

November 22, 1963:

YOU ARE THE JURY

DAVID W. BELIN, ESQ.

QUADRANGLE/THE NEW YORK TIMES BOOK CO.

CONTENTS

Acknowledgments

Introduction

PART I OVERVIEW

- | | | |
|---|--|-----|
| 1 | <i>"And My Husband Never Made a Sound"</i> | 000 |
| 2 | <i>"Truth Is Our Only Goal"</i> | 000 |
| 3 | <i>"It Only Means He Fired a Gun"</i> | 000 |

PART II THE MURDER OF J. D. TIPPIT

- | | | |
|----|--|-----|
| 4 | <i>"He Just Looked Funny to Me"</i> | 000 |
| 5 | <i>"I Protest This Police Brutality"</i> | 000 |
| 6 | <i>"I Seen Him Throw The Shells"</i> | 000 |
| 7 | <i>"Anything Else You Can Think Of?"</i> | 000 |
| 8 | <i>"Poor Damn Cop"</i> | 000 |
| 9 | <i>"Hey Man, What The Hell Is Going On Here"</i> | 000 |
| 10 | <i>"That Was Him Right There"</i> | 000 |
| 11 | <i>"She Said He Was Short, a Little On The Heavy Side"</i> | 000 |
| 12 | <i>"He Was Cutting Across Our Yard"</i> | 000 |
| 13 | <i>"I Saw a Pistol Pointing At Me"</i> | 000 |
| 14 | <i>"Sales Appeal, I Would Say, Is The Main Reason"</i> | 000 |

PART III THE MURDER OF JOHN F. KENNEDY

- | | | |
|----|--|-----|
| 15 | <i>"Oh, My God, They Have Shot My Husband"</i> | 000 |
| 16 | <i>"And This Man That I Saw Previously Was Aiming For His Last Shot"</i> | 000 |
| 17 | <i>"I Believe It Came From Up Above Us"</i> | 000 |
| 18 | <i>"An Elephant Could Walk By There And You Could Not See Him"</i> | 000 |
| 19 | <i>"We Started Asking Each Other, Have You Seen Lee Oswald?"</i> | 000 |
- VII

20	"However. The Thought Evidently Never Occurred To Them"	000
21	"There Is The Gun"	000
22	"The Wanted Person In This Is a Slender White Male. About 30"	000
23	"I Saw The Expended Shells"	000
24	"May Have Been Used To Carry Gun"	000
25	"This Bullet Fragment Was Fired In This Rifle. 139"	000
26	"A Spent Cartridge Or Bullet Rolled Out"	000
27	"Shipped To a Mr. A.—Last Name—H-I-D-E-L-L. Post Office Box 2915. Dallas. Tex."	000
28	"It Was Right Next To The Stairway—Right In The Corner"	000
29	"And It Had Curtains And Venetian Blinds"	000
30	"They Were Identified As a Fingerprint And a Palm Print Of Lee Harvey Oswald"	000
31	"It Was a Little Strange That One Of The Warehouse Boys Would Be In The Office"	000
32	"And We Said. 'Captain. We Will Save You a Trip . . . Because There He Sits'"	000
33	"They Opened The Blanket But There Was No Rifle There"	000
34	" . . . To The Exclusion Of All Other Cameras"	000
35	"He Said He Didn't Have Any Knowledge Of The Picture At All"	000
36	"The Minimum Time For Getting Off Two Successive Well-Aimed Shots"	000
37	"It Is Something Less Than The Weight Of a Postage Stamp"	000
38	"I Thought It Was From Back Of Us"	000
39	"A Straight Affirmative Word Like 'Yes' Is Not Good Relations"	000
40	"From a Point Above And Behind Him"	000
41	"That Same Bullet Was Capable"	000
PART IV		
THE POSSIBILITY OF CONSPIRACY		
42	"A Puff Of Smoke"	000
43	"Such Evidence May Be Sincere But It Is Utterly Ridiculous"	000
44	"I Kept Thinking About This Man That Had Run Down The Hill"	000
45	"Every Driver Has a Different Punch Mark"	000
46	"This Is The Way I Would Go About It"	000
47	"You Killed My President. You Rat"	000
48	"The First Time That They Asked Me I Said No. I Didn't Know Anything About It"	000
49	"It Must Be a Security Man Guarding The Motorcade"	000
50	"The Verdict Is Yours"	000
	"Summary And Conclusions" Of The President's Commission On The Assassination Of President Kennedy	000

My primary a
American sys
world where
would be con
countries in t
judicial and l
of Watergate
As for indi
board and ar
was the cata
ney. able P
Quadrangle/
truth can be
century of se
of the assass
people; Irvin
nearly all c
outstanding
the Warren
torney who
liaison with
see if I wo
lawyers to l
with the C
University
about my
(now decea
children a
Angeles a
suggestion
have. who
deadlines;
Belin. who
the manu

ACKNOWLEDGMENTS

My primary acknowledgment is not to any single person but rather to our American system of government and justice. There are few places in this world where the investigation of the assassination of a fallen leader would be conducted by an independent commission, just as there are few countries in this world where the combination of a free press and separate judicial and legislative branches of government could lead to the expose of Watergate.

