

(Drafted 9/30/75)

## FOREWORD

### 1975 Foreword by the author

Momentous and tragic events have taken place since the original foreword to this book was written in December 1966. We have seen the assassinations of Martin Luther King and Robert F. Kennedy and the attempted assassination of George Wallace. We have experienced the Pentagon Papers, the White House horrors, and Watergate. We have been outraged by revelations about the CIA and the FBI, <sup>governmental agencies</sup> which have been exposed as repeated violaters of the law and trespassers against our constitutional rights and personal liberties. The CIA stands revealed as a co-conspirator with the Mafia in plans for the assassination of Fidel Castro, a violater of the privacy of the mails including letters of Senators, Congressmen and Presidential candidates, and custodian of lethal toxins in disregard of and contempt for a Presidential directive. The FBI stands self-confessed as a practitioner of illegal breaking-and-entering, a wild asserment of sordid harassments and intimidations, and in the case of the assassination of President John F. Kennedy, as an agency which has concealed and destroyed material evidence.

As this is written, there have been two attempts to assassinate President Gerald R. Ford, a former member of the Warren Commission; and a man has been apprehended who states that he and others have been training to execute Ford and Senator Edward M. Kennedy in the summer of 1976.

~~Assassination has become one of the most frequently used words in the American lexicon (and behaves increasingly like an epidemic)~~

In the wake of Watergate--which demonstrated that a wide conspiracy could function at the highest levels of Government--there has been a tremendous resur<sup>g</sup>ence of doubt about the Warren Report and its thesis of the lone assassin. The Warren Report is leaky, crumbly, and disintegrating <sup>es under any investigation that questions</sup> at every significant point in the trinity of motive, means, and opportunity. The

credibility of the Warren Commission and its lawyers remains under keen suspicion, and the reputation of two of the Commission's main investigatory arms—the FBI and the CIA—has collapsed.

The passage of time and the uncovering of new information has not invalidated the arguments, reasoning or conclusions of the first-generation critics of the Warren Report. On the contrary, new evidence which has come to light from a variety of sources, including the Warren Commission's unpublished documents in the National Archives, has served to vindicate the claims made by the critics almost a decade ago. Let us look at a few examples.

#### The Non-Arraignment

In Chapter 17 I examined the description given in the Warren Report of the supposed arraignment of Lee Harvey Oswald for the murder of President Kennedy. The chapter sets forth circumstances which produced the impression that the whole account of the arraignment was a fabrication, implicating high Dallas officials and casting an ugly light on the Commission's competence and zeal to establish the truth so far as it could be known.

Some years later I obtained from the Archives a Warren Commission document (CD 5 page 400) which is an FBI report on information obtained by Special Agent James P. Hesty, Jr., from the office of Captain Will Fritz, chief of homicide of the Dallas Police, on November 25, 1963. The final paragraph of the document states:

"No arraignment on the murder charges in connection with the death of President Kennedy was held inasmuch as such arraignment was not necessary in view of the previous charges filed against Oswald (e.g., the Tippit murder—S.M.) and for which he was arraigned."

The Warren Commission, in the face of this explicit denial as well as the other circumstances detailed in Chapter 17, nevertheless included in its Report a fable of arraignment. One must ask if, in so doing, the Commission and its staff have not implicated themselves in a flagrant falsification.

### Oswald's Visit to the FBI

Chapter 8 discusses Oswald's allegation that he visited the FBI office in Dallas to protest what he regarded as harassment of his wife by the same Special Agent Hesty mentioned in connexion with the so-called arraignment. It describes how Marina Oswald and Ruth Paine dismissed Oswald's report of his visit to the FBI as a boast and a fabrication, based on the FBI's denial of such a visit by Oswald. It proceeds to present reasons why Oswald's allegation was credible and probably quite truthful.

In August 1975 the FBI conceded the truthfulness of reports published in the press that Oswald had indeed visited the FBI Dallas office. He had left a letter there. The FBI, <sup>destroyed Oswald's letter</sup> shortly after the assassination ~~had destroyed Oswald's letter~~ and had concealed the visit from the Warren Commission. The destruction of the letter is now under study by the Justice Department with a view to possible prosecution of those responsible.

As suggested on page 216 of this book, it was Oswald who told the truth and the FBI which lied. This same FBI which suppressed and destroyed vital evidence was the central investigatory body for the Warren Commission. There is, then, even more compelling reason now than in 1967 to distrust and repudiate the investigation and the official conclusions.

