

Lane

JULY 3 1964

CITIZENS' COMMITTEE OF INQUIRY

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FOR RELEASE MONDAY, JULY 6

ALLEGED MURDER WEAPON NOT FOUND IN BOOK DEPOSITORY,  
LANE CHARGES

"SINGLE MOST IMPORTANT EVIDENCE BREAK,"  
SAYS CHAIRMAN OF INDEPENDENT INQUIRY

New York, July 3 -- "The rifle that was found on the sixth floor of the Book Depository Building less than one hour after the assassination is not the same rifle now alleged to be the murder weapon," said Mark Lane, Chairman of the Citizens' Committee of Inquiry today.

Hailing this new proof as "the most dramatic and important evidence break in the case thus far," Lane charged that the Dallas authorities "have switched rifles in order that a rifle allegedly mailed to Oswald's post office box in March appeared to be the murder weapon." Lane, who testified before the Warren Commission on July 2, was permitted to examine the weapon which allegedly was used by Oswald to assassinate President Kennedy.

During January, Lane revealed that he had in his possession a photostatic copy of an affidavit on file in the Dallas District Attorney's office. That affidavit, signed by a Dallas police officer who found a rifle on the sixth floor of the Book Depository Building less than one hour after the assassination, contained the sworn statement by the officer that the weapon was a German Mauser, Caliber 7.65. The following day the Dallas District Attorney stated that the murder weapon was an Italian Carbine, Caliber 6.5 and it was that weapon which was discovered on the sixth floor of the Book Depository Building and erroneously identified by the officer.

Those defending the official view argued that the officer, after examining the weapon, mistakenly concluded that it was a German Mauser, Caliber 7.65, because it bore no identifying markings. Mr. Lane, in his July 2 appearance before the Warren Commission, while examining the rifle read into the record those markings which appeared on the rifle and which were indelibly engraved thereon in large letters. The markings were: "Made Italy" and "CAL 6.5."

"There can be but one explanation," charged Lane, "and that is that the local law enforcement authorities have switched rifles in order to 'prove' Oswald's guilt."

# # # #

# THE DAILY TEXAN

Student Newspaper at The University of Texas

AUSTIN, TEXAS, TUESDAY, APRIL 28, 1964

## Police, Press Receive Blame

# Oswald Lawyer Attacks Distorted Facts

By HAL WOMACK

On Thursday afternoon, April 23, there were probably not 12 people at The University of Texas, in the city of Austin or in any other US communities (with a few exceptions) who were not convinced that Lee Harvey Oswald assassinated John F. Kennedy.

### 'Guilt' Never Doubted

In the five months since the assassination, the investigatory agencies and the press of the US have changed much of the pre-

sentation of the specific facts of the case, but they have not wavered in the vigorous propagation of the theory that Oswald, and Oswald alone, murdered the President.

Beginning almost immediately after the assassination, the continuous barrage of dramatically reported accusations by public officials that Oswald was "without any doubt the killer" have generally persuaded the people of the United States.

Thursday night, however, Austin was added to the growing list

of exceptional—that is, reinterested, critical, and curious—communities in which New York civil rights attorney and former state assemblyman Mark Lane challenged five months of public accusations with two hours of defense. It is almost impossible to believe that after Lane's speech there remained 12 people in an audience of several hundred who did not have reasonable doubts as to the guilt of Lee Harvey Oswald.

### Press Ignored Facts

The large and sudden reversal of the audience's opinion was

possible because Lane raised questions, exposed inconsistencies in the prosecution, and revealed important facts most of which have been effectively ignored by the US news media. The case kept a large audience fascinated for two hours.

The case, which caused many to remain for two and one-half hours more asking public and private questions, has been offered to and rejected by almost every newspaper in the US with the exception of the National Guardian, a weekly published in New York City. The Guardian printed Lane's brief in December and has since followed the case closely.

Some may feel that the two hours of constructive presentation were too long either for the interest of the audience or for the facts that were adduced. Any reasonably unbiased observer can testify to the sustained interest of the audience. As Murray Kempton remarked after the lecture, not only was Lane's speech concise and relevant, but Lane omitted about one third of his case in order to save time.

Here there is space to pose only a few problems raised by the speech which was itself limited by time: How could Dallas District Attorney Wade announce that the case against Oswald for the slaying of Patrolman Tippit was absolutely set when the only eyewitness to the slaying said that the killer approached the police car, leaned on the door and talked to the officer, and then shot the officer when he got out and began to walk toward the front of the car?

And that the killer was short, stocky, and had bushy hair? (Oswald was five feet ten, had thin, blond hair and a receding hairline.)

What about the nine witnesses who were at three key positions and who all heard the shots come from the area of the overpass rather than from the textbook depository (two of whom were standing directly beneath the window from which the shot was alleged to have been fired)?

Why, with hundreds of FBI, Secret Service, and Dallas policemen in radio-controlled cars was the area not blocked off, as it could have been quickly and easily?

### Paraffin Not Proof

Paraffin tests cannot be conclusive proof of having fired a weapon since nitrates found in some soaps and many household products can give the same positive result as nitrates from a gunpowder explosion.

Yet D. A. Wade asserted that Oswald's "paraffin test showed

that the suspect fired a gun." He neglected to state that the tests on Oswald's face were negative. This fact would be significant had the D. A. wanted to assert that Oswald had recently fired a rifle instead of a pistol.

Why were the three changes in the description of the President's position at the time of shooting not more critically questioned by the press? Why at all times was the description of the President's position adjusted to fit the theory that the shots came from the depository?

(First Kennedy was said to have been shot when the car was approaching the depository on Houston street; when pictures and witnesses proved that the car had already turned toward the overpass and after the doctors who operated on Kennedy at Parkland hospital declared the wound above the necktie knot to be an entrance wound it was said that Kennedy had turned around toward the depository.)

### Doctors Confused?

After pictures proved Kennedy to have been facing forward at the moment of the shot, results from the Bethesda autopsy which has still not been made public were leaked to indicate that the wound (on which a tracheotomy was performed at Parkland Hospital) was now an exit wound.)

These are only a few poor rephrasings of some of the questions that were put to the audience Thursday night questions that awakened an uneasy curiosity about the most important single story of this century.

The University of Texas radio will have an opportunity to broadcast the Lane defense—the best-organized presentation of the facts on the most important story of the century. A presentation has not yet been made by the national media.

The broadcasting of the speech and the formation of an active committee would help to justify Mark Lane's last remark before leaving to speak at the University of Oklahoma: "The thing which impressed me most was the open-mindedness of the students in Texas about the case. I do not think that many people outside of Texas are aware of the real concern which seems to exist here regarding this case. The willingness of the students to form so quickly a Citizens Committee of Inquiry is very encouraging. You can be certain that I shall, at future speaking engagements and in written statements about the case, raise my very favorable impression as to the enlightened student response in Texas."

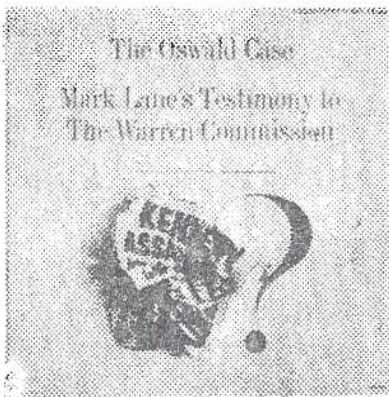


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As Mark Lane illustrates "touching up" on Oswald pictures.

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