David R. Wrone

JFK ASSASSINATION

Articles on the Assassination

of John F. Kennedy

appearing December 1, 2, 3, 4, 1975

in

THE CAPITAL TIMES (MADISON, Wisconsin)

438 C.O.P.S.
University of Wisconsin
Stevens Point
Stevens Point, WI 54481

JFK Assassination: A Cover-Up?

Stevens Point Professor Asks: What Kept Us from Learning the Truth?

By DAVID R. WRONE

The 12-year-old unsolved assassination of President John F. Kennedy has given rise to more than 100 major critics of the official Warren Commission findings and several thousand regional and local voices of dissent.

The number of critics, the intensity of their criticism and the support given them by the public is without parallel in American history.

The critics fall into two distinctive groups: the responsible and the irresponsible or pseudo. The irresponsible critics dominate the subject and have so formed the central question in the public mind that serious doubt now exists that the assassination investigation can be reopened. If it cannot, the implication goes far beyond Dallas to the quality of life for the present generation and will leave its distinct imprint on our ability as a nation to meet future crises.

The Responsible Critics

The responsible critics number about a dozen and generally have been ignored by the press, the collegiate lecture circuits and the politicians. Among these few are: the indefatigable Harold Weisberg, who is perhaps the most informed of all; the brilliant young Howard Roffman; the doughty James Hiram Lesar, who has fought the Department of Justice to the Supreme Court five times; Sylvia Meagher; and Paul Hoch.

All of them possess certain qualities that set them apart from the irresponsible critics like the dawn separates the day from night. Chief among their attributes is their insistence on working only with the evidence and giving critical scrutiny to all facts before making a statement.

Thus, they perforce have to spend long hours working in the documentary base in order to build their books around the most careful research. Knowledge alone will provide us with a clue and they do not presume to tell us who killed Kennedy for that information is not in the evidentiary base.

Their approach to modern problems through the medium of careful attention to facts and evidence rather than by the devices of theory, speculation and emotion is an old tradition in the United States. This approach is found in the attack on slavery, in the rise of the labor movement and in the radical resistence (1945-1948) to the Cold War, to give just three national illustrations.

In Wisconsin, the approach is personified in the life of Robert M. La Follette who fought for a better world in precisely this way. "Fighting Bob" fought with fact — fact derived from a prodigious effort of long study and serious consideration of the evidence. Then, armed with the facts, he stood in the Senate and fought the military machine, the powerful rich, the exploiters of the Indians and the special interests.

The responsible critics stand in this tradition; unfortunately they have been given little attention by a public which has been turned more and more to extremist positions assiduously promoted by the pseudo-critics.

The Irresponsible Critics

The irresponsible critics have captured the public mind and have treated us to an almost daily revelation of what happened in Dallas.

The list is long, including Penn Jones, Jim Garrison, Dick Gregory, George O'Toole, Mark Lane, Josiah Thompson, Richard Popkins, A. J. Weberman, etc. Many of them use the most blatant showmanship devices, ones which would make even old P. T. Barnum turn green with envy. Few of them, however, have been inside the National Archives to do serious research: several of their arguments have been lifted from the works of other authors or have been demolished by the responsible critics years before they wrote them up as the New Truth.

Three examples will suffice.

Mark Lane's books are packed with hundreds of errors of fact and omissions of fact to support his theories. His treatment of some testimony is a severe distortion of truth.

A. J. Weberman's **Coup d'etat** centers on a picture of some "tramps" being arrested on Dealey Plaza. He asserts they are CIA men. He totally ignores irrefutable evidence — other photos, affidavits, eye-witnesses, etc. — which proves that the "tramps" were, in fact, winos and which destroys his "theory."

George O'Toole's **Assassination Tapes** contains numerous errors of fact. His "Psychological Stress Machine" that solved "the crime of the century" is now being pushed heavily among law enforcement agencies to aid in the fight against crime.

Was There Cover-Up?

(Continued from Page 25)

Texas oilmen. All focus on "who."

The answer to the question of who shot President Kennedy is: It is a false question. It is a question which disserves the American people and will ultimately block re-opening the investigation.

