

ROBERT F. KENNEDY
NEW YORK

United States Senate

WASHINGTON, D.C.

November 30, 1966

Honorable Ramsey Clark
Office of the Attorney General
Department of Justice
Washington, D. C.

Dear Ramsey:

Could you have the FBI talk to her please?

Sincerely,

Joseph F. Dolan
Administrative Assistant

turn over to [unclear]

*File
with*

129-11
DEPARTMENT OF JUSTICE R
27 JAN 23 1967
MAIL
ATTORNEY GENERAL

WESTERN
TELEGRAM

WESTERN UNION
TELEGRAM

WESTERN UNION
TELEGRAM

Angie? Joe?

XAO17 PORT WORTH TEX VIA HYANNISPORT MASS 23

ROBERT KENNEDY

MACLEAN VIR

A INVESTIGATION NECESSARY. WITNESSES NOT CALLED BEFORE

PERSON WHO ARE IMPORTANT TO THE KILLING OF YOUR BROTHERL

ELATE SON. PLEASE BE KIND AND CONSIDERATE

TO CONTACT ME IN REGARD TO SUCH INFORMATION

MARGUERITE OSWALD 4029 BYERS

129-11		R E D
DEPARTMENT OF JUSTICE		
27	JAN 23 1967	
R.A.O.		D

FMW:DCS:agg
File: 129-11

R. E. B.

JAN 10 1967

cc: Files ✓
White House
Stephenson
Copeland

Honorable Burt M. Henson
California Assembly
34 South Chestnut
Ventura, California

Conf 1/10

Dear Mr. Henson:

President Johnson has asked me to thank you for your thoughtful letter of November 22, 1966, recommending that he direct the Warren Commission reconstituted to consider the critics' objections and to issue a supplemental report as a "rebuttal." The President appreciates having your views concerning this matter.

*J.S.
M.P.
(Hanson)
Z*

Your letter states that the group on whose behalf you wrote has confidence in the Warren Commission findings, although you know many people who have serious doubts. We, too, believe that the evidence amply supports the basic conclusions of the Commission. It is noteworthy that the authors who have criticized the conclusions of the Warren Commission do not claim to have any significant new evidence, so far as we are aware. Rather, their criticisms and demands for a new inquiry are based upon different conclusions they have drawn from parts of the same body of evidence that was examined by the Commission.

The President is grateful for the good wishes which you expressed for his recovery and for your words of support and encouragement.

Sincerely yours,

INSPTD AND MAILED
COMMUNICATIONS SEC
JAN 10 1967 9

Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel

THE WHITE HOUSE OFFICE

REFERRAL

To: Acting Attorney General

Date: November 25, 1966

ACTION REQUESTED

- Draft reply for:
 - President's signature.
 - Undersigned's signature.
- Memorandum for use as enclosure to reply.
- Direct reply.
 - Furnish information copy.
- Suitable acknowledgment or other appropriate handling.
- Furnish copy of reply, if any.
- For your information.
- For comment.

NOTE

Prompt action is essential.

If more than 48 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Description:

Letter: Telegram: Other:

To: The President

From: Burt Henson, State Assemblyman, California

Date: November 22, 1966

Subject: Urges reconstitution of the Warren Commission to consider the critics' objections

129-11

~~129-012-3~~

By direction of the President: NOV 28 1966

Clifford L. Alexander, Sr.

Clifford L. Alexander, Sr.
Deputy Special Counsel
to the President

OFFICE OF LEGAL COUNSEL

(Department or Agency copy)

STATE CAPITOL
SACRAMENTO 14

DISTRICT OFFICE
34 SOUTH CHESTNUT
VENTURA

Assembly California Legislature

COMMITTEES
WAYS AND MEANS
NATURAL RESOURCES, PLANNING
AND PUBLIC WORKS
PUBLIC HEALTH
WATER
JOINT COMMITTEE
TIDELANDS

BURT M. HENSON
MEMBER OF THE ASSEMBLY, THIRTY-SEVENTH DISTRICT
VENTURA COUNTY
VICE CHAIRMAN
ASSEMBLY COMMITTEE ON WAYS AND MEANS

November 22, 1966

The Honorable Lyndon B. Johnson
President of the United States
White House
Washington, D.C.,

Dear Mr. President:

I am writing in behalf of a small group of local democrats who meet periodically to discuss public affairs.

First of all, we hope that your operations have been successful and that you will soon recover fully.

Secondly, we appreciate your recent travel to the far east. You probably hear only complaints about Viet Nam. But we know you inherited this situation from two previous administrations and we applaud the firm and decisive action you have taken in that area.

Thirdly, we regret the publicity given critics of the Warren Commission report on the Kennedy assassination. We have confidence in the Warren Commission findings but we know many people who have serious doubts. We recommend that you direct the Warren Commission reconstituted to consider the critics' objections and to issue a supplemental report as a "rebuttal" with maximum graphic and television coverage.

Lastly, we think you are a great President and we support you and we thank you for your courageous action in many difficult situations.

Sincerely,



Burt Henson
State Assemblyman

BH/vw

Deputy Attorney General

NOV 15 1966

RECEIVED

Mr. Shannon will be
back at work Monday,
and, if the letter is to be
addressed, must be
that day (Monday).

There is already record
Action.

ATOPSY DESCRIPTIVE SHEET KMS PATH-8 (1-53)

AUTOPSY

NO. 1 DATE 11-23-43 HR. STARTED 10:00 HR. COMPLETED 11:00

NAME: _____ RANK/RATE _____

DATE/HOUR EXPIRED: _____ WARD _____ DIAGNOSIS _____

PHYSICAL DESCRIPTION: RACE: _____ Obtain following on babies only:

Height _____ in. Weight _____ lb. Hair _____ Color _____

Color eyes _____ Pupil _____ mm, Lb. _____ mm

WEIGHTS: (Grams, unless otherwise specified) Crown-heel _____ in.

LUNG, RT. 53.30 KIDNEY, RT. 13.75 Crown-heel _____ in.

LUNG, LT. 53.290 KIDNEY, LT. 140 Circumference _____ in.

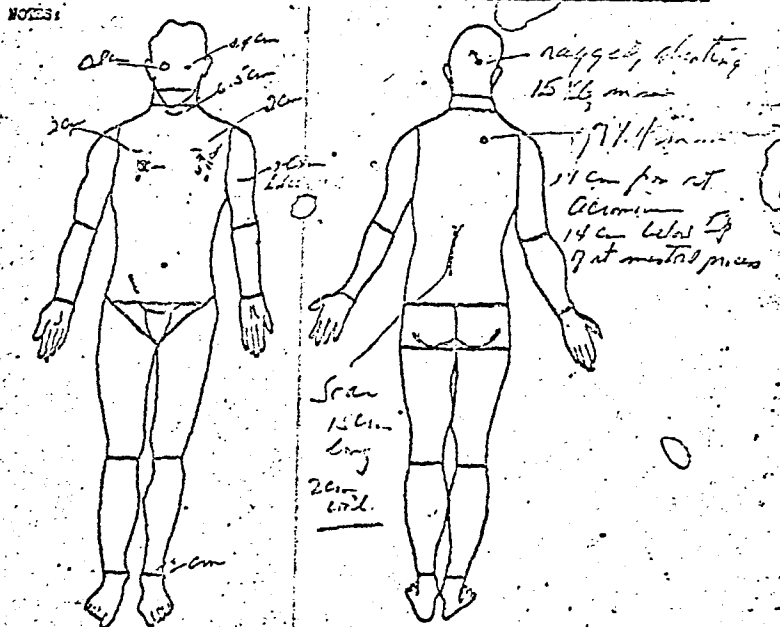
BRAIN _____ LIVER 1.00 PANCREAS _____

SPLEEN 90 HEART 1.50 THYROID _____

TESTES _____ UTERUS _____

HEART MEASUREMENTS: A 7.5 cm. P 7 cm. T/A 1.6 cm. V 16 cm.