### The Alibi

In Chapter 2, the section "The Sixth Floor at Noon" reviews and rejects the assertions in the Warren Report about an encounter between witness Charles Givens and Lee Harvey Oswald which the Commission claimed placed the so-called assassin in proximity to the "sniper's nest" shortly before the shooting. It points to the internal contradictions and illogic of the Givens story and suggests that his testimony raised the possibility of perjury

and collusion.

In 1970 I obtained from the Archives a series of documents and internal reports of the Warren Commission, all dealing with Charles Givens. From those papers, it was possible to reconstruct a picture entirely different from that given in the Warren Report.

Charles Givens had never mentioned any encounter with Oswald on the sixth floor at noon before April 1964, when his testimony was taken by counsel David Belin. Rather, Givens had told the FBI on the day of the assassination that he had seen Oswald on the first floor, reading a newspaper, in the domino room, at 11:50 a.m. On that day and subsequently, Givens had never mentioned any return to the sixth floor. David Belin knew this when he took Givens' testimony, but he did not challenge him. Belin knew also that three witnesses in addition to Givens, independent of each other, had stated that they had seen Oswald on the first floor ~~at~~ at 11:50 a.m., noon, and 12:15. Yet the Warren Report falsely alleges that no one saw Oswald after the so-called encounter with Givens until after the shooting.

A detailed account of the Givens affair is given in an article published in The Texas Observer of August 13, 1971 and reprinted in the anthology, The Assassinations *Political Assassination* (Vintage *Random House* Press, 1976). It reveals ~~an inescapable aura~~ <sup>the possibility</sup> of perjury, subornation of perjury, and collusion surrounding the testimony elicited from Givens by Belin and the story enshrined in the Warren Report.

#### The Autopsy Reports

The heart of the forensic evidence in the assassination consists of the autopsy and medical findings and the autopsy report, discussed in Chapter 5. That chapter cites numerous reasons for concluding that the undated autopsy report published by the Warren Commission is unreliable and unsupported by the evidence, with which it repeatedly collides.

The Commission, on the basis of the undated autopsy report, asserts that President Kennedy was struck first by a bullet that entered the back of his neck and exited at the Adam's apple (and then struck Governor John Connally, inflicting all of his wounds). The President was then struck a second time by a bullet which entered the right-rear portion of his head, causing a massive and fatal wound.

After publication of the Commission's Hearings and Exhibits, a pivotal controversy developed around the position of the bullet wound in the President's back. The Commission and the autopsy surgeons situated the wound at a point higher than the supposed exit wound at the Adam's apple--a location on which depended the viability of the single-bullet theory and in turn the lone assassin thesis.

Chapter 5 lists ten reasons for rejecting the Commission's assertions about the site of the entrance wound and for concluding instead that the wound was ~~low and too low for linkage~~ <sup>to link it</sup> with the supposed wound of exit. *ready to be summer of*

About June, 1974 the transcript of the Warren Commission's executive session of January 27, 1964, classified and withheld for more than ten years as "top secret", was declassified. The contents are breathtaking. Here speaks J. Lee Rankin, General Counsel, to the assembled Commissioners, many weeks after the undated autopsy report was supposedly in the Commission's hands:

"Then there is a great range of material in regard to the wounds, and the autopsy and this point of exit or entrance of the bullet in front of the neck, and that all has to be developed much more than we have at the present time.

"We have an explanation there in the autopsy that probably a fragment came out the front of the neck, but with the elevation the shot must have

come from, and the angle, it seems quite apparent now, since we have the picture of where the bullet entered in the back, that the bullet entered below the shoulder blade...and the bullet, according to the autopsy didn't strike any bone at all, that particular bullet, and go through...

"So the basic problem, what kind of a wound it is in the front of the neck is of great importance to the investigation..." (Emphasis added)

Incontestably, the autopsy report discussed by Rankin on January 27, 1964 was entirely different from the autopsy report later entered into evidence and published in Appendix IX of the Warren Report. It situates the entrance wound "in the back...below the shoulder blade" and therefore too low to accommodate the single-bullet nonsense and in turn the lone assassin sophistry.

To the evidence of the transcript must be added the death certificate signed by the President's physician, Admiral George G. Burkley, on November 23, 1963, which places the back wound at "about the third thoracic vertebrae"--in other words, also too low for the single-bullet, lone assassin hypotheses.

