

# That Inquiry Into Mark Lane

By MIKE McGRADY

NEW YORK — The teams have been chosen and it would seem, on the face of it, an unequal contest. On the one side, President Johnson, Chief Justice Earl Warren, FBI Director J. Edgar Hoover, former CIA Director Allen Dulles, a host of senators and representatives. The Establishment Team.

On the other side . . . amateur hour. A student who was working on his master's thesis (Edward J. Epstein, "Inquest"); a small-town editor named by some publications in "the lunatic fringe" (Penn Jones, "Pardon My Grief, Vol. I"); a one-time private eye (Harold Weisberg, "Whitewash"); a philosophy professor who seriously believes Lee Harvey Oswald had a double (Richard Popkin "The Second Oswald"); a visiting French journalist (Leo Sauvage, "The Oswald Affair"); an Oklahoma housewife (Mrs. Sylvia

**"We have a right to know about the events that affect our destiny."**

Meagher, "Subject Index to the Warren Report"); and, of course, the captain of the team (Mark Lane, "Rush to Judgement").

By this time Mark Lane should need no introduction. He has been fully described in the papers. He is a "buckchaser," a "ghoul," a "sensation-monger," a "merchant of morbidity," a "character assassin," a "neurotic," a "purveyor of vague hints and innuendoes," a "self-appointed critic" and an "out-right entrepreneur."

During the 33 months immediately following the as-

few lip-readers in the crowd reacted bitterly to his message. He was saying that Oswald did not act alone. He was saying there was another gunman. He was saying there was a conspiracy.

Unthinkable. It was a madman. It was a madman Marxist using a mail-order rifle. Jack Ruby, he was another madman. Two madmen explosively united through coincidence, not conspiracy. The Warren Commission said this in 1964; the New York Times said this in 1964; about the only one not saying this was Mark Lane. And the following he drew then was predictably unimpressive: Conspiracyminded Europeans, college students, career left-wingers, a band of amateur sleuths who saw riflemen lurking behind every grassy knoll.

Last August "Rush to Judgement" was published. Lane's book, one of the bestselling books in the country, has now sold 130,000 hard-cover copies. His appearances in auditoriums and on television guarantee a large, interested audience. And now, three years after the fact, a Harris poll finds that 54 per cent of the American people think the Warren Commission left "a lot of unanswered questions about who killed Kennedy" and, according to a Gallup poll, an even more substantial majority, 64 per cent, feel that Oswald did not act alone.

Lane's detractors claim that he fails to offer any answers; that may well be true, but perhaps it is enough that he offers questions. And no questions have given the commission more difficulty than the ones asked in Lane's "Magic Bullet" chapter. Lane here considers one of the report's conclusions — "Although it is not necessary to any essential findings of the commission to determine just which shot hit

It is Lane's contention that not only is this conclusion absolutely vital to the case against Oswald, but that all available evidence — the condition of the recovered bullet, the testimony of Connally, the testimony of Mrs. Connally,



ALLEN DULLES

The establishment'

the Zapruder film — is considerably less than persuasive. This has led to the all-important "single bullet" controversy.

The ad for Lane's book — "Can One Man . . . One Book . . . Change History?" — may have the ring of hyperbole to it; however, some of his findings have given thoughtful people pause and he is at least one of the reasons why so many prominent rational voices — the New York

television studio in his blue shirt, adjusts his near-opaque, horn-rimmed spectacles and carefully assembles his collection of dramatic props — his photographs, his Mannlicher-Caranco .5 Italian carbine, his brown paper sack, his portable book depository window, his complete published works of the Warren Commission, his film clips.

The voice is calm, flat, weary — the voice of a man who has repeated a set speech so long and so frequently that the words have relinquished a portion of their meaning. The facts are always at hand, as are the innuendoes.

Mark Lane, 39, was seen the other day in a Manhattan recording studio. Seated beneath a boom microphone, he was attempting to record 39 five-minute radio programs in a single day. The night before he had been lecturing in Philadelphia; that evening he was flying to London for a BBC debate; then on to France; then back here for his debate with Nizer; then on to his in-law's home in Denmark where, with some luck, he hopes to be on hand for the birth of his first child.

One suspects that the condition of loneliness holds little actual terror for Lane. After 12 years of practicing law in an East Harlem storefront office, Lane was elected to the New York State Assembly in 1960 and one of his first official acts was to get himself arrested trying to help integrate a Mississippi lunch counter.

