

FBI

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The Joe Dolan show  
Telephone interview with Mark Lane  
KNEW, Oakland, 30 June 1967  
7:30 a.m.  
Taped and transcribed; commercials,  
newscasts etc. edited out.

Q -- Hello, is this Mark Lane ?

A -- It is.

Q -- Good morning.

A -- Good morning to you, Joe.

Q -- Now Mr. Lane, I've got to -- first of all, please, let's get over a little hurdle: that some people seem to be bugged by the color of your eyes, whether you have corns on your feet, and what color of socks you wear, so let's get this over first. Did you, or did you not, make money on the book ? How much did you make ? Did you write it for profit ? Are you broke ? Are you rich ? Please let's get over that right now and get down to substantive arguments.

A -- All right. It doesn't sound to me like the most important question, but of course I'll go into it. First of all, it took me more than two years to write the book. During that period we had no income at all. And when we concluded, we had no publisher. I went to fifteen of the leading publishers in the United States. Each one agreed to publish the book, and then within a week or ten days each one refused to, saying, sorry, they could not publish it. One of them said -- well, I signed a contract with one, and then they cancelled the contract and said they could not publish it because it would not sell enough copies to break even. At that time we were completely broke. We had no income, well, at that time for two and a half years. And there were actually times when my wife and I could not afford dinner during that period. But we did this because this was an important thing; we thought eventually the book might be published and we would say ~~surely~~ our children one day will make a financial profit out of the book, but we probably will not. I ended up getting a publisher in England. I could not find a publisher in America. We went to England. An old conservative firm called The Bodley Head agreed to publish the book. They gave me an advance for the book. Thus far, although I've earned much more I'm sure, all I have received is the advance which they gave me, which was £1,000, which is \$2,800. Now eventually, Holt, Rinehart & Winston, an American publisher, contacted the English company, The Bodley Head, and said they wanted to purchase from the English company the rights to publish the book in America. They agreed to do that, they signed a contract, and I can tell you this: the assistant director of the Federal Bureau of Investigation, the assistant to J. Edgar Hoover, Deke DeLoach, called Frank Clote (?) who is an executive at Holt, Rinehart

& Winston, summoned him into the New York office of the FBI on 69th St., and gave him a message from J. Edgar Hoover; and the message was: J. Edgar Hoover, and I, and the bureau, do not want you to publish Mark Lane's book. This was relayed back to the Holt executives, and they said it would be a very unhappy day for this country when the government can interfere with a publisher, especially when the publisher wants to present a book which dissents from the government's position, and they went ahead and they published the book.

Now this is the financial situation at the present time. The book has sold very well. It sold almost a quarter of a million copies in hardcover and was the Number 1 best selling book for many, many, many weeks. In paperback, it was the Number 1 paperback when it came out last February, and it's very hard to tell how many paperback books have been sold because they're sold at newsstands and candy stores and there's just no way to make an inventory. I can tell you that 875,000 copies have been printed, many of them have been sold, with three printings -- they don't go into three until the first ones are pretty much exhausted.

Q -- Hm, fourth printing now.

A -- Yes. So it's very hard to know exactly how many have been sold, or how much money we've made. I can tell you this: the English company owns the world rights to the book. They sold the American rights to the American company. The American company, Holt, Rinehart & Winston, sold its rights for paperback to Fawcett. Half of every -- half of my royalties for the paperback book, immediately go to the hardcover company. They keep half of the royalties, and then they send a check to my English publisher, who owns the world rights, and he keeps a good portion and sends me the rest. So I really don't know how much has been made by now, but I would guess that I've already earned from sales in the United States (and I've no idea how many have been sold elsewhere) -- but in the United States I would guess that we've probably earned, although we've not received anything other than that original £1,000, probably upwards of, in the neighborhood of \$50,000, for what has now been almost four years of solid work. Which is about half of what I would have made had I retained my normal practice of the law. Prior to that time my income was approximately twice that for that period, before. But then of course you have to add to that sales of books in other countries.

Q -- Okay. Now, Mr. Lane. I've got to put you on a hold for just a moment. But I want you to reiterate something for me, please. I may sound like a crossexaminer here, but I'm frankly incredulous at something that you said.

This is brand new to me. Did you say that J. Edgar Hoover, through his second in command, tried to get the book publisher, Holt, Rinehart & Winston, not to publish your book?

A — Yes. Precisely.

Q — Did — You know this to be true so far as you can ascertain it?

A — I know it to be true. I talked to the gentlemen at Holt, Rinehart & Winston, I've talked to the editor in chief, Arthur Cohn, at Holt, Rinehart & Winston, who told me the story. There's no question — every executive at Holt, Rinehart & Winston knows it. There's no question about it, because when the message was brought back it was discussed.

