

10 September 1969

Dear David,

Replying to some of the questions you raised in your letter of the 6th: Yes, I am still in touch with Tom Bethell. He called me a few nights ago, in fact, concerned because I had not written to him in a while and to let me know that he was planning to visit Washington and New York later in the month, after which he will return to New Orleans to continue his book on jazz. For your private information, he has all but completed a quite extensive book on Garrison and the whole history of his "investigation," incorporating his <sup>own</sup> diary. While he has not explicitly asked me to treat this as a secret, it stands to reason that it should not be noised about so that it eventually reaches the Garrison-lovers among the critics or Garrison himself --which obviously would be undesirable. Tom mentioned, by the way, that a book on the same general subject but centering on the issue of Garrison's abuse of power has been written by Milton Brener, one of the lawyers for various individuals charged with various "crimes" by Garrison during his heyday on the WR "investigation," and is being published by an obscure New York house, for release early October 1969.

Weisberg recently informed me that the transcript of testimony by Finck, Shaneyfelt, et al will soon be available and that he took it for granted that I wanted a copy. I wrote back confirming that I do want the transcript and will of course pay any costs. Weisberg, Hoch, Schoener, Nichols and perhaps still others are working together on this project. Considering your unhappy relations with Harold, I would suggest that you drop any attempts to get the transcript until I get a copy. Depending on its length and bulk, I would decide whether to try to xerox it for you (if it is clear enough to be xeroxed) or whether to lend it to you so that you can make yourself a copy.

I don't know the exact nature of your present relationship with Paul Hoch. If it is extremely good, you might see if he will provide you with a copy of the transcript but say nothing to any of the others, since Weisberg might just raise objections to sharing this material with you. You can best judge whether to approach Hoch along these lines, or to let the matter rest until I receive my own copy of the transcript.

About Cyril Wecht: I, too, heard the broadcast he did with Flammonde around the time of the Shaw trial and subsequent to his own testimony in Washington before Judge Halleck on the autopsy photos and X-rays. I was quite angered by the way in which Wecht permitted himself to be described as a Garrison witness and cohort, and by his failure to express his misgivings about Garrison's crude antics and dubious motivations and his failure to disassociate himself from the prosecution of Shaw. I wrote him quite frankly along these lines immediately after the broadcast and he replied, agreeing with my comments and expressing his own disgust with Garrison. Although he did not say so in his letter, I imagine that he was in a difficult position during the broadcast because the "host" of the program, one Long John Nebel (basically a Neanderthal and cut-throat of really vulgar and crude propensities), has been remarkably cordial to Wecht and has invited him to be on the program quite frequently. Flammonde is one of Long John's closest friends and formerly was producer of the program, on which he is these days a very frequent panelist on a whole variety of subjects (religion, UFOs, paranormal phenomena, etc.). I imagine that Wecht did not want to make a frontal attack on Flammonde, or on Garrison, under those circumstances; and it is also possible that he was, at the time, ambivalent in his own feelings, having worked closely with Fensterwald in terms of his testimony before Halleck in support of Garrison's subpoena of the autopsy photos and X-rays and perhaps influenced by Fensterwald's partnership with Garrison.

Be that as it may, I believe that Wecht at this time has no illusions at all about Garrison. So far as I know, he has no closeness at all with Flammonde (although I cannot say categorically that they are not in touch). I don't know what relationship, if any, Wecht now has with Fensterwald. Although he seemingly has not accepted membership in Fensterwald's committee "CIA", Wecht may well have maintained some form of association with Fensterwald personally, on the autopsy photos and other Kennedy family matters. Personally, I have respect for and confidence in Wecht, but I could not give any assurances that he, or anyone else, is leak-proof. I am not entirely certain that I myself would be 100 percent leak-proof under any and all conceivable circumstances, though I would never make a pledge of secrecy with a hidden intention of violating it, and I believe the same is true of Wecht.