As for individuals, in addition to my wife who acted as both a sounding board and an editor, there are many others: Harrison E. Salisbury, who was the catalyst in my undertaking to write this book; Herbert Nagourney, able President, and Zinaida Alexi, talented Senior Editor, of Quadrangle/The New York Times Book Company, who realized that truth can be stranger and more interesting than fiction and who in this century of sensationalism had the confidence that a book about the truth of the assassination had merit for publishing and would be read by many people; Irving Horowitz of *The New York Times*, a truly fine copy editor, nearly all of whose suggestions I adopted; Joseph Ball, one of the outstanding lawyers on the West Coast with whom I worked so closely on the Warren Commission; Howard Willens, a brilliant Washington attorney who while serving with the Department of Justice in 1964 as liaison with the Warren Commission was the first person to contact me to see if I would like to submit my name for consideration as one of the lawyers to be selected from across the country to be appointed as counsel with the Commission; Theodore St. Antoine, the superb Dean of the University of Michigan Law School, who encouraged me to write a book about my work with the Warren Commission; my father, Louis Belin (now deceased), and mother, Esther Belin, who inculcated in their two children a standard of absolute integrity; my brother, Daniel, a Los Angeles attorney of tremendous ability, who made many valuable suggestions; Catherine Sheridan, as fine a secretary as any lawyer could have, whose patience and capacity for work enabled me to meet all deadlines; and last, but surely not least, Jon, Jim, Joy, Tom and Laurie Belin, who helped with such enthusiasm in photocopying and assembling the manuscript and copies.

m" 000
000
out 30" 000
000
000
000
000
Office 000
er" 000
000
Of Lee 000
000
is 000
ecause 000
e" 000
000
At 000
000
mp" 000
000
lations" 000
000
000
000
lous" 000
The 000
000
000
000
t Know 000
000
000
000
ssion On 000

INTRODUCTION

Harrison E. Salisbury

Ten years have passed since that bright Dallas morning when a sniper took the life of John Fitzgerald Kennedy, ten years which have not eased the anguish of the hour, the tragedy, the mystery. Although President Kennedy's death lies a decade behind us the nation has not ceased to mourn the malevolent circumstances which robbed us of a leader so young, so bold, so promising.

No death in our time has so concentrated a nation's emotions as that of John Kennedy. The fact that his was first in a macabre procession which claimed the lives of his brother, Robert, and a pleiad of Americans—Martin Luther King, Malcolm X, George Lincoln Rockwell, Joseph Yablonski and his family, a remarkable succession of Black Panther figures, including Fred Hampton and George Jackson—and came within a hair's breadth of taking the life of another presidential candidate, George Wallace, has only intensified the nation's concern.

To many it has seemed that some mad spirit of the Dark Ages has been unleashed within our technological society, striking at random but seeking its victims, in large measure, among men who have sought to put themselves at the service of their fellow citizens through political leadership. To many it has seemed there must be a dark conspiracy running from death to death, linking them all in a sorcerer's web of evil.

Our logical minds have rejected again and again the tawdry evidence which exposes these crimes as the haphazard acts of random psychotics, the by-products of our computerized electronic society, fallout of a civilization programmed to produce metal-and-plastic rather than flesh-and-blood.

In our agony we instinctively clutch for the supernatural. It has seemed too banal to believe that John F. Kennedy could have died less regally than Caesar. Lee Harvey Oswald was a man too trivial to have brought down Camelot. And as the succession of murders thudded across our bulldozed landscape, our minds grasped feverishly at the possibility that there was more in these accidental crimes than met the eye—that behind them all lay some master mind, some sinister power, some ring, some conspiracy of a grandeur to match the stature of the victims.

Particularly in the early months and years after November 22, 1963

there were projected into public consciousness theories to suit the taste of all for whom the dismal facts were unpalatable.

