

"All the News That's UNFIT to Print"

Joachim Joesten's

TRUTH LETTER

An Antidote to Official Mendacity and Newsfaking in the Press

Vol. II, No. 3

October 15, 1969

Editorial: Why those Green Berets murderers were "exonerated"? - It's a habit.

A Sylvia Meagher Discovery

The following unpublished document of the Warren Commission was obtained by Sylvia Meagher from the National Archives in Washington, D.C.:

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DL 89-43
JDW: cah/jj/mac

CD 5

The following information was obtained by SA JAMES P. HOSTY, Jr. from the office of Captain Will Fritz, Dallas Police Department, on November 25, 1963:

A complaint charging LEE HARVEY OSWALD with murder of police officer J.D. TIPPIE, on November 22, 1963, in Dallas, Texas, was authorized by Assistant District Attorney BILL ALEXANDER, Dallas County, Dallas, Texas, on November 22, 1963. The complaint was filed by Captain WILL FRITZ of the Dallas Police Department at approximately 6:00 p.m., the same date.

OSWALD was arraigned before Justice of the Peace DAVID L. JOHNSTON in Dallas, after which he was held without bond in the City Jail. Assistant District Attorney ALEXANDER also authorized the filing of a complaint against OSWALD for the murder of President JOHN F. KENNEDY in Dallas, Texas on November 22, 1963. The complaint was filed at 11:25 p.m., November 22, 1963.

Further, on November 23, 1963, an authorized local complaint was filed against OSWALD charging him with assault to murder Governor JOHN B. CONNALLY. A complaint for this charge was issued by Justice of the Peace DAVID L. JOHNSTON at Dallas, Texas.

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 and for which he was arraigned.

This suppressed FBI report by Special Agent Hosty (who, it will be remembered, had been in charge of the Oswald case even before the events of November 22, 1963) really takes one's breath away, dry and matter-of-fact as it may look on the surface. For, if viewed in connection with what the Warren Report had to say on the matter, it glaringly exposes the total bad faith of the Commission and their firm determination to pervert the course of justice at all costs.

In order to fully appreciate the significance of this document, read now what Sylvia Meagher had written in Chapter 17 ("The Distorting Mirror") of her book ACCESSORIES AFTER THE FACT. Under the heading "A Strange Arraignment," this chapter starts with the following passages:

Because of the extra space needed for this important topic, the continuation of "The Kennedy Autopsy Fraud" and "Where Garrison Went Wrong" is postponed to the next issue.

"In his book Oswald: Assassin or Fall Guy? Joachim Joesten hurled many charges at the Dallas Police and other official agencies that investigated the assassination. One of his accusations was that Police Chief Jesse Curry and District Attorney Henry Wade had tricked the public by concealing the fact that Oswald had never been formally advised of the charges against him for the murder of the President. Joesten must have been chastened to learn from the Warren Report, published some six months after his book, that:

... shortly after 1:30 a.m. (on November 22, 1963) Oswald was brought to the identification bureau on the fourth floor and arraigned before Justice of the Peace (David) Johnston... for the murder of President Kennedy.

(WR 198)

"According to a footnote, that statement rests on the testimony of Curry, Fritz, and Johnston. Examining the testimony of these and other witnesses and examining the Commission's documents provides even greater basis for skepticism.

"A somewhat unconventional hour seems to have been selected for the arraignment. According to the official chronology of events on November 22, 1963 (WR 198), Captain Fritz signed a complaint 'shortly after 7 p.m.' charging Oswald with the murder of Tippit, and at 7:10 p.m. in the office of Captain Fritz Oswald was formally arraigned for the Tippit murder.

"At 11:26 p.m. Captain Fritz signed a second complaint against Oswald, charging him this time with the murder of President Kennedy. At 11:26 p.m. Oswald was in Captain Fritz's office, and Judge Johnston was still in the building.

"But this time the signing of the complaint was not followed immediately by formal arraignment. There was a delay of more than two hours, on which the Report does not comment..."

So far Sylvia Meagher. It is clear from her remarks ("Joesten must have been chastened to learn ect.") that Mrs. Meagher at the time she wrote her book, was ready, for all her skepticism, to accept as a fact that Oswald had been arraigned on the Kennedy murder charge. No wonder, for the Warren Report said so explicitly and even some of the most aggressive critics, such as Sylvia Meagher, were not yet prepared at the time to believe that a presidential commission would lie outright in a matter of such importance.

Yet the Commission statement that Oswald had been arraigned for the murder of President Kennedy was a blatant, unabashed lie, as Mrs. Meagher now has proved to herself and to the world by unearthing at the National Archives the above-reproduced FBI report.

There is no quibbling about the factual accuracy of Hosty's statement that "No arraignment on the murder charges in connection with the death of President Kennedy was held," for this information came straight from the Horse's mouth - the office of Captain Will Fritz, where the proceedings took place.