LPM 1.5 cm. R/M 1.4 cm.

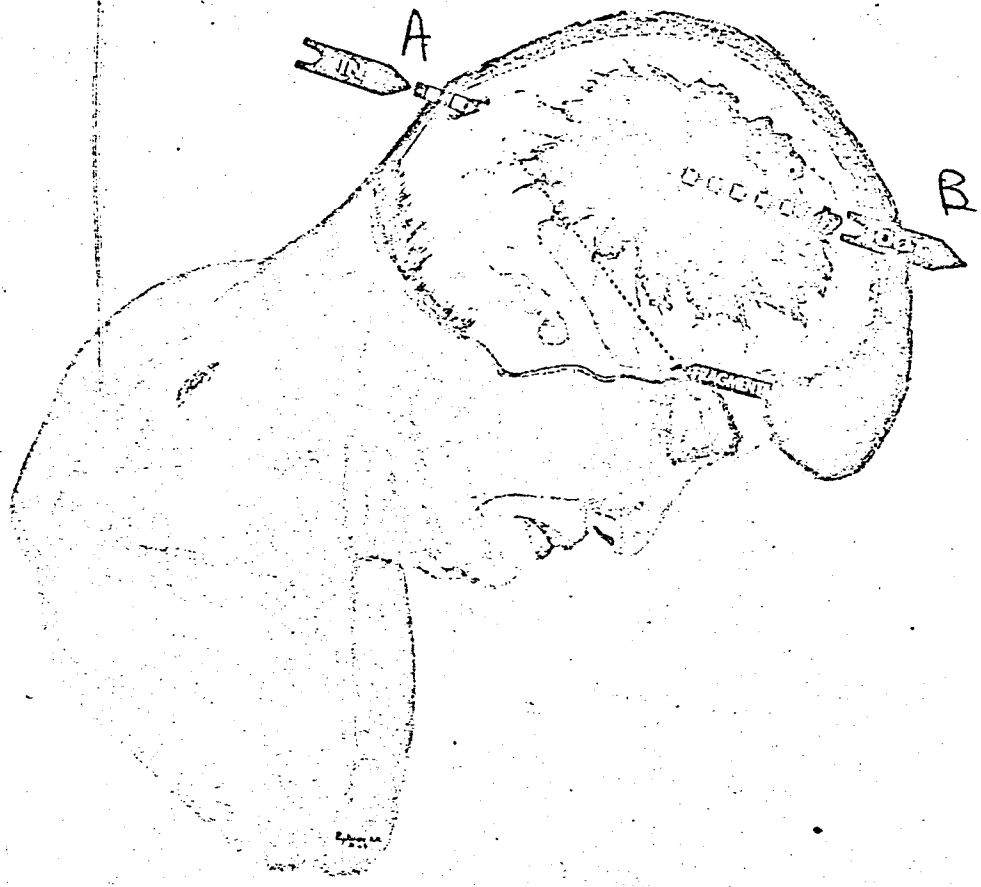


Pathologist _____

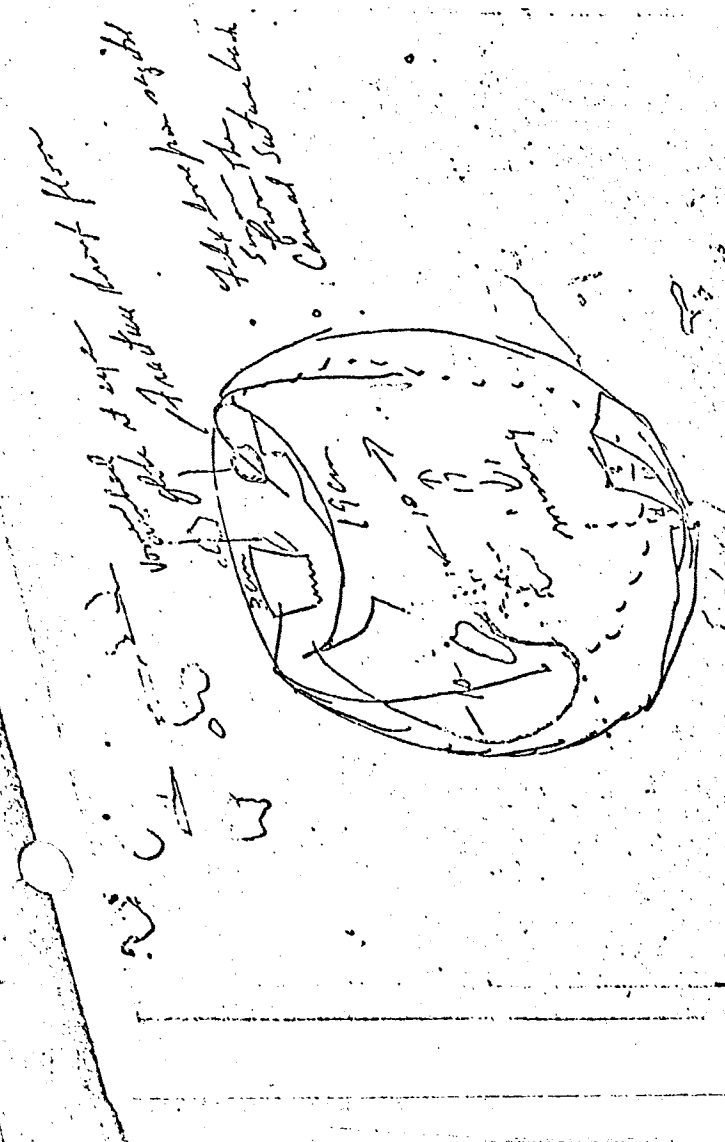
supra -
a part of
neck. The
throat, spinal
cord
The inside
of the
arterial
structures in

to be
examined
interior
of that
the

but the
chest
the
injury



COMMISSION EXHIBIT 388



COMMISSION EXHIBIT 397—Continued
 Memorandum Exhibit "4"

FMW: CFS: gml

cc: FILES
Mr. Simms
Mrs. Copeland

129-11

20530

NOV 17 1966

Mr. Robert L. Oswald



7C

Handwritten signature
11/17

Dear Mr. Oswald:

I have been asked to reply to your letter requesting information as to whether title to Warren Commission Exhibit No. 2466 was vested in the United States pursuant to Public Law 89-318.

Title to the items described in Commission Exhibit No. 2466 has been vested in the United States. For your further information, I am enclosing a copy of the Federal Register of November 1, 1966, which contains a copy of the Acting Attorney General's determination pursuant to Public Law 89-318 (page 13968, et seq.).

Handwritten initials
JH
AD

Yours truly,

Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel

Enclosure

INSPTD AND MAILED
COMMUNICATIONS SEC.
NOV 17 1966 RRL

Form No. DJ-96a
(Rev. 7-17-63).

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<i>Mr. C. F. Semmes</i>			
2.				
3.				
4.				

SIGNATURE COMMENT PER CONVERSATION
 APPROVAL NECESSARY ACTION AS REQUESTED
 SEE ME NOTE AND RETURN NOTE AND FILE
 RECOMMENDATION CALL ME YOUR INFORMATION

ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
 PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS

Charles. In the event you wish me to reply would you kindly return?

Regards,

FROM:	NAME	BUILDING, ROOM, EXT.	DATE
	<i>J. Kelly</i>	<i>Rm 2118</i>	

Mr. Calla

RECEIVED
7C
1966
November 4, 1966
CRIMINAL DIVISION

United States Department of Justice
Washington, D. C. 20530

attn: Mr. Fred M. Vinson, Jr.
Assistant Attorney General
Criminal Division

Dear Mr. Vinson:

In reference to your letter of May 19, 1966 advising me that I would be advised on the final decision in regard to the Commission's Exhibit #2400 and pursuant to Public Law 89-318. As I understood your letter, this would be done on or before November 1, 1966.

