

REPEAT of Under Discussion on the Warren Commission report *Chambers 5*
25 Oct 1964 *9:30 - 11 pm*

Percy Foreman, Mark Lane, Hugh Aynesworth, Gene Roberts (*Detroit Free Press*)
Moderator: Harrison Salisbury *Dallas Morning News*

HS...is there any legal foundation for the WC? PC...historical dissertation
Pres. Johnson selected repr. group people who hold confidence American people
because of their prominence. Deserve thanks of the people. They made many
moves I would not have made. They were carrying on their normal responsibilities
at the same time.

Lane...at outset I was retained by LHO mother to represent LHO before the WC
Rankin said in a letter not entitled to counsel because he was not on trial
Not a single JFK democrat on the WC, does not feel it is "broad section America"

Ayns...Its an extraordinary situation ofcourse...I think the WC report
is the most thorough job invest ever seen...did a tremendous job, tremendous
amount of material...HS...point is not job they did but procedures they used
...Ayns...they used too many safeguards perhaps...secrecy hurt more than
helped...could have done better with smaller staff and faster...most of the
material they had within the first 3 months...I have a few qualms about
some of the procedures.

(discussion of propriety of having
Chief Justice head the WC)

PC...any one of our circuit courts of appeal could have furnished 3 men...the
hearings should have been open to the public ... like the Pearl Harbor
hearings...people in USA accustomed to open hearing, very essence of our
justice...this procedure most unfortunate...this was quasi-judicial...I made *(first)*
the same suggestion as Lane, that LHO should be repr by counsel

HS to Lane asks foreign reaction to WC methods, intensify suspicion?

Lane...not the composition, because not very well known abroad...fact that
every basic Am safeguard, right to public trial, right to counsel, present
defense, cross-examine etc. totally obliterated by WC and this caused
great dissatisfaction...HS...is it fair to call this a trial? calls itself
fact-finding etc...Lane...the only difference is that the rights of the
defendent were not safeguarded; there was a verdict.

2.

Lane..fears result will be failure ever get facts. This is prosecution case. Now we need defense case. The Am. people will be the only jury LHO will ever have

Roberts...I have no qu re composition, all men of integrity...my sole qu is procedure..regretted chose secret conduct invest and interview witnesses. Much better if entire procedure in open, or bare min in ex session

Re relationship WC with investigative bodies like FBI, his impression is that some ques supplied by WC, many would arise normally in any invest., FBI itself raised many of the ques and sought the answers. Were many safeguards. Was struck by fact that almost every witness had already been questioned by SS FBI DP and many reporters. Several instances would not talk but generally found, if persistent, most would talk.

HS...WC conclus. LHO, alone, what comments?

Robts...thinks they were correct that LHO was the assassin...they did superior job and ran down details not previously disclosed...sees no room reason doubt

ML...one basic qu, how possible for the rifle in qu the Carcano to fire 3 hits in short time. If Gov.C and wife correct and films, Gov. struck after JFK (PF)...no one can know what bullet struck whom)...films show, Gov. shot after turning to right and then turning left...says he knows bullet not in transit that long...but leaving that aside, rifle was ineapable such firing so quickly even in hands of an expert... (GR)...WC quoted experts to effect was possible)...they conducted tests with master marksmen, highest experts, using silouhette entire body, even so missed 5 of 18 shots--not doing as well as LHO allegedly did with a moving target.

Robts...target was moving away from assassin, with same effect as if standing still...angle from window such as if almost (missed)

Aynes...bit ridiculous to pick out 3 shots in 5 seconds...many aspects no greater certainty.

Lane...then lets talk about bringing the rifle into the bldg (goes into testimony of Randle, Frazier and Dougherty)...