And there is no possible explanation or excuse for the Commission's "finding" that Oswald had been arraigned for the murder of President Kennedy, for that statement is flatly, irreconcilably contradicted by the Hosty report which is an integral part of the Commission papers.

Moreover, in my book "Oswald: Assassin or Fall Guy?" - which the Commission studied very carefully in order to rebut my charges - I specifically accused the Dallas Police and District Attorney of deliberate juggling in order to conceal the fact that Oswald had never even been advised of the fact that he was being accused of having assassinated President Kennedy - until the mid-night press conference when the shouts of the newsmen acquainted him with that fact - much less formally arraigned on that charge.

TRUTH LETTER is published every other week by Joachim Joesten, 87-70 173rd St., Jamaica 11432, N.Y.C. - Rates: \$ 45.00 a year; \$ 25.00 six months; \$ 15.00 three months trial.

Here is what I had written - and the Commission had read - in Chapter 6 of "Oswald: Assassin or Fall Guy?":

"As far as the legal proceedings are concerned, Oswald was charged only with the shooting of Patrolman J.D. Tippit (that he was just as innocent of that crime, too, will be proved in following chapters). The accusations leveled against him by the Dallas police and district attorney with regard to the President's assassination were strictly for public consumption, or rather for the purpose of misleading the public. They were never embodied in a valid legal document.

"The word 'valid' has to be emphasized here because the Dallas authorities did put out, quite manifestly for purposes of camouflage and deception, a legal-looking document which has been widely reproduced in the world press. For greater effect, U.P.I. distributed a picture (reproduced in our documentary section), on which one sees a long-faced, sad-eyed Dallas official - none other than Asst. D.A. Bill Alexander, holding up this peculiar 'document' like a town crier's manifesto. Let's take a close look at it.

Form 141

AFFIDAVIT General

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS

PERSONALLY APPEARED before me the undersigned authority this affiant, who after being by me duly sworn, deposes and says your AFFIANT has good reason to believe and does believe that one

L E E H A R V E Y O S W A L D

hereinafter styled Defendant, heretofore on or about the 22nd day of November 1963, in the County of Dallas and State of Texas, did then and there unlawfully, voluntarily and with Malice aforethought kill John F. Kennedy by shooting him with a gun

"Here this singular 'Affidavit' ends. One does not learn who the 'affiant' is, before which 'authority' he personally appeared, nor what good reason he had to believe that one Lee Harvey Oswald, with Malice (capitalized in the original text!) aforethought, did kill one John F. Kennedy by shooting him with a gun. And, of course, there is neither any signature nor an official seal affixed to the 'Affidavit.' Imagine an unsigned half-written 'document' like that being introduced as evidence in a court of law - even in Texas!..."

Under the circumstances, it would have been the bounden duty of the Warren Commission to probe deeply into the question whether Oswald had been properly arraigned, or what the purpose of this peculiar "Affidavit" could have been.

The fact that the Hosty report is with the Commission papers suggests that this FBI agent had been asked by the Commission to find out whether an arraignment had taken place. When he reported back that no arraignment on the Kennedy murder charge had ever taken place, the Commission - composed almost exclusively of lawyers and headed by the Chief Justice of the United States, mind you! - ought to have been outraged and demanded explanations from those responsible for this mockery of justice.

Instead, what did the Warren Commission do? It buried this telltale document in its pile of unpublished material, evidently in hopes that nobody would ever pay any attention to it, and brazenly perverted the truth by asserting that Oswald had been arraigned on the Kennedy murder charges!

Arraignment is not a mere formality to be applied or dispensed with at the pleasure of the prosecuting authorities. It is an indispensable legal prerequisite to a trial. Hosty's remark - evidently reflecting the views of Captain Fritz, Asst. D.A. Alexander and Judge Johnston - that an arraignment

on the Kennedy murder charges was "not necessary" in view of the previous charges (i.e. the Tippit case) filed against him and for which he was arraigned, is pure humbug and eyewash.

Keep in mind that nobody at the time knew for sure in which jurisdiction Oswald would have had to be tried for the assassination of the President. It is still a moot question to this day. Even though the killing of a President of the United States was not made a federal crime until after Dallas, there would have been plenty of justification and precedent for an Oswald trial in federal court - at a minimum on civil rights charges, as happens so often when a prominent Negro is killed and the local authorities refuse to prosecute.

In any event, the Dallas authorities could not be legally certain that they would be permitted to lump the proceedings against Oswald for the alleged Tippit murder and for the assassination of President Kennedy together into one and the same trial before a Texas State court. For this, if for no other reason, separate arraignments in the two cases were absolutely essential. Without an arraignment on the specific charge of having killed President Kennedy, Oswald could never have been tried for the assassination.