Since I have not been advised as of this date and do not have access to the Federal Register, I would appreciate being advised promptly on the disposition of those items under my jurisdiction as listed in Exhibit #2400 as appearing on pages 639 and 640 in volume 25 of the Commission's Report.

Yours truly,

Robert L. Oswald

Robert L. Oswald

RIO/sc

registered air mail
return receipt requested

CERTIFIED

NOV 7 1966

REGISTERED / 1330

129-11
E. M. B.

FMW: CFS: gml

cc: FILES
Mr. Simms
Mrs. Copeland

D.A.K.

20530

NOV 16 1966

129-11

Mr. Walter T. Skallerup, Jr.
Deputy Assistant Secretary of
Defense Security Policy
Department of Defense
Washington, D.C. 20301

Aut 11/16

Dear Mr. Skallerup:

This is in reply to the letter from your office dealing with our use of the term "classified defense information" in describing certain material relating to the Warren Commission investigation that is still being withheld from public inspection.

FM

The use of that term in responding to inquiries from private citizens concerning the availability of the unpublished records of the Warren Commission was not intended to suggest that all of the classified information relating to the Commission's investigation, which has not been declassified and released to the public, is information that was classified within the Department of Defense. Rather, those words were used in describing the withheld classified documents because the words "defense information" are the precise words used in Executive Order No. 10501 of November 3, 1953, to describe the sole class of information that is subject to classification under that Executive Order. It was felt that the use of the exact terminology of the Executive Order would tend to minimize claims that the withheld documents are improperly classified.

However, in the future we will refer to such information as "classified security information" rather than "classified defense information" in an effort to avoid having the classification of such material attributed to your Department.

Sincerely,

INSPTD AND MAIL
COMMUNICATIONS SECT
NOV 16 1966 R.R.L.

Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel

OFFICE OF
THE ATTORNEY GENERAL



October 21, 1966

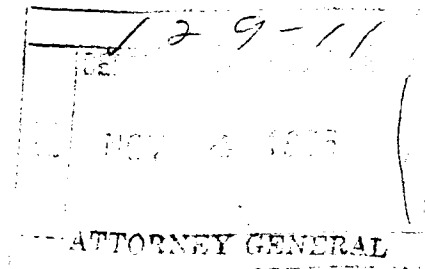
MEMORANDUM FOR

Ramsey Clark
Acting Attorney General

Re: Assassination of President Kennedy

It would seem that we might want to be a little more cooperative than this, although we would run the risk of setting precedent for other inquiries.

J.F.F.
J.F.F.



t 10/18/66
FMV:RCN:gld
129-11
ref 10/19/66 NEK:al

October 20, 1966

Honorable Robert F. Kennedy
United States Senate
Washington, D. C.

Dear Senator:

This is in response to your communication of October 14, 1966, transmitting a letter from [redacted] in which your constituent expresses concern over the possibility that Mr. Jack Ruby might receive a lesser prison sentence should he be again convicted.

As you know, the crime for which Mr. Ruby swears trial involved not a Federal matter, but a violation of Texas law and comment by an agency of the Federal Government would be most inappropriate. Such impropriety is not lessened by the fact that the judicial procedures have not as yet reached a final determination.

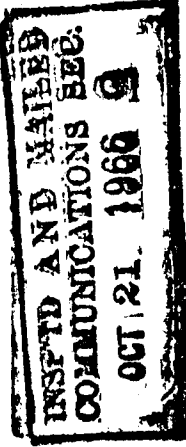
As always, it is a pleasure to be of assistance. I am returning your enclosure herewith.

Sincerely,

Fred M. Vinson, Jr.
Assistant Attorney General

Enclosure ✓

cc: Records ✓
Chron.
Mr. Nalley
Mr. Vinson
Deputy Attorney General



Justice

Att

[Redacted]

7c

10 October 1966

Senator Robert F. Kennedy
New Senate Office Building
Washington, D. C. 20510

Dear Senator Kennedy:

It is little wonder that crime grows daily on our streets when our system of justice allows Jack Ruby to kill a man in front of millions and face, if convicted, a mere three year prison term. Our courts are fast becoming a mockery.

I am deeply concerned and would appreciate your comments.

Very truly yours,

[Redacted Signature]

7c

7c [Redacted] emb
Att.

October 9, 1966

Fred M. Vinson, Jr. Assistant Attorney General
U. S. Department of Justice
Constitution Avenue & 10th Street, N.W.
Washington, D.C. 20530

Re: Proscribed Federal Statute Exist

Dear Mr. Vinson, Jr.:

The State of Texas, having no jurisdiction over Smith Act, passed 1940, by Congress of the United States, which Act was "knowingly" and "willfully" violated by "destroying by force" and "violence" the executive government of the United States, November 22, 1963, by Lee Harvey Oswald, lacks the jurisdiction to try Jack Ruby.

Sincerely yours,

[Redacted signature block]

7C

ASSISTANT ATTORNEY GENERAL
CRIMINAL DIVISION

Department of Justice
Washington 20530

RECEIVED

OCT 13 1966

CRIMINAL DIVISION

September 30, 1966

[Redacted address block]

7C

Dear [Redacted]

- 7C

Attorney General Katzenbach has asked me to reply to your letter of September 19, 1966.

With the exception of certain specified instances, such as where the act is committed on Federal property, the crime of murder has been traditionally reserved to the jurisdiction of the several states. The Tenth Amendment to the Constitution places within the scope of state authority all matters not specifically delegated to the Federal government. At the time of the assassination of President Kennedy and subsequent killing of Oswald, then, such acts amounted to violations of the law of the State of Texas since no Federal statute proscribed them when committed under those circumstances.

It is my hope that the above discussion proves informative. Your interest in writing to the Attorney General is appreciated.

Sincerely,

Fred M. Vinson, Jr.

FRED M. VINSON, Jr.
Assistant Attorney General

129-11
OCT 11 1966
CRIMINAL GEN. CRIME SEC.
C. P.

t10/11/66
FMV:HWA:ls

ret 10/18/66
FMV:mfc
129-11

October 13, 1966

**Mr. Joe H. Tonahill
Tonahill Building
Jasper, Texas 75951**

Dear Mr. Tonahill:

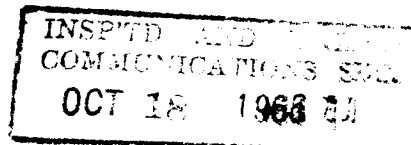
The President has asked me to thank you for sending a copy of Judge McDonald's concurring opinion in the Jack Ruby case.

You must have been very gratified by the court taking special note of your contribution and stating that you "exemplified the highest standards of the legal profession".

Sincerely,

**Fred M. Vinson, Jr.
Assistant Attorney General**

70
Records
Chrono
Mr. Abell
Mr. Vinson



THE WHITE HOUSE OFFICE

REFERRAL

To: The Attorney General

Date: October 8, 1966

ACTION REQUESTED

- Draft reply for:
 President's signature.
 Undersigned's signature.
- Memorandum for use as enclosure to reply.
- Direct reply.
 Furnish information copy.
- Suitable acknowledgment or other appropriate handling.
 Furnish copy of reply, if any.
- For your information.
- For comment.

NOTE

Prompt action is essential.

If more than 48 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Description:

Letter: Telegram: Other: Document

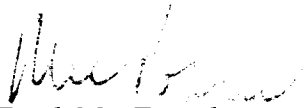
To: The President

From: Joe H. Tonahill, Tonahill Building, Jasper, Texas 75951

Date: Pmd 10/5/66

Subject: Copy of Concurring Opinion -- Court of Criminal Appeals of Texas, Jack Ruby, Appellant, No. 37,900 -- by Judge McDonald; commends Mr. Tonahill's conduct during court proceedings.