But, let us be realistic: In the ten years since John Kennedy's death not one important clue or fact has been added to that mountainous store so painstakingly and, on the whole, carefully inquired into by the Warren Commission. *Not one fact.* Let us be precise. Theories have been propounded without number. Claim after claim has been advanced—conflicts of evidence, telltale clues overlooked or misinterpreted, and misfeasance and malfeasance by the Warren Commission.

But in all this pawing over the evidence—not one new fact has been turned up. Not one new witness has been ferreted out and brought forward trumpeting: "Yes, I saw the killer!" Not one more bullet than those found immediately after the assassination has been discovered. Not one more weapon which might have been fired at the President. Not one name of a possible co-conspirator of Oswald's. No investigator has produced a link between Oswald and Jack Ruby. Between Ruby and anyone else. Between Oswald and right-wing groups. Between Oswald and left-wing groups. Between Oswald and foreign powers. Or domestic enemies and rivals of the President.

Nothing. Nothing but theory, speculation, sensationalism, juggling and transposition of facts, reordering of what we already knew in order to raise questions (but not to provide answers).

Ten years have passed. It is time to look back to that sunny day in Dallas and, in patience, in quiet, with care and with logic to sum up what we really know. This David W. Belin has done with patience and with eloquence. He has done what no one yet has done (except, of course, for the original Warren report). He has taken all of the evidence and sifted it through. He has concentrated, in particular, on those theses and theories which have been spun by that group which he calls the "assassination sensationalists." He has gone over every one of their contentions, returning to the original testimony, the original evidence, to show how it has been tortured and twisted in order to support cardboard structures. In particular, he has reestablished what has often been overlooked—the primacy of the Tippit killing as demonstrating Oswald's obvious guilt. The evidence here is simply overpowering.

This has been no easy task even for one like Belin, who handled very important segments of the Warren testimony, the processing of evidence and questioning of witnesses. He has had a decade to think and study. He is by no means uncritical of the Commission, of some of its procedures, of some of its methods. But his careful reexamination does not invalidate a single Warren finding. He believes the Commission and Chief Justice Warren, in particular, were too easy in their examination of Marina Oswald. He believes they should have insisted upon the X rays and medical photographs of the slain President's body. Not because this data

would have changed the findings.

I believe Belin simply on the facts—first, direct who, in the first uncovered much ground independently directing, two years designed to access every major of *Times* team was never carried assignment to say, however, 1 volume.

I do not believe embracing as Kennedy's death Abraham Lincoln advanced. I believe Siberia, in the China—a connection his death from Russia, in China aberrant assassinations popular belief

This volume But for anyone actually occur that which the better than it

would have changed their conclusion but because it would have buttressed the findings and blocked off avenues for turgid sensationalism.

I believe Belin is right. I do not come to that judgment out of hand or simply on the basis of his work. I, too, have labored over the Kennedy facts—first, directing a remarkable team of *New York Times* reporters who, in the first few days after the President's death, themselves uncovered much important information about Oswald and his background independently and before any official investigators; second, in directing, two years later, a careful restudy of the assassination that was designed to accomplish many of the tasks of this book, that is, to examine every major challenge to the Warren thesis (as well as any which *The Times* team was able to generate on its own). That study, unfortunately, was never carried to completion, having been interrupted by my own assignment to Hanoi from December 1966 to January 1967. It is fair to say, however, that our preliminary findings fully support those of this volume.

I do not believe that the Belin study, meticulous, precise and all-embracing as it is, will bring to an end the questions about John Kennedy's death. More than 100 years after the assassination of Abraham Lincoln a new theory of how he met death is periodically advanced. I have found in every part of the world—deep in Soviet Siberia, in the high Himalayas and even in the People's Republic of China—a continuing unwillingness to believe that John Kennedy met his death from a random bullet fired by an insignificant psychopath. In Russia, in China, in France and in England, the theory of the single aberrant assassin is not believed. "There must be more to it." That is the popular belief.

This volume will not crush the mystique of the Kennedy assassination. But for anyone who wishes to know how the crime of this century actually occurred and why it could have occurred in no other way than that which the Warren Commission described, this work tells the story better than it has been told at any time before.

the taste of
his death not
ous store so
the Warren
e been pro-
anced—con-
preted, and

act has been
and brought
bullet than
discovered.
resident. Not
estigator has
n Ruby and
veen Oswald
Or domestic

sm, juggling
w in order to

unny day in
sum up what
nce and with
ourse, for the
and sifted it
and theories
assassination
ons, returning
w it has been
In particular,
rimacy of the
idence here is

handled very
g of evidence
nd study. He
rocedures, of
t invalidate a
Chief Justice
on of Marina
· X rays and
use this data