But, of course, trying Oswald on charges which they all knew to be phony was the last thing Messrs. Curry, Wade, Alexander, Fritz etc. had in mind. The very fact that the indispensable formality of arraignment was dispensed with by common agreement now stands out as one of the strongest indications - among dozens of others - that all of these fine gentlemen were involved in the conspiracy to kill President Kennedy and that they all conspired to do away with Oswald before he could be tried on either one of the two trumped-up murder charges.

Note also that the "authorized local complaint" charging Oswald with assault to murder Governor Connally was not filed until the following day, November 23rd. Why this delay? Shouldn't the Warren Commission have been interested in that question?

A plausible answer quickly comes to mind. The night of November 22nd, those in control of the operation could not be sure yet whether they would be able to make the single-assassin Theory stick. Too many witnesses had heard more than three shots, too many pictures betraying a different location as the source of shots had been taken. And, most importantly, there was no certainty yet that the coup d'etat had been a complete success, without resistance from any quarter. The following day, with Lyndon B. Johnson firmly in control, the plotters knew that no matter how absurd their explanations of what supposedly had happened, they would be covered. And so they went the whole hog, blaming Oswald for all the shooting that had taken place in Dallas that day.

As time goes by, bit after bit of revealing or even devastating information comes to light. But, who cares? Does President Nixon care? Or his Attorney-General John Mitchell? Do the news media of America care? Does the American Civil Liberties Union? Or the American Bar Association? Nobody cares.

The Odds

At issue: The Truth about the Three Great Assassinations.

In this corner: One battered typewriter, one broken-down duplicating machine, one shoestring, one old man.

In the opposite corner: The White(wash) House, the Congress, the FBI, the CIA, the Press, Radio & TV, the publishers etc. Some fight, isn't it?

Guess, who is going to win?
(But I won't live to see it)

The new book by Joachim Joesten TRILOGY OF MURDER
 An analysis and interpretation of the John F. Kennedy, Robert Kennedy and
 Dr. Martin Luther King assassinations. - Copyright by J. Joesten, 1968-1969.

In the light of what subsequently happened, the suspicion is warranted that it was a deliberate move for the purpose of liquidating Gonzalez. Perhaps the Mexican authorities in the towns across the border from California aren't quite so cooperative in planned murder as their colleagues on the Texas side. Quién sabe? In any event, if the American authorities have a better explanation of the reason for taking Gonzalez first from California to Texas and then showing him across the border at El Paso, let them come forward with that explanation.

"When he (Gonzalez) arrived in El Paso," the above-quoted AP dispatch continued, "he claimed U.S. citizenship and a check of Washington State records indicated he was born a U.S. citizen."

Nevertheless, the FBI, or the U.S. Immigration Service, or whoever is responsible for this outrage, deported Gonzalez to Juarez, the Mexican border town - a flagrantly illegal act, for a native U.S. citizen cannot be deported to a foreign country except in a few special cases, none of which applies here.

This illegal deportation alone, despite Gonzalez' established citizenship, is proof of extremely shady business - but it is only a beginning. For, according to the AP-dispatch from Juarez, Gonzalez, after his arrival in that town was "questioned by Mexican federal agents and FBI agents about a letter containing statements concerning the assassination of Robert F. Kennedy."

If the FBI wanted to question Gonzalez about a letter which, as we shall see, he must have had in his possession all along, why didn't they do so on American soil, in El Paso? Why did they wait for their suspect to become a helpless prisoner in a country not normally renowned for strict adherence to legal niceties before they pounced on him?

"The youth, identified by Juarez Judicial Police Chief Jesus Chacon as Cristin Curiel Gonzalez (in other news dispatches, his first name was given as "Crespin" - J.J.), was held without charge or bond," the AP-dispatch went on to say.

How come? No charge -and yet a man is held in prison without bond? On what grounds? Ah - the next paragraph tells us:

"Chacon said Gonzalez was examined for four hours late yesterday by three psychiatrists who are to report to authorities later today."

With the almost unbelievably crooked performance in mind which American psychiatrists delivered in the Sirhan case (more about this later) and also keeping in mind that pseudo-psychiatric skulduggery has played a prominent part in both Kennedy assassinations, it is easy to guess what the psychiatrists in Juarez wanted with Gonzalez. The old, familiar pattern of deception and trickery sticks out like a sore thumb in the case.

The next two paragraphs of the dispatch compound the worst suspicions:

"The Mexican federal district attorney in Juarez, Roberto Salinas, said he was consulting with his superiors in Mexico City to determine if any charges should be filed. Chacon said the youth was picked up Monday night after, police said they were told, a letter containing statements to the effect that the youth had prior knowledge of the assassination, fell from his pocket at a concession stand in Juarez.

"Chacon would not divulge contents of the letter except to say it included statements about the assassination and also mentioned Robert Kennedy's brother, Sen. Edward M. Kennedy of Massachusetts."

Despite official reticence in the matter, all this clearly points to a conspiracy to murder Robert Kennedy in which Gonzalez was somehow involved.

(to be continued in the next issue)