

## BEFORE WARREN COMMISSION

# Oswald's mother asks Lane to take up case

By Jack A. Smith

**M**RS. MARGUERITE OSWALD, mother of the man accused of assassinating President John F. Kennedy, has retained Mark Lane, civil liberties attorney and author of A Defense Brief for Oswald (NATIONAL GUARDIAN, Dec. 19, 1963), to represent her late son before an investigation being conducted by the President's Commission on the Assassination of President Kennedy. In a statement to this newspaper Jan. 13 and to the general press the following day (see box, this page), Mrs. Oswald said she contacted the New York attorney because "he was the only one I had faith in."

It is not known whether Lane will be permitted to appear before the commission. According to panel counsel J. Lee Rankin, two days before Mrs. Oswald's disclosure, the commission does not intend to concern itself with the guilt or innocence of Lee H. Oswald. "The commission is not engaged in determining the guilt of anybody," he said. "It is a fact-finding body."

Lane, spearhead of a drive to assure posthumous justice for the 24-year-old ex-Marine, had previously been assured by Rankin in an answer to the Defense Brief and an accompanying letter from Lane that "the views contained in your letter will be given appropriate consideration by the commission prior to the preparation of any final report."

According to Rankin, the commission will devote three to six months investigating six specific areas relating to the bizarre "crime of the century" in Dallas Nov. 22. They are: (1) Oswald's activities on the day of the assassination; (2) his life and background; (3) his career in the Marine Corps and temporary defection to the Soviet Union; (4) his murder by Jack Ruby; (5) Ruby's story, and (6) the conduct of the FBI, Secret Service and Dallas police, who were supposed to protect the President as well as right-wing "hate" movements whose propaganda may have created the psychological climate for murder.

**WIDOW SEQUESTERED:** The counsel also disclosed that Mrs. Marina Oswald, 22-year-old widow of the slain suspect, will testify before the commission later this month. She has been held incommunicado by Secret Service agents since her husband was dispatched by one bullet from Ruby's gun as he emerged under heavy guard from Dallas police headquarters Nov. 24.

Rankin said the commission would depend primarily on information supplied to it by the three agencies whose activities themselves are under scrutiny—including, presumably, reliance on the FBI to disclose whether or not Oswald was an undercover operative for that agency. The Houston Post on Jan. 1 published a front-page report from a staff corres-

## Mrs. Oswald's statement

Following is the statement made by Mrs. Marguerite Oswald, mother of Lee Oswald, to the GUARDIAN Jan. 13, the day before it was to have been released generally to the press.

**I HAVE RETAINED** Mark Lane to represent my son, Lee Harvey Oswald, before the Warren Commission. Last week I placed a long-distance call to Mr. Lane. He is a New York attorney. I asked him to come here because I had something important to discuss with him. He arrived in Fort Worth during the weekend and I asked him if he would represent my son, Lee Harvey Oswald, at the Warren Commission hearings and at the investigation.

I explained to him that I would not be able to pay him now as I was living on the \$863 insurance money along with contributions from people interested in justice. I told Mr. Lane that he was the only one I had faith in. The reason for that faith was that I had read the articles he had written and felt sure I would have some future income if I could write my book and of course have it published and offered to pay him later. True to my sense of justice, Mr. Lane immediately replied that he had never turned down a case yet because there was no fee and that it was too late to start bad habits now. He said he would take the case without any future fee even.

I have over approximately 1,000 letters stating opinions of the lack of trial and verdict of Lee within a few hours time, and of course the fact that he was murdered before he was able to defend the charges against him. This is what motivated me in my decision to continue to fight for our American way of life. I have up until now carried this fight alone. It is with great respect and deep gratitude to have such an individual as Mr. Mark Lane to help me. I know that there are many people who have information about this case, people who can help prove that Lee is not guilty. I pray that anyone with information or who wants to help will write to Mr. Mark Lane, 164 West 79th Street, New York.

Marguerite C. Oswald, Ft. Worth, Texas

pondent indicating that Oswald may have been a paid informer for the U.S. government.

Ruby's trial, scheduled for Feb. 3, promises to be as gaudy and flamboyant as the respective reputations of the defendant, a strip-club operator, and his chief counsel, Melvin Belli, whose ten-gallon cowboy hats have won him a certain local affection in Texas. Dallas District Attorney Henry Wade announced Jan. 6 that an intensive investigation revealed "no evidence whatever" of collusion between local police and Ruby, whose singular presence at the "restricted" scene of Oswald's scheduled transfer to another jail remains unexplained.

