 'latent print',<sup>86</sup> for it is present but ordinarily not visible.

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REFS

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- 58. IV, 150-203; XII, 25-43; XV, 124-133, 641.
- 59. WCR, 563; *New York World-Telegram and Sun*, August 28, 1964.
- 60. *Ibid.*
- 61. *Ibid.*
- 62. *Ibid.*
- 63. *Ibid.*
- 64. *Ibid.*
- 65. *Ibid.*
- 66. *Ibid.*
- 67. *Ibid.*
- 68. WCR, 562.
- 69. *Ibid.* at 561.
- 70. See *New York World-Telegram and Sun*, August 28, 1964.
- 71. *Ibid.*
- 72. *Ibid.*
- 73. *Ibid.*
- 74. WCR, 489, 883.
- 75. IV, 1-48.
- 76. *Ibid.* at 1.
- 77. *Ibid.*
- 78. *Ibid.*
- 79. *Ibid.*
- 80. WCR, 563.
- 81. *Ibid.*
- 82. IV, 20.
- 83. *Ibid.* at 21.
- 84. *Ibid.*
- 85. *Ibid.*
- 86. *Ibid.*
- 87. *Ibid.* at 24.
- 88. *Ibid.* at 23.
- 89. *Ibid.* at 29.
- 90. *Ibid.*
- 91. *Ibid.*
- 92. *Ibid.* at 22.
- 93. *Ibid.* at 23-24.
- 94. *Ibid.* at 24.
- 95. WCR, 123-124.
- 96. *Ibid.* at 124.
- 97. *Ibid.* at 123; IV, 249-278.
- 98. *Ibid.* at 249.
- 99. *Ibid.*
- 100. *Ibid.* at 249-250.
- 101. *Ibid.* at 250.
- 102. *Ibid.* at 260.
- 103. *Ibid.* at 21.
- 104. *Ibid.*
- 105. *Ibid.*
- 106. *Ibid.* at 260.
- 107. *Ibid.* at 24; WCR, 123.
- 108. *Ibid.*
- 109. IV, 260-262.
- 110. WCR, 123.
- 111. IV, 249-278.
- 112. *Ibid.* at 1-48.
- 113. WCR, 123, 833.
- 114. XXVI, 832.
- 115. IV, 20, 261.
- 116. *Ibid.* at 24.
- 117. *Ibid.*
- 118. XXVI, 832.
- 119. IV, 150, 249-278.
- 120. *Ibid.*
- 121. XXVI, 828-829.
- 122. *Ibid.* at 829.
- 123. *Ibid.*
- 124. *Ibid.* at 828.
- 125. WCR, vii.
- 126. XXVI, 832.
- 127. IV, 20-24.
- 128. XXVI, 830.
- 129. *Ibid.* at 831; IV, 261.
- 130. XXVI, 831.
- 131. IV, 260.
- 132. XXVI, 831-832.
- 133. *Ibid.*
- 134. IV, 40-41.
- 135. *Ibid.* at 261.
- 136. XXVI, 831.
- 137. IV, 273.
- 138. *Ibid.*
- 139. XXVI, 832.
- 140. IV, 40-41.
- 141. *Ibid.* at 261; XXVI, 832.
- 142. *Ibid.*
- 143. *Ibid.*; IV, 261-263.
- 144. XXVI, 832.
- 145. XXIV, 821, 824.
- 146. IV, 20-21.
- 147. XXVI, 832-833.
- 148. *Ibid.* at 833; IV, 23-25, 261.
- 149. *Ibid.* at 201.
- 150. *Ibid.* at 23-24.
- 151. XXVI, 833.
- 152. *Ibid.*
- 153. *Ibid.* at 832.
- 154. IV, 261.
- 155. *Ibid.*
- 156. XXVI, 832.
- 157. IV, 23-25.
- 158. *Ibid.* at 24-25.
- 159. *Ibid.* at 24.
- 160. XXIV, 762, 766.
- 161. *Ibid.* at 766.