More recently, during what admirers now call his "lonely crusade," Lane's only constant companions were his critics. The main criticism of his work is that he has assembled minutiae, fragments of evidence that do not reach any conclusive proof. This point was best made by Yale



"Yeah, well, that's the kind of personal charge you'd expect Time to print," Lane said. "I can understand people who watch 'Perry Mason' thinking that moment comes in a trial, that great moment, when the witness on the stand suddenly says, 'All right, Mr. Mason, I confess; I'm your murderer; it was not your client.' That shows you have the instinct for the jugular; you have delivered that one telling blow. Well, life is not like that and trials are not like that and cases are not like that. I have tried to analyze the basic arguments of the Warren Commission's report and that's what my book is. It is not a sensational book and it is not intended to show that I'm a great trial lawyer or that I have a great instinct for the jugular."

Much of the criticism of Lane is on a highly personal level; he is frequently charged with profiteering, with cashing in on a national tragedy, with pursuing the dollar at least as avidly as he pursues the truth.

If profiteering was indeed Lane's motive from the outset, it would indicate a certain amount of foresight. Before finding a publisher Lane submitted his completed manuscript to 15 different houses.

"It was impossible for a year after the work was completed," he was saying, "to find a publisher in this country who would touch it. I think this raises serious problems. When you can't talk to the people through press, radio or television; when you can't get a book published because the government has taken a different position; I think then you have very serious problems in terms of the functioning of a democratic society. Anyone who thinks he's going to break through all that by himself and also make a pile of money would either have to

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**"If the government wants to find out it may be able to."**

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have miraculous powers or be insane. I think I fall into neither of these categories."

Another charge that is not unfamiliar to Lane was raised

of Nov. 22, 1963 — and refusing to let the memory of John F. Kennedy rest decently in peace."

"Well," Lane said, "if they stopped running rapes and murders all over their front page, I suppose they'd be in a better position to make a charge like this."

He doesn't feel he's involved in something morbid or ghoul-ish?

"Not for a second," he said. "We have the right in a democratic society to know about the events that affect our destiny. And who killed President Kennedy is a very important question. What has made it even more important is the fact that our government has given us a deliberately false statement as to the culprit. . . . Questions are asked every day about Vietnam. People are being killed there, too. Does this involve morbid considerations?"

This line of thinking, needless to say, hasn't exactly endeared Lane to government officials. Some have returned the attack, none so vehemently as Hoover.

Lane's built-in prejudices against governmental authority have seemed to some observers grounds for disqualification. Social critic Charles Marowitz, writing in London, said "Lane . . . is cynical of the government and all its operations, from conducting a war in the Far East to establishing a committee of investigation. This prejudice doesn't necessarily blind him, but it certainly predetermines the angle of inspection."

Lane's credentials are regularly questioned. The way this usually happens in print is through an appositional phrase like "self-appointed critic," or "who claims to represent Kennedy's accused assassin."

"I began this investigation," Lane said, "because I was dissatisfied by the presentation of the evidence against Oswald. Marguerite Oswald, hearing that I had doubts about the case, called me. And, at no fee, asked me to represent her son's interest. I have a written retainer which I submitted to the commission."

Though many feel that the Warren Commission left some

"I think if the government wants to find out," Lane said, "it may be able to. If the crime was done by profession-

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als, as I think very likely it was — well, to kill the President of the United States may not be so difficult, but to kill him and escape is very difficult. I really don't know. It depends a great deal on what the government is hiding in the archives. Perhaps if we could see the evidence, we'd be in a better position to know.

"But punishing the culprit is not the only reason you try to find out the facts about historical events. There was no known culprit when the French government pardoned Dreyfus. When they changed their position it was not because they found a culprit, but because it was wrong to say that someone committed a serious crime when in fact he was innocent. Wrong on moral grounds.

"I've never said Oswald was innocent. I think there's no question he could not have been convicted at a trial. But that doesn't go to the heart of the question of whether he did it or not. Did he do it or was there more than one person involved? I think the evidence that there were at least two people is conclusive."

"The integrity of my position is what counts," Lane said. "Either my book is accurately written and is in context or it is inaccurate and out of context. This has nothing to do with my political beliefs or any such matters at all."

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