H Ay...Wesley Frazier talked to me...he was a scared kid...he thought at the time it was curtain rods...that affected his judgment of the size...Lane willing to accept some but not other statements of the witnesses

Lane...some of the most important witnesses never even called...Woodward

H Ay ...she is 23 yrs, society editor, she said it "seemed" LANE not what she said H Ay she said you were a kook and would have nothing to do with you LANE you know that is not true HS let's leave her aside not terribly important Lane let's hear her testimony before we discredit her (reads) WC concedes many witnesses thought shots came underpass...

GR...against Lane witnesses you have Williams and 2 others fifth floor testified heard at least 3 shots...Wms test plaster fragments fall his hair Also witnesses who saw from ground and testified rifle in window and heard reports...subst. their position in films

Lane...you know about O V Campbell, your paper quoted him, said shots did not come from TSBD so did Truly

Ayns...did not say that to WC...said he could not be sure

Lane ...Feb 23 quoted in Detroit News saying "I heard shots, they did not come from the bldg"

PC...this whole disc about wits test old hat to me occurs every case homicide you pick out the salient points you remember this is the sort of thing made it nec name WC...50 yrs from now these wits will be basis of rumors, if not for WC. Re foreign reaction impossible any country europe conceive individ would have enuf freedom where he could unaided commit this horrible crime this is only country world where this could have happened because of our freedom of the individual...never found two wits in agreement on what they saw...classic illustr is the 4 wits. in new testament on resurrection, each gives different story where angels standing and how many angels there were

GR...I would not trust witnesses whose stories exactly alike..when I interv people twice, stories changed slightly (not in substance)...we are forgetting impt fact that rifle and cartridges found 6 fl

ML...which rifle? re Wms, he was on a TV net few weeks ago and said a strange thing, "after shots were fired funny thing happened all the people ran in wrong direction all ran up the grassy knoll"...re rifle was a story that Mauser 7.65 disc on 6th floor...Gerald Ford article Life misrepresents way the Mauser story got around...S Weitzman actually looked at the rifle, here is affidavit he filed next day

Ays...I gave you that affidavit...WC shows he never touched the gun Lane ...reads SW affidavit (part)...Ford description totally inaccurate

Ays...he talked to SW...he never handled gun at all...some pple doubt if he even saw the gun at all..(HS) any other gun ever found..(Lane) Mike Howard told Thayer Waldo rifle found on roof TSBD shortly after assassin.

Ays...I have never heard this but another story Waldo wrote, 2 or 3 others on 6 fl with LHO when it happened...I knew where everyone in the bldg was from the affidavits...

GR...never found anyone who knew anything about a second rifle

ML...in that ~~very~~ conversation Waldo/Mike Howard SS...MH said Dallas policeman dropped it there earlier in day and forgot to pick it up but if you don't print that I will give you a real story (about a negro...?) No one is alarmed? about fact SS agent made false statement?

Ays...we dont know that is true...have only reporters word for it

HS...we have not yet gone into qu WC finding there was no conspiracy. Any such evid?
PC...the reason they believe in Europe in conspiracy, judging from their own experience this couldnot have happened in any other country on earth... we have freedom.. LHO in another country would have been registered...we have freedom to bear arms... we will nevermake Europe change opinion but those of us who know the USA well, particularly the South, guns part our tradition

HS...did GR or HA find any evidence conspiracy?

GR...no did not find evid conspiracy...chased down the most incredible leads, ran up sizable travel bill, etc

HA...you can imagine living in Dallas, the tips etc...people who insist conspiracy, who would want more than us to find it out if it existed?

GR...doubts will never die entirely...cannot prove a negative...

ML...conspiracy idea did not originate Europe...poll 10 days after when only

prosecution case given by media, majority people believed conspiracy...no I have no evidence conspiracy...but the WC did not explore all possibilities...is the meeting Ruby-Tippit-Weissman who placed "welcome" ad in Ayns paper... a person who was at next table when meeting took place is well known figure Dallas...he offered the information on condition not reveal his name...he said if he had absolute commitment from Warren his name never revealed would testify...fact is, since that time all the inf has been published diary leaked, etc...