Now, to the main question--your request that I prepare a "defense brief" on the issues raised in the FBI reports I sent you. This I cannot do. It is not that I cannot spare the time or that I am reluctant to undertake the labor involved, but a matter of principle. That is, I cannot assume responsibility of this kind on behalf of anyone other than myself. Only you, as author of your ms., can and should make the survey and appraise the results. I cannot take the risk of overlooking some vital point and then having you proceed on the basis of my oversights.

What I can do and will do gladly is to offer you any comments or suggestions which may be helpful, and any relevant information which I may acquire, for you to use or not use as you decide for yourself.

You say in your letter that you have already xeroxed the appropriate section of Accessories for your file on the Tippit suspect transformation into the JFK suspect, and I assume that what you xeroxed is the chapter called "Establishing a Link." There I quoted from Postal's testimony to show that the police were already calling Oswald the JFK suspect while they were all still in the Texas Theater and that the WC simply ignored what she told them. What the FBI report of the 2/27/64 interview of Postal does is to add the information that the police knew Oswald's name while still in the theater--which she did not repeat in her deposition, and which was also ignored by the WC, which chose to dignify the fiction that while in the car en route to the police HQs Oswald refused to tell his name. (This also is discussed in Accessories, in relation to his ID bracelet and his alleged reply to one policeman in the HQs that his name was "Hidell".) I also quoted in the same section of the book (pp.87-88, as I recall) Brewer's testimony about the policeman who said, "Kill the President, will you," during the capture, and the way the WR dismissed that as "unlikely."

Although witnesses were usually asked by WC counsel whether and when they had been previously questioned by the SS or the FBI (see, for example, Volume VI, the Parkland Hospital witnesses), no such questions were put to Postal or Brewer. Ball and/or Belin therefore did not explicitly indicate by the nature or form of their questions that they had seen and were aware of the contents of the FBI reports that I sent you. We must, however, infer that they had indeed seen those FBI reports, in view of the lapse of about 2 months between the dates of the FBI reports and the dates on which depositions were taken; and in view of the fixed procedure which is apparent from study of the 15 volumes of testimony--that is, that the WC lawyers, before taking depositions, did review the relevant reports and affidavits, etc., and did often have "dry runs" with the witnesses as well. In other words, they did not take depositions "cold" but after study and preparation.

While I dealt with the timing of the conversion of the Tippit suspect into the JFK suspect in "Establishing a Link," other chapters of Accessories are also relevant --the chapters dealing with the Tippit shooting, the jacket, the identifications by eyewitnesses and eyewitnesses like Markham; with Hidell; with the interrogation sessions; etc. I suggest that you re-scan the book for portions which affect this crucial question of prior knowledge suggesting calculated framing and trailing of Oswald (see also "The Bus Ride").

You should also consult the Subject Index for listings under "Arrest, Dallas," "Bus Ride," "Car, Reported by E. Roberts," Dallas Police, Description Tippit Suspect, Hidell, Jackets, Oswald: Activities, and Tippit Shooting.

And, it goes without saying, the question of foreknowledge of Oswald's old Elsbeth Street address, discussed in my book.

By the way, Postal and Brewer give conflicting versions of whether she did or did not observe "Oswald" or someone sneaking into the theater without a ticket, which raises questions about the reliability or veracity of one or both of them. Are we even accepting the claim that Oswald really stood at the shoe-store or sneaked into the theater? I have strong doubts about the whole story; but if Postal lied about seeing a man sneak in, it can be used to cast doubt on her other statements. But the WC did not cast doubt on the statements in question--it merely ignored them completely. I do not believe it was oversight or overwork but, as in the Givens case, cold-blooded conscious and absolutely deliberate.

I will write if I think of anything else or come across anything relevant, trusting that you understand and accept my negative answer on the "defense brief" and that it in no way implies any holding-back of information or help. No one short of you yourself wants more fervently than I for your ms. to be electrifying, irrefutable, and irresistible in its evidence and impact. And you can believe that, all the way.

Best, as ever,