

## MARK LANE'S PLAN DRAWS SUPPORT

# Texas attorney urges a defender for Oswald

**T**HE PROPOSAL made by attorney Mark Lane that defense counsel be named for Lee Harvey Oswald in the hearings by the Warren Commission has won support from a prominent Texas attorney. Lane put forth his plan in a brief submitted to the Warren Commission which was published in full in the *GUARDIAN* Dec. 19.

In a CBS-TV program titled "The Law and Lee Oswald," Dec. 29, Percy Foreman of Houston, president of the National Association of Defense Attorneys, said Oswald should be defended before the commission "in the interests of the people." There is no other way that the evidence can be properly evaluated, he said: "The issue is not Lee Oswald; it is the administration of justice. If we don't realize something of value [from the assassination of President Kennedy] he will have died in vain."

**'JUDICIAL LYNCHING:'** Another participant in the CBS discussion, Prof. Paul Freund of the Harvard Law School, tended to agree with Foreman, although he did not endorse the counsel proposal as such. He said:

"Without the appointment of a so-called formal counsel for a deceased defendant, I would surely assume that what Mr. Foreman has in mind will actually be done and done very conscientiously."

Foreman said he felt that Oswald would have been the victim of a "judicial lynching" if he had lived to be brought to trial. It would have been impossible to impanel an unbiased jury, he said, because of the blanket press and television coverage of the assassination.

But inversely, he said, Oswald was probably saved from rougher initial treatment, and a "confession" was not forthcoming just because the eyes of the nation were on the events of the Nov. 22 weekend. He said:

"On the question of confession by violence or psychological extortion, in 35 years and perhaps 35,000 cases, I have never seen a confession not forthcoming if the police so decided."

**COURT PRESS AGENT:** In Dallas, the bizarre handling of the assassination and its aftermath continued with the announcement that Judge Joe B. Brown of District Criminal Court No. 3 had named a public relations firm to handle press arrangements before and during the trial of Jack Ruby for the slaying of Oswald. It was probably the first time in court history that such an arrangement had been made. The firm, Bloom Advertising Agency, is directed by Sam Bloom, a former advertising director of the *Dallas Times Herald*.

Attorney Clayton Fowler, president of the Dallas Criminal Bar Association, commented: "Any time a public event cannot be handled by the public press, there is something amiss . . . It is a dangerous situation for a public official in the trial of a criminal case to use a public relations agency for the trial coverage."

Judge Brown Dec. 23 issued an order barring television, radio or photographic equipment in the courtroom for the hearing or the trial, which is scheduled for Feb. 3. The strict security measures for the Ruby bond hearing were in sharp contrast to the laxness that preceded the murder of Oswald. Ruby is being defended by a battery of attorneys headed by the flamboyant criminal lawyer Melvin Belli of San Francisco. Belli is known as the "king of the torts." He arrived in the courtroom with a lamb-collared coat and Texas cowboy boots and immediately denounced the Dallas press for referring to a detective who accompanied him as a "bodyguard."

Belli made it clear that the Ruby defense would be temporary insanity. During the 10 minutes of posing for photographs Ruby shook hands with several photographers and chatted amiably with the sheriff. Judge Brown made no immediate decision on bond.

**MRS. OSWALD:** In Washington it was announced that James Lee Rankin, Solicitor General of the U.S. in the Eisenhower Administration, would serve as counsel for the Warren Commission with a staff of several lawyers. In the wake of reports that Justice Warren was not satisfied with the FBI report on the assassination, Rankin said: "We must study and explore the evidence beyond the raw material we now have. We plan to go wherever necessary to get the facts." One projected trip was scheduled for Dallas to interview Mrs. Marina Oswald, wife of the slain suspect, who has been held incommunicado by the Secret Service and the FBI since her husband's death.

Mrs. Oswald is "represented" by a business agent named James Martin, a former hotel keeper, who was chosen (by whom it is not said) at the advice of the Secret Service. He issues all statements about Mrs. Oswald (including her mood at Christmas) and is reported in charge of the money and gifts that are arriving for Mrs. Oswald and her children from all parts of the nation. All attempts by the press to see Mrs. Oswald have been thwarted by the Secret Service, and there has been increasing criticism of the federal government on this score.

**ATTACK ON WARREN:** The most prevalent comment is that "brain-washing" of a person held in protective custody is not an uncommon practice. In this instance Mrs. Oswald is perhaps the only person who can shed light on many nagging questions that have arisen in the Oswald case. If, as is happening, she is questioned daily by police officials, it is not inconceivable that her ultimate testimony will be formed and directed by possible pressure and persuasion.

With the end of the mourning period for President Kennedy, the anticipated campaign against the Warren Commission has begun. The *New York Daily News* Dec. 23 in an editorial declared war on the commission and said that the much-leaked FBI report on Oswald (which apparently has found him guilty) has in effect closed the case. The *New York Post* in a Dec. 26 editorial asked:

"What is the News afraid of? Is it fearful that diligent inquiry may introduce new complexity into a case in which it has already rendered its own verdict?"

In Santa Barbara, Calif., the sheriff's office was investigating the hanging in effigy of Justice Warren from the county courthouse flagpole. Accompanying the figure was a sign reading: "Head of the Oswald Whitewash Committee."

**DOCTORS' REVERSAL:** One of the most puzzling silences persisted at the Justice Department headed by the slain President's brother. There were reports that the Justice Department was not entirely happy with the FBI report and was conducting a quiet inquiry of its own. The atmosphere in Washington continued suspicious and troubled. One reporter who has been pursuing the case with unusual vigor and raising questions has been called "unpatriotic" for his efforts.

In Dallas the physicians who first described the controversial bullet wound in President Kennedy's throat as an entry wound reversed themselves after a visit from two Secret Service agents late in December—the first known questioning of the doctors by federal representatives since the assassination.

The reversal brought them in line with the report of the autopsy made at the Bethesda Naval Hospital and the FBI's finding that the wound was an exit wound caused by a shot from the rear. This finding—if factual—would eliminate the doubts raised in the Lane brief and elsewhere that the bullet that killed the President may have come not from the sixth floor of the Texas Book Depository (eliminating Oswald) but from the overpass ahead of the Presidential car. A couple was reported on the radio as being pursued by a policeman immediately after the assassination; but nothing has been heard of that angle since.