

15 August 1969

Dear Tom,

(Bethell)

This is a somewhat hurried reply to your letter of the 11th, with which you sent me a copy of your interesting article on Partin, O'Hara, et al. I thought it was an effective synthesis of the facts of the case over the last years and very damning to the various Louisiana officials involved. You should send a copy (if you have not already done so) to Fred Cook, c/o The Nation, 333 Sixth Ave, NYC 10014. As you may know, quite a few years ago Cook did a major expose of the manner in which the Justice Department (and RFK, Walter Sheridan, and others) had gone about the business of "Getting Hoffa," at any cost.

Regarding the identity of the man in CE 237: The Warren Commission was concerned only with establishing the fact that the man in the photograph was not Ruby, and seemingly made no effort to determine who the man was (see WR page 364). No testimony was taken from the agents involved in the handling or display of the photo. But affidavits were obtained from FBI agents Odum and Malley and from CIA Richard Helms, which appear in 11H 468-470. In these affidavits, Odum refers to the photograph of an "unknown individual," Malley, to the photo of "an unidentified man," and Helms, to "the photograph," which he does not characterize. You might therefore say that the CIA never admitted before the letter to Bagert that the man in the photo had not been identified (I note the qualification "to our knowledge," which legalism may not be insignificant). On the other hand, the published record does not indicate that the CIA was asked by the Warren Commission for the identity of the man.

Regarding the outcome of Judge Halleck's hearing in the matter of the autopsy photos and X-rays: I enclose herewith two documents which I received some months ago from Fensterwald and which contain full information on the question you put (e.g., a chronology of legal moves May 1968 through March 1969, and a copy of Judge Halleck's Order).

I do not know of any Fensterwald/Hoffa connection. However, inferences may be drawn from the fact that he was chief counsel to Senator Edward Long's sub-committee, and as your own article on Partin indicates Long was involved in the Hoffa affair; and from Fensterwald's apparently extreme antipathy to the Kennedys, which has been mentioned to me by a number of people. Inferences are not facts, of course, and there may be some other explanation entirely for the big spending.

All the best,



Enclosures (2)