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CHAPTER 13.

- 1. WCR, 158.
- 2. *Ibid.* at 157.
- 3. *Ibid.* at 651.
- 4. *Ibid.* at 158.
- 5. *Ibid.* at 154-155.
- 6. *Ibid.* at 157.
- 7. *Ibid.*
- 8. *Ibid.* at 158.
- 9. *Ibid.* at 161-163.
- 10. *Ibid.* at 163.
- 11. *Ibid.* at 165.
- 12. *Ibid.*
- 13. *Ibid.*
- 14. *Ibid.* at 158.
- 15. *Ibid.* at 160-161.
- 16. *Ibid.* at 158.
- 17. *Ibid.* at 157-158.
- 18. *Ibid.* at 157.
- 19. *Ibid.* at 154-156.
- 20. See c. 8, II, 234; VI, 329, 339.
- 21. WCR, 157.
- 22. *Ibid.*
- 23. *Ibid.*
- 24. *Ibid.* at 158-159.
- 25. II, 207, 270; XXIV, 215, 347.
- 26. *Ibid.* at 215.
- 27. *Ibid.*
- 28. *Ibid.* at 347; WCR, 159.
- 29. II, 280.
- 30. *Ibid.* at 281, 283.
- 31. *Ibid.* at 280-281, 283.
- 32. *Ibid.* at 281, 283.
- 33. *Ibid.* at 279, 281, 283.
- 34. *Ibid.* at 270.
- 35. *Ibid.* at 279.
- 36. *Ibid.* at 283.
- 37. See XXIV, 850, 852.
- 38. XXV, 901.
- 39. WCR, 670.
- 40. II, 270.
- 41. *Ibid.*
- 42. *Ibid.*
- 43. XXIV, 347.
- 44. *Ibid.*
- 45. II, 270.
- 46. WCR, 169.
- 47. *Ibid.* at 157.
- 48. II, 276, 283.

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CITATIONS

- 49. XXIV, 432-433.
- 50. WCR, 6.
- 51. *Ibid.* at 158, 160.
- 52. *Ibid.* at 157-160.
- 53. *Ibid.* at 157; XVI, 974.
- 54. II, 269-270.
- 55. *Ibid.* at 267-268; VII, 173.
- 56. II, 270.
- 57. *Ibid.* at 270, 279, 281, 283; XXIV, 215, 347.
- 58. II, 281, 283.
- 59. XXV, 899-901.
- 60. WCR, 490.
- 61. XXV, 899-901.
- 62. *Ibid.*
- 63. *Ibid.* at 900.
- 64. II, 263.
- 65. *Ibid.*; WCR, 158.
- 66. XXV, 900.
- 67. II, 264.
- 68. WCR, 159, 163.
- 69. *Ibid.* at 490.
- 70. *Ibid.* at 159.
- 71. *Ibid.* at 6, 157-160.
- 72. *Ibid.* at 163.
- 73. *Ibid.* at 6.
- 74. VI, 401-407.
- 75. *Ibid.* at 408.
- 76. *Ibid.* at 408-409; II, 263.
- 77. VI, 408-409.
- 78. *Ibid.* at 409.
- 79. *Ibid.* at 410.
- 80. *Ibid.*
- 81. *Ibid.* at 406.
- 82. *Ibid.*
- 83. *Ibid.* at 403-407.
- 84. *Ibid.* at 404.
- 85. *Ibid.* at 405.
- 86. *Ibid.* at 403.
- 87. *Ibid.*
- 88. *Ibid.* at 406.
- 89. *Ibid.*
- 90. *Ibid.*
- 91. *Ibid.*
- 92. *Ibid.* at 407.
- 93. *Ibid.* at 409.
- 94. II, 264-265; XXV, 900.
- 95. WCR, 152, 154-155.

Works by Mark Lane

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*A Citizen's Dissent*

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*Chicago Eyewitness*

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# RUSH TO JUDGMENT

MARK LANE

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