By direction of the President:


Paul M. Popple
Assistant to the President

(Copy to remain with correspondence)

COURT OF CRIMINAL APPEALS OF TEXAS

JACK RUBENSTEIN, alias
JACK RUBY, APPELLANT

NO. 37,900 VS. - - - - APPEAL FROM DALLAS COUNTY
THE STATE OF TEXAS, APPELLEE

CONCURRING OPINION

I agree with the result reached by Presiding Judge Morrison in his opinion reversing this case. However, I desire to elaborate more fully on the error of the trial court in refusing to grant the motion for change of venue. I shall recite in detail some pertinent facts in the case pertaining to the venue question.

The trial of this cause started February 10, 1964, with a change of venue proceeding. It culminated the following March 14, 1964, with the death penalty verdict. The hearing on venue and subsequent proceedings took place in the same building to which Lee Harvey Oswald was being moved at the time he was shot. This same Ruby trial building is situated approximately one hundred yards from where Lee Harvey Oswald assassinated President Kennedy two days previously.

It is apparent from the record that President Kennedy's assassination occurred at a site on a Dallas Street so close to the Ruby trial courthouse that it could be seen daily by the jurors. At the time of this trial this location was being visited by the public who were placing wreaths at the historic spot out of respect to President Kennedy. Traffic was even then becoming jammed in the area by spectators.

Dallas was being blamed directly and indirectly for President Kennedy's assassination and for allowing the shooting of Oswald by Ruby. The feeling and thought had been generated that Dallas County's deprivation of prosecuting Oswald could find atonement in the prosecution of Ruby. The writer feels it fair to assume that the citizenry of Dallas consciously and subconsciously felt Dallas was on trial and the Dallas image was uppermost in their minds to such an extent that Ruby could not be tried there fairly while the state, nation and world judged Dallas for the tragic November events

Ruby, 2.

The press had a field day with stories stating directly, indirectly, by hints and innuendoes that a Communist conspiracy existed between Oswald and Ruby. Ruby was referred to as a "tough guy," a "Chicago mobster," a strip-joint owner. Anti-Semitism against Ruby was sparked by pretrial publicity that Ruby's name had been changed from Rubenstein to Ruby.

The strong local prejudice against Ruby was reflected in the refusal of the County operated Parkland Hospital to permit Ruby to undergo neurological testing for the purpose of determining his organic brain condition for trial purposes.

The trial judge retained the services of a prominent public relations counselor to handle the courtroom seating, the press, the trial publicity, and public relations in advance of the venue hearing and for the entire trial. Some 300 members of the news media occupied most of the seats in the courtroom.

The fact of the shooting of Oswald had been seen on television many, many times on that fateful day, November 24, 1963, in the Dallas County area, by countless thousands of citizens. This alone precluded Ruby from receiving a fair and impartial trial by a Dallas County jury. A fair and impartial trial is the rightful boast of western civilization.

Against such a background of unusual and extraordinary invasions of the expected neutral mental processes of a citizenry from which a jury is to be chosen, the Dallas County climate was one of such strong feeling that it was not humanly possible to give Ruby a fair and impartial trial which is the hallmark of American due process of law.

The late, eminent Mr. Justice Frankfurter stated in his concurrence, in Irving v. Dowd, 366 U. S. 717, 729, 730: "* * * rudimentary conditions for determining guilt are inevitably wanting if the jury which is to sit in judgment on a fellow human being comes to its task with its mind ineradicably poisoned against him. How can fallible men and women reach a disinterested verdict based exclusively on what they heard in court when, before they entered the jury box, their minds were saturated by press and radio for months preceding by matter designed to establish the guilt of the accused? A conviction so secured obviously constitutes a denial of due process of law in its most rudimentary conception."

Ruby, 3.

Ten of Jack Ruby's trial jurors witnessed the shooting of Oswald on television. They were challenged for cause under Article 616, V.A.C.C.P., which prohibits a witness serving as a juror. Such challenges for cause were summarily dismissed and disposed by the trial judge with dispatch.

Other than the testimony on voir dire of jurors Shields and Malone, we shall pretermit detailing the voir dire examination of the jurors.

Juror Shields witnessed the shooting on television. She was objected to as being a witness to the offense as well as the others who saw it on television. The trial court refused to grant Ruby an additional peremptory challenge so that he could remove her as a juror. Ruby moved the Court to swear Juror Shields as a witness and the Court refused.

Juror Malone was a witness to the shooting on television and was objected to as being disqualified under Article 616, V.A.C.C.P. She knew that from what she had witnessed on television that Oswald was shot in the Dallas Police Station November 24th and subsequently died as a result of being shot with a pistol. It was the most extraordinary thing she had ever witnessed.

Nothing could remove her fixed knowledge of Oswald's being shot in the Dallas Police Station. The only thing she did not know about the case as a fact was who fired the gun. All other issues pertaining to the shooting of Oswald were firmly and permanently fixed in her mind. She subsequently learned from television that it was Ruby who shot Oswald.

The trial judge seated her as a juror over the protest of Ruby's counsel who insisted upon being given additional peremptory challenges in order that she might be challenged as an objectionable juror.

The crux of Juror Malone's disqualification as a juror is explicitly reflected in the following excerpt during her voir dire examination:

Q: "But you do say that from what you have seen and read, it is firmly fixed in your mind that this extraordinary shooting you witnessed was to the effect that Oswald was shot that Sunday morning, in the police station, and the only thing you don't have fixed in your mind is who did it. Is that right?"

A: "That's right."

Ruby, 4.

Mr. Tonahill: "May it please the Court, we exercise and invoke Article 616, Code of Criminal Procedure, and ask that the lady be excused for cause."

The Court: "Overrule your challenge."

Mr. Tonahill: "Exception."

Article 616, V.A.C.C.P. (6) commands and requires that witnesses to the charged offense cannot serve as jurors. The Supreme Court of the United States in Rideau v. Louisiana, 373 U. S. 723, has held that such objectionable jurors as Shields and Malone were, in effect, witnesses to the offense. Further, that Court has held that even non-witnesses who have been saturated with prejudicial news releases and rumors, and who hold a state of mind as objectionable jurors Shields and Malone possessed were not qualified as fair and impartial jurors, Irvin v. Dowd, supra.

There can be no difference to the competency of a witness who has heard via telephone or radio, or saw a matter through a mirror or field glasses, and a witness who has viewed a matter on television. A contrary holding would undermine the sound principles underlying the utilization of a scientific amplification and reproduction of sensory events, and thus unduly hamper the work and function of the triers of fact. In short, the television viewer meets the established criterion of personal observation required for a witness' competency. Estes v. Texas, supra. The State operated from this inevitable and certain principle when it introduced the television film of the shooting of Oswald before the jury as direct evidence of the shooting.

The trial court could not, consistent with the due process, assume that the objectionable jurors Shields and Malone were endowed with a sense of detachment, so clear in introspective perception of their own mental processes that they could possibly exclude even the unconscious influence of their preconceptions as to all the established facts except identity of Ruby. Their mental processes were engendered by a pervasive pretrial publicity which denied Ruby his guarantee of a fair trial by a

Ruby, 5.

panel of "impartial, indifferent" jurors; because, "the failure to award an accused a fair hearing violates even the minimal standards of due process." Irvin v. Dowd, supra, at 722.

Against this background of crystalized opinions of the existence of the material issues with which the State was burdened to prove, Jack Ruby was forced to trial under the most adverse, unusual and extraordinary circumstances that this member of this Court has yet had occasion to consider.

It is stated in Estes v. Texas, supra:

"A defendant on trial for a specific crime is entitled to his day in court, not in a stadium, or a city or nationwide arena. The heightened public clamor resulting from radio and television will inevitably result in prejudice. Trial by television is, therefore, foreign to our system."

It was established below on the hearing for change of venue, the jury voir dire, and the quick verdict that the firmly established legal principles of law in this state and nation cried out for a change of venue of this case, which would guarantee Ruby the fair and unprejudiced trial which he failed to receive. At the same time, such transfer would cast no reflection, indictment against, or a challenge to the honesty, integrity or inability of the Dallas citizenry to give such. Rogers v. State, 236 S. W. 2d 141.