As to the wound in the back of the President's head, described as a fatal wound of entrance, forensic pathologists who were given access to the autopsy photographs and X-Rays in recent years place that wound four inches higher on the President's head than the autopsy surgeons located it.

From all this evidence one <sup>must ask if</sup> can only conclude that the post-mortem examination was conducted by <sup>NOT</sup> (in)competent examiners and that the official autopsy report is a thoroughly tainted document.

#### Spectrography and Neutron Activation Analysis (NAA)

Chapter 5 also discusses the spectrographic test results, pointing out that the findings of the FBI's spectrographic examination of the

stretcher bullet and bullet fragments and metallic residue were suppressed; and that neutron activation analysis (NAA), which could have established definitively whether or not those materials had an identical source, was not performed. The FBI is still resisting all attempts to gain access to the outcome of its spectrographic tests. I suggest that the results would scarcely be withheld if they supported the single-bullet, lone assassin theory.

I was wrong, however, in assuming that no neutron activation analysis had been performed. It has recently come to light that an NAA was performed but the very fact that it was done was concealed by the Warren Commission! The story of the NAA is elaborated in an article by Dr. Cyril H. Wecht in Modern Medicine of October 28, 1974, which states:

"(J. Edgar) Hoover's letter to Rankin announcing the NAA tests is a masterpiece of tactful palliation of the fact that some differences in composition were detected among the various bullet fragments...The final paragraph of the letter contains several nuances difficult to comprehend, but in any case we know that some significant differences in composition were observed..."

#### The Impersonation

Chapter 21 contains a section called "Two Oswalds" in which evidence is described which suggests that Lee Harvey Oswald was impersonated by a false Oswald on numerous occasions, frequently incriminating in character. The concept of a false Oswald may seem frivolous and far-fetched. Yet one must consider the import of a story in the New York Times of February 23, 1975, which states:

"J. Edgar Hoover sent a memorandum to the State Department in 1960 raising the possibility that an imposter might be using the credentials of an American defector named

According to the Warren Report,  
 Oswald visited Mexico City  
 during the last week of September  
 while there called  
 on the Cuban and Soviet  
 Embassies. The amazing disclosure  
 in the J. Edgar Hoover letter  
 read above was followed  
 by the revelation

Lee Harvey Oswald, who was then in the Soviet Union  
 ...The late Mr. Hoover's warning of the 'possibility'  
 than an imposter could be using Oswald's identification  
 data, in the Soviet Union or elsewhere, came more than  
 two years before the murder of the American President  
 in Dallas on Nov. 22, 1963. The imposter theory was  
 rejected, by implication but not directly, in the  
 published report of the Warren Commission..."  
 (Emphasis added)

~~This amazing disclosure was followed in September 1975 by the~~  
 revelation that the CIA had taped conversations on the telephone  
 between Oswald, while he was ostensibly in Mexico City, and the  
 Cuban and the Soviet Embassies. <sup>The CIA</sup> It had photographed persons  
 entering and leaving those Embassies, but none of the photographs  
 matched Oswald. This information, too, should be viewed in the  
 context of the evidence that there were one or more Oswald  
 impersonators.

The Feebees

Chapter 18 discusses the quality of the investigative work  
 performed by the FBI on behalf of the Warren Commission. It is  
 instructive to see what the Commission itself felt about the  
 FBI's performance, as reflected in the transcript of the  
 executive session of January 27, 1964:

"Rankin...They have decided that it is Oswald who  
 committed the assassination, they have decided that  
 no one else was involved..."

"Russell...They have tried the case and reached  
 a verdict on every aspect.

"Boggs...You have put your finger on it."



That exchange took place before the Commission had taken testimony from a single witness. When the Commission did hear witnesses and receive a wealth of evidence and testimony which ruptured the preconception that Oswald was the sole assassin, the Commission nevertheless decided—like the FBI and the Dallas police—that Oswald alone was guilty and that there was no conspiracy.

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Efforts are now under way in the Senate and the House of Representatives to reopen the whole case of the Dallas assassination. The evidence against the Warren Report is so overpowering, pervasive and conclusive that I believe this nation will not rest until a competent and irreproachable new investigation is launched. It is my hope that such a new inquiry will be entrusted to men who can say with total honesty "Truth is our only client...Let justice be done, though the heavens fall."

Sylvia Meagher  
September 1975