H Ayns...I take issue with that...Mrs. Oswald never even knew about the diary./

PC...actually this case was tried in the open and before the public by the most energetic acapable newspapermen, vying to find something new and reporting everytbing available nationwide...if there had been anything, they would have found it

ML ... hasnt the press found your client guilty and been found wrong?

PC...well, ^{for that} reason ^{he is} grateful for jury trial *System*

ML...yes, if you are going to have a trial...WC heard Ruby only after he insisted...they never asked him if he was at such a meeting...then they said he denied it

HS...this hasn't much to do with a conspiracy

ML...GR...if he said he didnt know LHO and didnt know Tippit a bit redundant to ask if he was at a meeting

ML I never said LHO was at the meeting. Mentions Craford and his ID of BW ...he said a man just like BW in club and Ruby addressed him as Weissman... true that Ruby denies he knew BW but here is evidence of his associate

Of course there is evidence to support conspiracy...beside this meeting... shot in throat in front from behind

Ayns...you cant prove one thing you have been preaching all over the world

ML...I am discussing, not preaching, because entitled to facts.

Ayns...you got this material from me ML...about as accurate as most things you say Ayns...all these affidavs you got from my house in Jan

ML you gave them to me Ayns and then you told everyone I ~~was~~ stole them from the police and I got letters accusing me ML not true because I saw that letter... (before ML, when he referred to entry wound, was told

"WC explained that" and retorted "they explained everything")

HL..lets turn to qu whether findings WC consistent wi h LHO personality

Dr. Hartogs, he ex LHO when 13, was witness WC

Also Dr. Daniel J. Levenson, Harvard faculty psychiatry Medical School

HARTOGS... very difficult predict development of a youngster as found at age 13 and compare him vs personality he might have had by time he committed murder president ...but I would venture to say many characteristics 11 yrs ago indicating he could have become a killer cold calc self/silent rage find in paranoid obsessive people (HS)..how did you happen ex LHO

HARTS ...as psy at youth home must ex all juv dels...yes, he was a del... sent for minor crime (truancy) but findings of such a surprising nature

decided study him and present at seminar at youth house...he was discussed, yes

LEV...I would agree very much with the qualification he made, that very difficult to predict at age 13 personality 10 yrs later...I have to do my own speculating and should keep in mind we ARE spec...my opinion, WC convincing, believe that LHO did commit the murder but must remind ourselves we are not sure and happier for sake justice and history if we knew more than report gives

Seems to me we do have evidence all way thru his life not simply guessing later adolescence and after return from USSR evident he was in life crisis we know how it was for LHO way his life was going in year prior the assass put that together with earlier history can construct a life course and draw an inferential picture his personality which is consistent with the WC conclusion

HART contrary to WC statement that there were no indications in his report of dangerousness, he did indicate that young LHO showed strong but silent violent protest vs Mom who returned home repeatedly without bringing him food...showed striving for omnipotence...was able become belligerent or menacing provocation...also deafness left ear from mastoid operation left him markedly suspicious...he was rather an unusual case and personality... very rarely find this agglomeration specific traits which indicate ultimate dangerousness...find in LHO outspoken hate vs world in gen partic human environment hate for brothers anger no father rage vs mother taken together, make LHO rather unusual

ML...is this a diagnosis hindsight or a position you took before? If you did, is WC in total error p 329? (quotes) (B p. 355)

HARTS...they are in error because paranoid qualities were pointed out I did refer to strivings for omnip LHO was passive-aggressive ie aggression underneath, with schizoid features...I did not say potentially dangerous but passive-aggressive points to dangerousness...truancy...you could call it a misdemeanor (rather than minor crime)

LEV...useful up to pt but then becomes misleading...great deal to suggest LHO very disturbed person in early 20s (HS) HOW COME NOT PICKED UP BY MARINES PRESUM PUT THROUGH TESTS (LEV) referring to after return USA difficulty in marriage and work and lying a great deal...if you want to use diagnostic label and say at worst he was paranoid-schizophrenic, not worse than a lot of othr people to whom that label applied...how understand him as human being? must go behind tech clinic terms...many positive things about him as a person...report preoccupied with his disturbance.