In the brief of the Friends of the Court, and during his oral argument at the Bar before this Court when he appeared under the designation of this Court as "Friend of the Court," trial counsel Tonahill ably urged and pointed out this basic principle of our jurisprudence which this Court has consistently followed.

The principles compelling a change of venue have been enunciated by this Court many times. Streight v. State, 138 S. W. 742; Coffman v. State, 136 S. W. 779; Williams v. State, 283 S. W. 2d 239; also see: Cortez v. State, 69 S. W. 537 and Manley v. State, 137 S. W. 1137.

The general rule that a change of venue lies within the sound discretion of the trial judge has to give way when an unfair jury is forced

Ruby, 6.

on one charged with crime.

It is to be noted that all twelve of Ruby's jury entertained some conception of his guilt, one way or the other. The people of Dallas County had been exposed repeatedly and in great depth to the actual shooting of Oswald on television re-runs. In a similar case, Rideau v. Louisiana, supra, the Supreme Court of the United States did not bother to look to the transcript of the voir dire in reaching its determination as to prejudice:

"* * * We do not hesitate to hold, without pausing to examine a particularized transcript of the voir dire examination of the members of the jury, the due process of law in this case required a trial before a jury drawn from a community of people who had not seen and heard Rideau's televised interview. * * *"
373 U. S. 723, 727.

This Court has been furnished with many outstanding briefs and many oral arguments were made by a battery of very able lawyers on both sides. This writer has been especially impressed with the conduct of Honorable Joe Tonahill. Through much stress and strain, misunderstanding among client and appellant's relatives, he has exemplified the highest standards of the legal profession, remained true to his duty, and done an outstanding job in briefing and presenting this case before this Court.

I concur in the reversal of this cause.

McDonald, Judge

(Delivered October 5, 1966.)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Files

DATE: October 7, 1966

FROM : W. David Slawson *WAD*
Office of Legal Counsel

SUBJECT: Warren Commission

Burke Marshall asked Harold Reis whether the Commission had actually considered Kennedy's clothes and the photographs and x-rays in connection with the autopsy. Harold asked me to find out. I called Norman Redlich and he said this was all dealt with in Dr. Hume's testimony and he agreed with me that so far as he knew the Commission had not seen either photos or x-rays.

The relevant testimony is in Volume II, pages 347 et seq. References to x-rays and photos are:

when taken 349

are of value 350

photos not available for purposes of making exhibits 350

disposition of both 372

possible use of photos by doctors 352, 369

use of x-rays by doctors 353 (2 references), 355, 361, 364, 372

Commission itself not see either 371-72

(See also the autopsy reports at 542-43 and 545 of the Report volume.)

WAD
Wf
R

129-11	
DEPARTMENT OF JUSTICE R	
10	OCT 11 1966
<i>File</i>	

On page 365 the doctor testified that the front shirt rip indicated an exiting bullet. On page 366 he testified why the shirt and jacket holes were lower than the body holes.

The relevant statute, P.L. 89-318, 79 Stat. 1185, reads in part:

"It is hereby declared that the national interest requires that the United States acquire . . . certain items of evidence, to be designated by the Attorney General pursuant to Section 2 of this Act, which were considered by the President's Commission . . . and requires that those items be preserved by the United States."

I would therefore tell Marshall that neither photos nor x-rays were seen by the Commission or its immediate staff, but that the x-rays were an integral part of the doctor's autopsy, i.e., a tool, and the photos, although not a tool, are taken as a matter of course in all autopsies of persons suspected to have died violent deaths and serve as a record of the autopsy, especially a record of appearances that are destroyed by the autopsy itself.

As to the clothes: the jacket, shirt and necktie, all containing bullet holes, were seen by the Commission and given Commission exhibit numbers. The other clothes were given FBI exhibit numbers but not seen by the Commission, because of a staff determination that they were not relevant to anything (except possibly by reason of the fact that they did not contain bullet holes). A number of other FBI numbered exhibits were similarly winnowed out by staff review of the items in the FBI's possession.

FIELD MESSAGE

UNCLASSIFIED CLASSIFICATION

U. S. INFORMATION SERVICE

FROM: USIS OTTAWA
TO: USIA WASHINGTON
REF: CA-019m July 6, 1966
SUBJECT: Montreal STAR Editorial Dismissing Hostile Critiques of the Warren Report

21
MESSAGE NO.
October 6, 1966
DATE

RECEIVED
OCT 13 1966
CRIMINAL DIVISION

AGENCY USE

70
ACTION

IAE

INFO

- I/C
- I/R
- IOP/R
- IOP/G
- IGC
- IME
- ICS
- IB S
- IPS

STATE
CIA
JCS

The following editorial from the Montreal STAR, criticizing conclusions raised by Mark Lane's book, "Rush to Judgment," may be of value to the Agency in countering criticisms directed at the findings of the Warren Commission. The editorial, "Who Killed Kennedy," appeared in the STAR on September 10, 1966. The text follows:

"Books about the murder of Lincoln still appear more than a century after his spectacular death at the hands of Booth. It is hardly surprising, therefore, that the first rush of books on the murder of Kennedy should now become available. These are taking the form of hostile critiques of the Warren Report. One of them, Mark Lane's "Rush to Judgment" declares bluntly that the Warren Commission 'covered itself with shame.'

"Nobody would claim that the commissioners have the last word on the assassination, but they were all men of such established reputation and integrity that it is all but impossible to say that their behavior was shameful. Prima facie, therefore, Mr. Lane's thesis is improbable, that thesis being that the shots that killed Kennedy were not fired from the book depository and not by Oswald. They were, he believes, fired from a 'grassy knoll' nearer the railway overpass by a person or persons unknown.

"His charge against Chief Justice Warren and his colleagues is that they swallowed whole the reports from the FBI and the Dallas police, that they made no serious effort to follow up other leads, that they wanted to wrap the whole business up as quickly as possible with the dead Lee Oswald as the fall guy who couldn't talk back.

"Why should they do this? Mr. Lane does not explain except that the political establishment of the United States felt it would leave a sense of unease, disquiet and instability unless a murderer was quickly found, and the whole thing swept under the rug.

"Mr. Lane's analysis of the conflicting testimony of eye-witnesses is the bulk of his book. This is standard procedure for any defence lawyer and everybody knows how easy it is to do. It is the job of a judge and jury to appraise this mass of conflicting evidence and come to some common sense conclusion about it.

"The fault of Mr. Lane's conclusion is that it does not make sense, and his

BP:RGCKNESS:ML

DRAFTED BY

UNCLASSIFIED CLASSIFICATION

129-11

DEPARTMENT OF JUSTICE

10 OCT 12 1966

R.A.O.

ACTION COPY

CRIMINAL GEN. CRIME SEC.

UNCLASSIFIED
CLASSIFICATION

PAGE 2 OF

ENCL. NO. _____

FIELD MSG. NO. 21

FROM OTTAWA

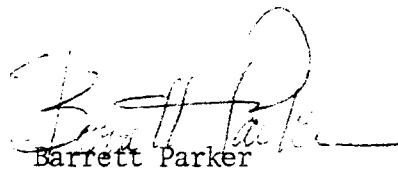
book would have been stronger if he had not applied to the later murder of the policeman, Tippit, the same analytic technique which he presents with so careful a selection and omission of his facts that the procedure becomes absurd. Mr. Lane says there is no proof that Oswald shot Tippit although any jury would undoubtedly have found him guilty.

'Mr. Lane's book has been described by one reviewer as the first-class job of a defence lawyer with a weak case. That's about the size of it. There may be a case against the Warren Report. If Mr. Lane had it, he spoiled it.