Q — Well Mr. Lane, I wouldn't care whether you were the chief dragon of the Ku Klux Klan, or whether you were Herbert Aptheker's grandfather, or Karl Marx. I find that appalling. I find that perfectly appalling. Will you hold on for just a moment, please?

A — Yes.

.....commercial .....

Q — We have Mark Lane, the author, on the line. Hello Mr. Lane.

A — Yes.

Q — Now Mr. Lane, one quick one please. Let's not spend more than just a few seconds on this. Are you — do you share in the royalties or the profits from a game, or a scenario, distributed in England showing Dealey Plaza?

A — No. That was done by — Jonathan Cape published it. It's called the Jackdaw. It's a very serious and very good work. I know it's attacked in the press, but it's a very good work, and Len <sup>DEIGHTON</sup> Daight (X) the fiction mystery writer first became — who wrote a good portion of it — first became interested when he reviewed my book in England, when it came out, for the London Evening Standard. He said he was offended that the Warren Commission had moved into his area, which is fiction. And I think he reciprocated by putting together this piece of work. But the Jackdaw publications are not understood or appreciated here. They're — they deal with historic events, with the signing of the Magna Charta, with the life of Joan of Arc, and they're used as educational tools throughout England.

Q — Well, this has nothing to do with you?

A — No. But they're very well respected. No, it has nothing to do with me. And I think it's an excellent work. I had nothing whatever to do with it, I have no royalties, I was not consulted. The publisher sent me a copy when it was published. That's why I have one. You know that they have been seized by the United States Customs?

Q — No, I didn't know that.

A — Not allowed anywhere in the United States.

Q — Why is that ?

A — Well at first they said because it had the presidential seal on the back, as it has. But since a number of books which are now being sold also have the presidential seal and have not been siezed, it's difficult to understand the basis. Nobody knows. All we know is that a batch that was sent here — Dial Press is the American distributor — and they've been siezed in Customs, and no one can get them in. I brought a couple in myself in my luggage — I didn't know it was against the law at that time, like Cuban cigars or something; you're not allowed to bring in educational tools from other countries now.

Q — Well, some people called this morning and very dogmatically asserted that you were making scandalous profits on this game.

A — It hasn't been sold here at all, so no one's made any profits. Secondly I have absolutely no relationship and I have no interest other than an academic one. I'm interested in the subject but I have no financial interest ~~in~~ at all in it.

Q — Mr. Lane would you hold on just a moment please.

.....traffic report, commercials .....

Q — Mr. Lane, because I want to go into the CBS report, and then Mr. Garrison, and a couple of other oddments, would you mind holding on through the news, please ?

A — I'll be happy to do that.

Q — If you will. And as soon as we come back we'll spend about four or five minutes and then we'll take our leave of you.

A — Certainly.

Q — We had to get over this initial hurdle of what color socks you wore, and what kind of a bank roll you've got. Okay ? Hold on please.

A — Righto.

Q — Thank you. Because we really didn't get into some of the issues, now a lot of people are hung up on this business of how much money Mark Lane is making. I don't know how this bears upon his criticisms of the Warren Commission Report. And as I've said before, even if Mark Lane is absolutely wrong, and the Warren Commission is absolutely right — as a subsequent commission will prove — we are all the wiser and the better. But to say that someone is stirring up trouble in this country by exercizing his right of free speech, and poking holes or showing up shortcomings in the government report, this to me is scandalous and a dreadful ignorance of our style of government .....

.....news, commercials .....

Q -- Mr. Lane, let's get down, please -- I think we've got around this business about your profits and whether you're going to join the plutocracy, in fine style. Now about the --

A -- I'm not against it.

Q -- Pardon me ?

A -- I'm not against that.

Q -- Joining the plutocracy ?

A -- Not at all.

Q -- Neither am I. Now, about the CBS report, would you mind giving us your appraisal of it, please ?