(HS) what did his friends think of him

(AYS) everyone agreed he was a paranoid type (ML) who (AYS) would you like me name 10 or 15.. (ML) yes.. (AYS) you can be sarcastic but I have talked to them you have not...they saw signs, mostly hindsight...specific things—beat marina hit her she smoked or lipstick or preferred other people

(HS)...doesnt this happen in many homes every night? (AYS) how many lie, use assumed name, lose jobs? (PV)...very few who maintain two resids under diff names plus PO boxes...no normal person would do that in my opinion...history of LHO resentment mother school authority...to him JFK was authority and this was epitome, that he lived to die in this manner...he wanted to die when he shot Gen Walker...he had more motive than breaks, more ambition, distorted, going in diff directions

ML...Walker says he knows just who shot him and swears nat LHO, but a disgruntled employee..D police at time said 30 cal bullet (not 6.5) and what about his marksmanship...we havent mentioned John Carro the probation officer...he told me absolutely no indication LHO dangerous

HARTS makes some objection LANE but you put him on probation didnt you

HARTS for a limited time only...because he had some positive qualities... he could be reached...

HS...question has been raised whether LHO could have fired at Walker
GR...Walker gave statement to Dallas police on night attempt shoot him, said
at precise moment shot fired he leaned over desk and motion saved his life
re-ex bullet and reconstru scene showed if Walker upright would have hit
him between eyes. bring this up because ML raised qu of how LHO could miss

ML...that day cld not ~~xxxx~~ hit moving target...Walker showed spot to Sauvage
and said missed by sev feet

HS...back to personality LHO, we have not gone into ex of what makes an assassin
does he fit pattern of other men involved in assass

ML...it is claimed use of alias is indication, should recall Warren used alias
too in Dallas (AYS)..fail to see your point (HS) is there any commonality
between LHO and other assassins?

LEV would say many kinds, simple hoodlum, right wing extremist would be
different from one on left...we have not discussed LHO political orientation
and reasons led him into this whole pattern of wanting to kill famous people
I think he was quite a thoughtful person...was reaching out for something
positive to contribut history and social progress as he understood it...not
gone into in the WC report...

HARTS...LHO did not seem want to make any contribu whatsoever...only need for
vengeance need for power characteristic of pres. assassins

ML but they usually proclaim their guilt proudly yet LHO proclaimed innoc
did he not HARTS yes he did

AYS same day LBJ got WC report I published an article that LHO thought
Marines would takeover govt ROBTS in new orleans did find 2 people who
had political debate with LHO on radio...both described him as political
parrot, seemed to memorize cliches rendered in automatic fashion...also
Michael Paine, who found him very difficult, classified him as extremeist
without being liberal or conservative (HS) have you ever heard LHO making
any threat overthrow govt or kill any famous person (AYS) except to his wife

(hot exchan e on what Marina said first and what she said later after
protect custody incommunicado 9 weeks)

HS didnt ruth paine say early that Marina was afraid LHO was assassin?
didnt she run to garage to see if gun still there? ROBTS as I remember it
she said yes he did own rifle andtook them into garage, blanket collapsed,
she expressed surprise it was gone.

(MD) no such evidence marina became alarmed...at police station she said no
Le e said very nice things about JFK and family...etc. If Dallas police
accurate on interrogation...remarkable, no transcript, even though paper
reported police stenogr present...he said pe sonally I like the pres etc
HARTS...LHO never able verbalize his rage, always felt silent rage
LEV...not nec to est he had long-term hatred JFK

HS...afraid we have to bring discuss to close with note we have no evidence on
that.

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