**COMMISSION MEETS:** The seven-member commission, headed by Chief Justice Earl Warren, has not convened since before Christmas. A meeting is planned the week of Jan. 19. Explaining the lengthy interval between meetings of a commission charged with so urgent a task, Rankin said Jan. 9 that "it has been difficult to get the members of the commission to meet right away . . . because of their busy, conflicting schedules."

Rankin himself will lead the inquiry into the activities of the FBI, Secret Service and Dallas police, an inquiry concerned specifically with the question of the efficiency of these organizations in protecting the President during his tour of Dallas. The panel undoubtedly will seek to learn why the FBI, aware that a known defector and political maverick was situated along the Presidential motorcade route, did not include him in a

list of persons submitted to local authorities and the Secret Service for surveillance that day.

The commission is expected to be guided in the main by an FBI report stating that Oswald "alone and unaided" shot and killed President Kennedy. In view of its announced rejection of pleas for a defense of Oswald, it does not appear that the commission is prepared to venture beyond the official report save for details concerning the denial of civil rights to Oswald during his two days in police custody and dereliction of duty in protecting the President. "We think it

would be wise," Rankin said Jan. 11, in disclosing what the commission intended to accomplish, "to reassure this country and the world not only that we can protect our President but that accused criminals can be treated fairly."

**WIFE TESTIFIES:** According to reports released through the Secret Service, Mrs. Marina Oswald's testimony before the panel will verify the official version of the assassination. Information that the widow would testify against her husband was first issued six weeks after Oswald was killed, during which time the Russian-speaking woman was not allowed contact with other than government agents or persons approved by the government.

Mrs. Oswald and her two young children are sequestered in a private house in the Fort Worth-Dallas area. All statements allegedly made by her are promulgated by James H. Martin, a motel owner who has been named her "busi-

ness manager" by suggestion of the Secret Service. The statements, obviously, are first cleared by the federal agents.

Martin has repeatedly maintained that Marina Oswald was "free to come and go as she pleases" but prefers the protection of the Secret Service. When Mrs. Oswald's friends or relatives have attempted to see her, they have been told she prefers to be alone. Officials of the Dallas Civil Liberties Union were rebuffed Jan. 10 in a letter said to have been written by Mrs. Oswald herself.

"Let me thank you for the attention you are giving me," the note said in Russian. "I don't think you have anything to worry about. What you read in the newspapers—everything is correct. I don't object to the Secret Service guarding me. I am only grateful for their time. I am free to go where I want and see whom I please. I myself don't want to see anybody to remind me of what has happened. I hope you understand. When I feel I'm ready, I would see with pleasure Mrs. Paine, who is a very nice person. I hope you also understand that I lived in a strange house. I wouldn't want to inconvenience anyone as kind as Mrs. Paine with the visitors I would be sure to receive. I also give much time to visits with the FBI. I also want to thank you again for being so kind as to worry about me. I repeat I am in as good a position as one can expect me to be after what has happened."

Mrs. Paine is the woman who befriended the Oswalds and extended hospitality to them for two months before the murder.

**PRESSURE INDICATED:** Mrs. Oswald was said to have implicated her husband first in a statement Dec. 31 allegedly made by her to Martin, who announced it to the press. At that time, she was said to have charged that her husband "admitted" firing at Maj. Gen. Edwin Walker in Dallas earlier last year. On Jan. 7, the world was told that Mrs. Oswald "was convinced that her husband assassinated Kennedy." The following day, Oswald's mother said she did not believe the wife actually made such a statement. On Jan. 9, it was asserted through Martin that Mrs. Oswald "was convinced by the evidence against her husband."

It is being increasingly speculated that Mrs. Oswald—alone, frightened, unaware of her rights, unable to speak English and hidden for two months by agents of the Secret Service and FBI—has been pressured and manipulated into assuming her present attitude—an attitude which apparently did not manifest itself until the sixth week of her ordeal.

**COUNTER-AGENT?** The Houston *Post* article was the second by a large daily newspaper questioning whether Oswald was an undercover agent for the FBI. The Philadelphia *Inquirer* first posed this question Dec. 8. *Post* writer Lon Hudkins asked: "Was Lee Harvey Oswald a stool-pigeon for a federal government agency? That's the question being asked by many people in responsible positions here."

The article stated that Oswald had been in contact with Joseph Hosty, FBI agent in Dallas. "He had Hosty's home phone, office phone and car license number," Hudkins quoted Dallas assistant district attorney Bill Alexander as saying. When he questioned Oswald's mother, the reporter said, she would not confirm or deny that her son had been "an informant in anti-subversive work."

Hudkins said the failure of the FBI to inform local police of Oswald's whereabouts the day Kennedy was assassinated has "led to speculation by police and the sheriff's deputies in Dallas that Oswald might have been an informant because, as one put it, 'you just wouldn't think to check out one of your own stoolies.'"