

Apparently a planted story. See National Guardian, May 9, 1964.

See also AP Feb. 13, 1964, 131 aes, Sterling Green, filed Warren Comm.

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U R G E N T

(240)

FORT WORTH, TEX., FEB. 9 (AP)-AN EYEWITNESS TO THE SHOOTING OF PRESIDENT KENNEDY CAN POSITIVELY IDENTIFY LEE HARVEY OSWALD AS THE ASSASSIN, THE FORT WORTH STAR-TELEGRAM REPORTED IN A COPYRIGHT STORY TODAY.

THE WITNESS, THE STAR-TELEGRAM SOURCE SAID, IS A NEGRO JANITOR, THEN EMPLOYED BY THE TEXAS SCHOOL BOOK DEPOSITORY, WHO WAS ON THE SIXTH FLOOR ON NOV. 22.

THE JANITOR HAS BEEN HELD IN PROTECTIVE CUSTODY SINCE THAT DAY AND SOON WILL BE TAKEN TO WASHINGTON TO TESTIFY BEFORE THE WARREN COMMISSION.

EDWIN O. GUTHMAN, SPOKESMAN FOR THE JUSTICE DEPARTMENT, SAID IN WASHINGTON "THERE IS NO TRUTH TO THE STORY AT ALL AND NO SUCH WITNESS EXISTS."

IN DALLAS, CHIEF OF POLICE JESSE CURRY SAID THROUGH A SPOKESMAN HE KNEW NOTHING OF SUCH A WITNESS.

THE WITNESS' STORY, AS REPORTED BY THE SOURCE, IS THIS:

HE WAS LOOKING OUT A WINDOW AT THE PRESIDENTIAL MOTORCADE WHEN HE HEARD A SHOT, VERY LOUD AND CLOSE. JUMPING BACK, HE SAW OSWALD AT THE NEXT WINDOW, KNEELING, WITH A RIFLE AIMED AT THE STREET BELOW.

THE MAN SAID HE TURNED AND RAN TO A SPOT NEAR THE DOOR LEADING TO THE STAIRWAY, WHERE SOME EMPTY CRATES WERE PILED, AND CROUCHED BEHIND THEM.

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"I WAS SCARED TO DEATH," HE WAS QUOTED AS SAYING. "I THOUGHT HE WAS GOING TO KILL ME, TOO."

THE WITNESS SAID THE SECOND SHOT WAS FIRED AS HE WAS RUNNING TOWARD THE CRATES AND THE THIRD AFTER HE HAD HIDDEN BEHIND THEM. THEN, HE SAID, OSWALD RAN OUT THE DOOR.

"HE ALMOST STEPPED ON ME WHEN HE WENT PAST," THE JANITOR IS REPORTED TO HAVE TOLD OFFICERS.

THE MAN, DESCRIBED AS IN HIS THIRTIES, WAITED A FEW MINUTES, THEN FLED THE BUILDING AND SURRENDERED.

"POLICE SLAPPED A VAGRANCY CHARGE ON HIM SO HE COULD BE HELD," THE SOURCE SAID. "HE WAS JAILED IN DALLAS BUT SINCE HAS BEEN MOVED ELSEWHERE. I DO NOT KNOW THE NEW LOCATION."

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IN SAN FRANCISCO, THE LAWYER RETAINED BY OSWALD'S MOTHER TO DEFEND HER SON SAID HE DIDN'T BELIEVE THE NEWSPAPER'S REPORT.

MARK LANE, TOLD OF THE REPORT BY THE ASSOCIATED PRESS, COMMENTED: "IT'S DIFFICULT TO BELIEVE. I THINK IT'S INCREDIBLE."

HE COMPARED ANY PRODUCING OF SUCH A WITNESS BY THE GOVERNMENT WITH A SURPRISE WITNESS BY THE PROSECUTION AT A TRIAL, BUT ADDED HE DIDN'T SEE HOW THE ALLEGED EYEWITNESS COULD HAVE BEEN KEPT SECRET FOR SO LONG.

LANE, WHO IS HERE ON A LECTURE TOUR SAID HE PLANS TO JOIN OSWALD'S MOTHER IN WASHINGTON TUESDAY, THE SECOND DAY OF HER TESTIMONY BEFORE THE COMMISSION PROBING THE ASSASSINATION.

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