'But Mr. Lane's extravagance is fully matched by the book's introduction written by Hugh Trevor-Roper, Oxford's regius professor of history. Mr. Trevor-Roper plunged into an attack against the Warren Report when it was published. He got such a thumping from his university colleague, John Sparrow, of All Souls College (who went a long way to proving that Trevor-Roper had written his article before he had read the report), that one would imagine he would now be more careful. Not a bit of it. He appears to find in Jack Ruby, the wretched, squalid little man who murdered Oswald, the key to the mystery:

'Ruby's movements and contacts,' he writes, 'before the assassination, like those of Oswald, were unexplored. Today Ruby is the only man who might still, at first hand, reveal the truth.'

"That beats all."



Barrett Parker

Country Public Affairs Officer

UNCLASSIFIED
CLASSIFICATION

FIELD MESSAGE

UNCLASSIFIED CLASSIFICATION

DO NOT TYPE IN THIS SPACE

U. S. INFORMATION SERVICE

Fisher 46

FROM: USIS LONDON

29

TO: USIA WASHINGTON

MESSAGE NO.

REF:

September 22, 1966

DATE

SUBJECT: Rebuttal to Two Books Critical of Warren Commission Findings

AGENCY USE

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1PS

Two British publishers will bring out books within the week which are critical of the Warren Commission findings in the assassination of President Kennedy. The books are Mark Lane's "Rush to Judgment" published by The Bodley Head and Edward Jay Epstein's "Inquest" published by the Viking Press. Publication dates are September 22 for the Lane book and September 27 for Epstein's.

When the post first learned that the books were to be published here (See FM 17, dated August 17, 1966), steps were taken to mitigate their impact. Among these steps was an approach by the Cultural Attache, Dr. Edward D. Myers, to Professor Arthur L. Goodhart suggesting that he might be interested in preparing reviews rebutting the criticisms contained in the books. Professor Goodhart was selected because he is one of Britain's most respected legal authorities, having been, before his retirement, Professor of Law and Master of University College Oxford. Professor Goodhart is a member of the U. K. - U. S. Educational Commission and, before going to Oxford, was Professor of Law at Cambridge, Yale and Harvard Universities.

Professor Goodhart agreed to undertake the project. His review of the two books will appear this Sunday, September 25, in the Sunday Telegraph. Copies of his review, in his own handwriting, are enclosed.

It is hoped that the review, appearing in one of England's leading papers almost simultaneously with the two books, will have some effect in preventing an uncritical acceptance of their adverse "evidence."

STATE.
CIA.
JCS

Norman P. Scott
Norman P. Scott
Acting Public Affairs Officer

Enclosures (as stated) -5 copies

FILE

UNCLASSIFIED CLASSIFICATION

129-11
DEPARTMENT OF JUSTICE
27 DEC 5 1966
ACTION COPY
OFFICE OF LEGAL COUNSEL

N. P. Scott:db

DRAFTED BY

T. 10-20-66
FMV:RCM:skw
129-11

October 21, 1966

[Redacted]

7C

Dear [Redacted] - 7C

This will acknowledge receipt of your letter and enclosure of October 4, 1966 addressed to President Johnson.

Those individuals who possessed information pertinent to the events in Dallas were given ample opportunity to present same to the President's Commission on the Assassination of President Kennedy while it remained in session. At the present time, I am aware of no plans to reopen the Commission's inquiry.

Sincerely,

FRED H. VINSON, Jr.
Assistant Attorney General

Records ✓
Halley(2)
Chrono

INSPTD AND MAILED
COMMUNICATIONS SEC
OCT 21 1966 R.R.R.

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DE

A

10-4-66

President Lyndon B. Johnson
 White House
 Washington 25, D.C.

Dear President Johnson:

Enclosed is copy of letter
 from Senator Thomas H. Kuchel
 and our reply.

Respectfully yours

[Redacted signature block]

17

act

129-11
 DEPARTMENT OF JUSTICE
 31 OCT 11 1966
 COMM-FEDERAL SEC

E. H.

THOMAS H. KUCHEL
CALIFORNIA



United States Senate

September 21, 1966

RECEIVED

OCT 17 1966

CRIMINAL DIVISION

[Redacted]

7C

Dear

[Redacted]

7C

I feel the special commission which investigated circumstances surrounding the lamentable assassination of former President Kennedy, headed by Chief Justice Warren, was a dedicated body, determined to pursue its difficult assignment with objectivity and earnestness, and performed a valuable public service.

The members were outstanding, knowledgeable, conscientious American citizens, including several of the most widely-respected Members of Congress, and I am confident they were aware constantly of the importance of their task. They are the type of individuals who by habit are painstaking and thorough.

I am in no position, on the other hand, to judge the competence or qualifications of various lesser-known authors of the several critical commentaries which have appeared lately casting doubt on the validity of the so-called Warren Commission's conclusions.

Sincerely yours,

THOMAS H. KUCHEL
United States Senator

K:Fh

lamentable ??? IS THAT ALL ?

Dear Mr. Senator:

With all due respect to all, "outstanding, knowledgeable, conscientious American citizens" -----

Has there ever been a time when the minority, (however correct) was not made up of lesser known individuals ...etc. ?

Again, we urge action for an honest review of the Warren Commission Report

[Redacted] 7C

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XERO COPY

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	Mr. Tolson			
2.	Mr. DeLoach			
3.	Mr. Mohr			
4.	Mr. Casper			

- | | | |
|---|---|---|
| <input type="checkbox"/> SIGNATURE | <input type="checkbox"/> COMMENT | <input type="checkbox"/> PER CONVERSATION |
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| <input type="checkbox"/> SEE ME | <input type="checkbox"/> NOTE AND RETURN | <input type="checkbox"/> NOTE AND FILE |
| <input type="checkbox"/> RECOMMENDATION | <input type="checkbox"/> CALL ME | <input type="checkbox"/> YOUR INFORMATION |
| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS

I thought you might be interested in this F.B.I. report involving the Warren Commission. Note particularly the threat to sue to get access to information - also the fact that it appears that each name is using an alias in acquiring statements. *OFF*

FROM:	NAME	BUILDING, ROOM, EXT.	DATE

Typed:10/11/66
FMV:RCN:sz
129-11

October 12, 1966

[Redacted]

7C

Dear [Redacted] - 7C

President Johnson has brought to my attention your letter and enclosure of September 23, 1966 suggesting that clarification be made of the findings of the Commission on the Assassination of President Kennedy in light of the theories put forth in several recently published works.

Those individuals who possessed information pertinent to the events in Dallas were allowed ample opportunity to present same to the Commission while it remained in session. At the present time, I am aware of no plans to reopen the inquiry of the Warren Commission.

Your interest and concern in writing to the President are appreciated.

Sincerely,

FRED M. VINSON, Jr.
Assistant Attorney General

Records
Chrono
Nalley

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9-23-66

President Lyndon B. Johnson
White House

Washington 25, D.C. 20503-11

DEPARTMENT OF JUSTICE

Dear President Johnson:

SEP 24 1966

R.A.O.

CRIM.-GEN. CRIME SEC.

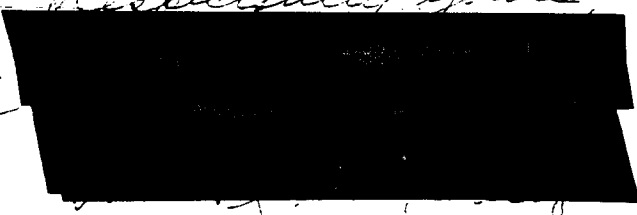
RECORDED

Enclosed is a copy of letter from Congressman Chet Hollifield, replying to a wire. I felt obligated to reply to Congressman Hollifield's letter.

The same wire was sent to both Senators Murphy and Kuchel, neither of whom have replied to date.