A -- Yeah. I think it was a sort of a Mickey Mouse version of the Warren Report. And I know how CBS puts its programs together -- you know this is not the first CBS documentary on the Warren Report. Back in September, 1964 when the Report was released, the commission (CBS ?) that very day had a documentary called "The 26 Witnesses." Now when we were making our film, a documentary film called Rush to Judgment, also, more than a year ago, we contacted CBS. We talked to Virginia Dillard (?) who is the chief librarian of the film library at CBS, and we asked if we might see the out-takes from that other film. We knew we couldn't buy anything which they had to use on television, but of course in order to wind up with a onehour film you may have a hundred hours of interviewing, and then you edit it. And they gave us permission to look at it, and Emile de Antonio, the film director and a rather famous documentary film maker, and I, went over to CBS, and we spend many hours looking at their out-takes. And we saw this -- absolutely the most shocking thing that I've ever seen done by any television station. The out-takes were all contrary to that which they had on the air. For example: a witness would be standing in Dealey Plaza, and they would ask the witness, "Where did you think the shots came from ?" And the witness might say, "I thought from behind the grassy knoll area." Cut. And then they would ask the question again: "Well maybe from the grassy knoll area and around maybe the book depository building ?" Cut. And they went over it and over it, and then what ended up on the program was: "Where did you think the shots came from ?" "From the book depository building." In other words they cut out everything, putting that first program together, which was contrary to the Warren Commission's findings.

Q -- Mr. Lane, this may strike you as a bit of phony dramatics, but it's imperative that I do this. Would you right now raise your right hand, please ?

A -- Yes, I'm --

Q -- Raise your right hand. Do you swear that that's true, that that is a true statement ?

A -- Yes, I've made that statement to Variety, which has published it.

Emile de Antonio, who~~s~~ was present during the entire thing, has made that statement. We have an exchange of letters with CBS, and the final statement that CBS made was that they would not sell us any of the out-takes, and they charge \$10 a foot if you're going to use it in a film for commercial purposes, which may go on television at \$20 a foot — you know how fast a foot runs through a camera. It would have cost a fortune, but we were borrowing money because we thought this would be a very important thing to document. CBS's final position was: they were going to burn all of that footage, and that they would not sell any of it. And we said, but my God, you have some witnesses who are now dead, you have interviews with them — that's the raw material of history and you're the custodians of it. You cannot destroy it. Their final position was: they were going to destroy all of the out-takes. None of it would ever be seen by anyone again. And that's the story of CBS's original documentary.

Q — Mr. Lane, I'm just — I'm simply appalled if that story is true, and you give us your direct affirmation that it is true. Now look, let me ask you a specific, please ...

A — I'll testify before it.

Q — Hm. Now Mr. Lane, I've only got time for one more question, unhappily. That is this: Now in the long six-page AP piece that was published recently in the Examiner —

A — Yes.

Q — A listener called in this morning and with great perturbation said that on — you may not have it — but on the second page it says that you said Commander Humes burned his notes. Incidentally one of the serious deficiencies of the CBS report was when they had Humes on. All he did was reaffirm what he said before. They didn't ask him about burning his notes. Now it says you said that he burned his notes, whereas in the Warren Commission Report, page 373, Volume II, he calls it a draft. Do you think this is a substantive inconsistency?

A — Why of course not. Of course he didn't burn the final document, which was submitted. Anyway, what page did they say that was on?

Q — Page 373, Volume II.

A — Well, that's a little less important than Volume XVII, Page 48, which I'm now getting. Page 48, and I'll read it to you.

Q — Okay.

A — This is a certificate on the United States Naval Medical School, National Naval Medical Center, stationery, dated Nov. 24, 1963, certificate: "I, James J. Humes, certify that I have destroyed by burning certain preliminary draft notes relating to Naval medical autopsy report" et cetera, and he goes on. These are his original notes. That's all I've ever said.

In fact, in my book I refer to that as his draft notes, as his preliminary notes.

Q — Yeah, let's see; they've got down here, on page 385 Lane says "destroyed ~~xxxxx~~ evidence included the original notes prepared and then burned by Commander Humes after the autopsy."

A — What is — what are original notes other than your original statement? And your original statement is your first statement, which is a draft, of course. I mean the two terms are interchangeable.

Q — Well I don't see anything myself tremendously sinister or significant to it —

A — Is a draft not the first document? And is not the first document the original document? The original notes have been burned, and they are the draft, and that's exactly the point. Those — that's the raw material of history. That's the material that we're entitled to see — not the final typed-up slick copy, which is given in after the government's position as to how many shots there were and where they came from is satisfied. After all that is set, then we have the final version by Dr. Humes, which of course we're now allowed to look at.

Q — Mr. Lane, if that's the only thing that they can hang you up on, it seems to me that's pretty picayune. Now look, I don't have time for any further discussion. .... Thank you very much ..... That was Mark Lane, and I think it only fair to say that while we didn't seem to cover too much, actually what was covered was of very great significance. At least I believe it was. Now I can hardly credit what he had to say about CBS and the so-called out-takes. You heard his direct attestation. I can hardly believe that Mr. J. Edgar Hoover and the FBI would intrude itself into the free publication in this country of a book. But again, you heard his deposition to that effect, and you must make up your own mind. There's much more to be discussed, but this is simply not the forum. ....

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