Respectfully yours,

7C



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XERO COPY

COMMITTEE ON
GOVERNMENT OPERATIONS
CHAIRMAN: SUBCOMMITTEE
ON MILITARY OPERATIONS

CHET HOLIFIELD
19TH DISTRICT, CALIFORNIA

DISTRICT OFFICE:
HAROLD W. LANE,
FIELD REPRESENTATIVE
FLORENCE M. ODEMAR
9125 EAST WHITTIER BOULEVARD
PICO RIVERA, CALIFORNIA
PHONE: RAYMOND 3-6561
OXFORD 2-2242

JOINT COMMITTEE ON
ATOMIC ENERGY
CHAIRMAN

Congress of the United States

House of Representatives

Washington, D.C. 20515

September 12, 1966

WASHINGTON OFFICE:
DOROTHY DUNN MORRISON,
ADMINISTRATIVE ASSISTANT
LILIAN M. PHILLIPS
2469 RAYBURN HOUSE OFFICE BUILDING
PHONE: 225-3976



RECEIVED

OCT 6 1966

U.S. HOUSE OF REPRESENTATIVES

Dear Friends:

Thank you for your recent communication urging action for the reviewing of the Warren Commission Report.

I have complete faith in the thoroughness and accuracy of the Warren Commission's Report. No evidence supports the notion that any group or person other than Oswald was directly involved in the assassination.

Sincerely yours,

Chet Holifield
CHET HOLIFIELD

CH:lm

Dear friend:

You are evading the issue. Either knowingly, or through ignorance. And of the two, ignorance is the harder to overcome. Therefore we urge that you avail yourself of information relating to the ambiguities and incongruities in the Warren Commission's Report.

With regard to your answer to our previous request, we don't know, whether Oswald was guilty of the assassination or not. This we believe, should be established legally.

Over- Please

However, our request was not on this point, although a review of the "Report" would necessarily also dwell on this area.

We recognize that we speak as a minority. But in order to preserve and establish democratic procedures, such procedures must be open to criticism. It then follows that minority opinion must be heard and minority questions answered and satisfied.

Certainly we are not the only ones seeking redress of our conscience through an honest review of the "Report"

There is much at stake, with absolutely nothing to lose.

If ???... there is to be pain... let it be today with pride. Not tomorrow with repentance and shame.

PLEASE, do not turn your back on this request too readily.

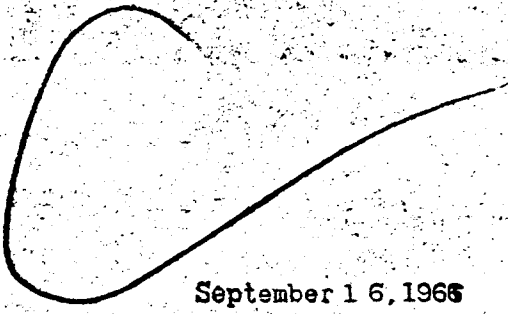
As your constituents we request a Review of the Warren Commissions Report.

Sincerely,


7C

P.S. Truth and justice are not the rewards of --- "FAITH."

Typed: 9/12/66
FMV: TES: sz
129-11



September 16, 1966



7C

RECEIVED
FEB
9 SEP 21 1966

Dear [redacted]

7C

On behalf of President Johnson I wish to thank you for your letter dated August 3, 1966 concerning allegations made by Mr. Mark Lane. He always appreciates the helpful interest of those who write and make their views known to him.

At the present time, I am aware of no plans to reopen the inquiry of the Warren Commission. You may be interested to know, however, that Mr. Lane appeared as a witness before the Commission on two different occasions and thus had ample opportunity to disclose to appropriate officials any and all information which he had in his possession.

Your confidence in writing to the President is very much appreciated.

Sincerely,

FRED M. VINSON, Jr.
Assistant Attorney General

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SEP 16 1966 R.R.R.

DEPARTMENT OF STATE
OFFICE OF OPERATIONS

RECEIVED
SEP 6 1966
CRIMINAL DIVISION

September 6, 1966

Attorney General
Department of Justice
Constitution Ave. & 10th St. N.W.
Washington, D. C. 20330

Dear Sir:

The attached letters referred to the Department by the White House appear to contain subject matter that should be handled by your agency.

It would be appreciated if you would send the White House a copy of each reply to the Attention of Mr. Frank Matthews, White House Central Files, Room 68, Executive Office Building, Washington, D. C.

Sincerely yours,

Ronald J. Simon

Donald J. Simon
Chief, Records Services Division

Enclosures:

1. English Language ltr to the Pres. dtd Aug. 3, '66. From: [REDACTED] 7C

2. English Language ltr to the Pres. dtd July 28, '66. From: [REDACTED] 7C

3. English Language ltr to the Pres. dtd Aug. 2, '66. From: [REDACTED] 7C

4. English Language ltr to the Pres. dtd Aug. 7, '66. From: [REDACTED] 7C

cc:
White House Central Files
ATTENTION: Mr. Frank Matthews
Room 68
Executive Office Building
Washington, D. C.

129-11

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CRIMINAL-GEN. CRIME SEC.	

2000

ST. 10

Justice
Montego Bay, Jamaica
August 3, 1966 (cont)
Justice

The President
The White House
Washington, D.C.

Dear President Johnson,

I am writing you because I feel
an obligation as a citizen to call
for an investigation of the Warren
Report. If you would just read
MORIS JONES' Book to Judgment,
you would see why we should
have an investigation. If you
want to know what has happened
to your people, this is
the answer: An inadequate
investigation of the assassination
was held, and people are just
now beginning to realize it.

Please let me know what
you are doing about re-opening
the investigation of the assassination.
Yours sincerely,

P.S. WRITE ME AT HOME: 7C
Incl. 1084



37020

OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
 CHARGE TO

LIMITED OFFICIAL USE

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ACTION: Amembassy MOSCOW PRIORITY

Aug 29 3 30 PM '66

REF: Moscow 1000

STATE 37020

- Embassy authorized execute demarche and press treatment on our reply Warren Commission Report protest contained State 35513 with following change in text oral statement: para 2, last sentence should read QUOTE Despite the content of some of these publications the USG does not interfere with their distribution ... UNQUOTE
- Dept/USIA agree value DCM ref to TRUD article.

GP-3

End

RUSK

Drafted by: KUR:SOV:WDMorgan:jj 8/29/66	Tel. Ext.	Telegraphic transmission and classification approved by: KUR:SOV:CBWoods
Clearances: SOV - Mr. Pratt USIA/IAS - Mr. Davies <i>RTD/WDM</i>		KUR/P - Mr. Jerabek <i>RTD/WDM</i> P - Mr. Tobey (subst.) <i>WDM</i>

LIMITED OFFICIAL USE

FMW:DCS:em
File:129-11
Honorable William Proxmire
United States Senate
Washington, D. C. 20510

cc: Files ✓
Wozencraft
Dep. A.G.
Stephenson
Copeland

Dear Senator Proxmire:

This is in reply to your request for the comments of the Department of Justice on a letter to you from [REDACTED] 7c

University, calling your attention to an article in The New York Review of Books and asking that you urge the United States Senate to reopen the question of President Kennedy's assassination. The article is entitled, "The Second Oswald: A New Theory of Kennedy's Assassination," and, in the opinion of [REDACTED] casts reasonable doubt on the competence of the Warren Commission. 7c

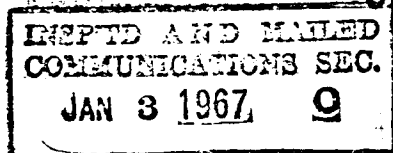
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The author of this article, later published as a book, and the other authors who have criticized the conclusions of the Warren Commission do not claim to have any significant new evidence, so far as we are aware. Rather, their criticisms and demands for a new inquiry are based upon different conclusions they have drawn from parts of the same body of evidence that was examined by the Commission. The Commission made a thorough inquiry and detailed analysis of the facts concerning the assassination. The evidence amply supports the basic conclusions of the Commission. In these circumstances, we see no basis for a new inquiry.

I hope that the foregoing information may be useful to you in replying to [REDACTED] As requested, his letter is returned herewith. 7c

Sincerely,

Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel

Enclosure



ORIGIN/ACTION

EUR-6

DEPARTMENT OF STATE

AIRGRAM

POL 6 US/KENNEDY
John F.

FOR RM USE ONLY

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NO.

HANDLING INDICATOR

TO : Department of State

FROM : Amlegation BUDAPEST

DATE: July 25, 1966

SUBJECT: New Series Articles on Kennedy Assassination

REF :

Beginning on July 3, Magyar Nemzet, widely-read daily organ of the Hungarian People's Patriotic Front, began a series of eight articles entitled "The Open Questions of the Kennedy Assassination," which questioned the findings in the Warren Commission Report. The series drew heavily on Fred COOK's two articles in the June 13 and June 20 issues of The Nation which appeared, from the Hungarian articles, to be based largely on the analysis of a film taken by a spectator named Abraham ZAPRUDER. The bulk of the argument advanced by the series is not that Lee Harvey OSWALD is not guilty but that his guilt is shared by a second assassin who fired a second shot following the one that initially hit the President. All eight articles will not be summarized here inasmuch as they are almost direct translations of the Cook pieces. There follow, however, excerpts from the introduction to the Magyar Nemzet series and the conclusion:

"More than two years and a half have elapsed since the shots that killed President Kennedy were fired. Chief Justice Warren's committee had examined the circumstances of the assassination for a long time. They published their findings in many reports, including a recent publication containing material proofs.

"Nevertheless, the 'crime of the century' has become even more mysterious. It was to disclose these contradictions and to raise unanswered questions that Fred COOK, the noted American news analyst, undertook when he started writing his book. Fred Cook had acquired world reputation with his former revelatory studies on the FBI, the American extreme right wing,

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FORM 4-62 DS-323

DEPARTMENT OF JUSTICE
FOR DEPT. USE ONLY
10 AUG 2 1966 ER

Drafted by:

POL:EAlexander:ssb 7/21/66

Contents and Classification Approved by:

R. W. Tims

Clearances:

LIMITED OFFICIAL USE

Budapest A- 30
Page 2 of 3

and the militarization of the power machinery of the U.S. In his analysis he demonstrated that, contrary to the official view, President Kennedy was not assassinated by one man. Fred Cook does not dare make farther reaching statements than this - he may at best hint at the possibility of a conspiracy in the background. It is by all means worth while paying attention to his hypothesis because leading American intellectuals have just stated in their White Book that the inhuman acts of American foreign policy can only be explained by the coming into power of an uninhibited cabal. Can there be a connection between the Kennedy assassination and the beginning or the more and more aggressive aggressivity of the Johnson era? Let the reader judge it on the basis of Fred Cook's study..."

The final article, following the eighth drawn from Cook's analysis, is entitled "The Lessons Taught By a Series of Articles," includes the following passage:

"We printed Fred Cook's study on the 'Crime of the Century' in eight instalments. Judging by the lively interest our readers have shown for these articles, we are gratified to know that we did right when we published the series. Astounding facts are revealed in Fred Cook's analysis ... At the time we read most attentively the articles on the private investigations of LANE the lawyer who tried to prove Oswald's innocence and we acquainted our readers with the ideas of BUCHANAN and JOESTEN, but they all supplanted their own hypotheses for the official one. Fred Cook set out on another road. He does not want to concoct sensational theories and hypotheses. All he did was to subject the report of the Warren Commission to a microscopic analysis, and to point to its glaring contradictions.

"A Ph.D. thesis appeared the other day in the United States on the Kennedy assassination. (This is probably a reference to "Inquest: The Warren Commission and the Establishment of Truth" by Edward Jay Epstein -ea,) The author says that neither the influential members of the Warren Commission nor the President himself wasted energy and time on examining the circumstances of the assassination... The government did not expect the Commission to follow up the data that could not be concerted

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LIMITED OFFICIAL USE

Budapest A- 30
Page 3 of 3

with the official explanation... When Chief Justice Warren left President Johnson at the time, there were tears in his eyes. Were those the tears of gratitude, emotion or of shame that he had to undertake such an ignominious role?"

Needless to say, the Kennedy assassination has never been a forgotten issue in Hungary and speculation on the "true facts" continue privately and publicly. This series, however, represents the most acute attack on the Warren Report in Hungary yet, easy as that was made for Magyar Nemzet by The Nation. Even as the series was appearing, Valosag, the monthly organ of the Society for the Dissemination of Scientific Knowledge, reviewed at length a book published by the Stanford University Press entitled "The Kennedy Assassination and the American Public. Social Communication in Crisis," edited by B.S. GREENBERG and E.B. PARKER, which appears to be a statistical analysis of the event, investigating such matters as what percentage of the American public knew within one hour what had happened; what percentage considered Oswald a left-winger, the sole assassin, or hired by someone else; what percentage burst into tears on hearing the news, or couldn't sleep that night. The reviewer concludes by saying that the book is a valuable contribution not only to completing a sociological picture of the tragic events but to contemporary history as well.

O'SHAUGHNESSY

EG RWT

Typed: 7/28/66

FMY:HWA:kg
129-11

August 1, 1966

7/23

Honorable Thomas H. Kuchel
United States Senate
Washington, D. C.

Dear Senator:

This refers to the letter you received from [redacted] and forwarded to this Department on July 23, 1966. [redacted] states she heard there is consideration being given to public auctioning of letters written by Jack Ruby during his imprisonment. She feels the letters may be significant in his case now under review and that they may have historical significance.

7C

7C

Under the Act approved November 2, 1965 (Public Law 89-313, 89th Congress) the Attorney General has authority to determine, within one year from the effective date of the Act, what items of evidence considered by the President's Commission on the assassination of President Kennedy shall be acquired and preserved by the United States, and title to such items shall vest in the United States upon publication of that determination in the Federal Register. Publication listing all items to be acquired and preserved in conformance with the foregoing Congressional enactment will appear in the Federal Register not later than October, 1966, but presumably the letters mentioned by [redacted] were never items of evidence considered by the Commission and are not covered by the enactment.

Nell
7/27/66

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7-28-66
HWA

CWP
DH
7/28/66

The trial of Jack Ruby took place in the courts of the State of Texas. One of the basic questions is that of Ruby's insanity. Possibly the letters might have some value to the State for the purpose of determining criminal liability. This, the State officials will have to decide. There is no authority for the Federal Government to confiscate the letters or to intervene in their disposition.

Records
Chrono
Mr. Abell
Mr. Vinson
DAG

7C

As requested, the original letter received from [REDACTED] is returned herewith. It is a pleasure to serve you in this matter. 7C

Sincerely,

FRED M. VINSON, Jr.
Assistant Attorney General

Enclosure ✓

United States Senate

July 23, 1966

Respectfully referred to
Department of Justice
Washington 25, D. C.

RECEIVED
JUL 26 1966

DEPARTMENT OF JUSTICE

for such consideration as the communication
herewith submitted may warrant, and for a report
thereon, in duplicate to accompany return of
inclosure.

11 JUL 28 1966 E.B.

encl -

By direction of
THOMAS H. KUCHEL

K:Wu

GPO 16-7284-1 [redacted] S. S.

Re: [redacted] protests alleged public auction of
Ruby letters.

encl -

7C

July 9, 1966

Dear Senator,

I have just learned via a televised news broadcast that certain letters penned by Jack Ruby during his imprisonment are being considered for public auction.

Not being fully aware of the entire contents of these letters, I am none-the-less certain that these items and any other items involved with the Ruby case should be considered with care in the event that they could be of some significance in determining his case.

I feel that all pertinent data, previously known and as yet to be ascertained, should be kept under the restriction and care of an official agency where control and assimilation

of the facts can be undertaken in the pursuance of a clear and definite conclusion.

I further believe that all data concerning Jack Ruby's case and the incidents leading up to his actions should be entrusted to the permanent trust of a federal agency when his case is ultimately resolved. For this is a unique case with unquestionable historical significance and I feel strongly that all data surrounding its occurrence should remain intact in a secure and lasting place under federal jurisdiction.

Respectfully,

[Redacted]

7C

College Student

Age 19

[Redacted]

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