In the first place, we probably will never know who shot President Kennedy. Most crimes 10 years and older are never solved, especially ones of such complexity. But even if one could find the triggermen, the probablity of penetrating the level of conspiracy that ordered or permitted the assassination to be perpetrated is extremely low.

Second, the "who" question is a strawman question which is easily rebutted. When Gregory went to the Vice President's Commission on the CIA with the "facts" of his theory that the CIA shot Kennedy, he easily was rebutted.

Once federal officials destroy one nutty theory, the claim is put forward that all other criticism of the assassination is similar. They have already shown how preposterous it is; therefore, one faulty, all faulty. The government can knock down one false "who" theory after another, gradually destroy the credibility of all critics, and ignore the truth.

Third, even if the irresponsible criticism could be heeded by the government, conditions exist today (as they existed on Nov. 22, 1963) which would permit the government to put forward another patsy like Lee Harvey Oswald and cover up the crime once more.

Only when these conditions have been understood, examined in factual detail, will the crime be solved. Study of the Kennedy assassination must be refocused.

The Central Question

The central question of the assassination is: What prevented us from learning the truth about the assassination of the President? And it is here that the false critics fall away, because only cold, sober, factual information will give us that answer, not gimmicks, "theories" or headlines.

This is a difficult way to move, repugnant to many who think they know who. But the American critical tradition and the example of "Fighting Bob" La Follette demonstrates beyond cavil that truth is ultimately a question of facts. By working at the facts, piling up the evidence, carefully and quietly assembling the data, the picture of what happened on Dealey Plaza will emerge in clear detail.

The picture is much more heinous than the false critics would have us suppose.

Every fundamental institution in the United States failed to act in accordance with its stipulated principles.

- The legal institution is particularly notorious in the investigation of the assassination. Lawyers committed perjury, helped or forced witnesses to commit perjury, concealed evidence, mutilated evidence and lied to all concerned about the evidence. It was not just a few "bad eggs" who did this, but a score of competent, well-schooled and highly-touted attorneys.

- The courts also failed — in the person of the Chief Justice of the Supreme Court Earl Warren.

- Congress proved inept in addressing itself to the problem and was duped by the Warren Commission.

- The press and media were especially incompetent and distorted truth, fed themselves on rumors, traced down minor eccentricities and ignored the facts.

- Historians also failed. Two served on the Warren Commission staff. Academic scholars have easily relied on the official truth for their classes and textbooks.

- Local law enforcement officials bungled their job. Many of the agents in the federal ihvestigative agencies and in the Department of Justice destroyed evidence, suppressed testimony, mutilated photographs, committed perjury and helped suborn perjury.

tioned those to whom he had spoken. The Commission attorneys also withheld many descriptions of the rifle and misrepresented other information concerning Weitzman's discovery.

The three officers, however, let stand for the historical record that they had improperly confused the German-made gun with the Italian Carcano.

Their accounts were not subjected to the careful scrutiny that a murder of a President warrants, and the same attorneys responsible for this failed to correlate information from other sources and witnesses.

As critic Sylvia Meagher noted in 1967, in a work based on the 26 volumes of **Hearings and Exhibits** released by the Warren Commission:

"After studying the testimony and documents, I have no confidence in the official account of how the confusion about a Mauser originated. The facts have been misrepresented. The investigation has been incomplete and unsatisfactory, by objective standards. Relevant documents have been withheld. The question of the identity of the rifle found in the Book Depository still awaits a conclusive determination."

After the Dallas police had arrested Oswald, he gave them information about two rifles he had seen previously in the Texas School Book Depository, Nos. 2 and 3. The verbatim transcript of this information is included in the report of the Warren Commission, but it is not indexed nor referred to. The Warren Commission ignored this evidence that should have destroyed its entire investigation and the conclusions reached in its report.

A dummy rifle without a scope was used the afternoon of the assassination by a national television crew to film the discovery of the "murder weapon." This is No. 4.

Apparently, journalists possess a code of conduct that varies considerably with the code the general public lives by. At the time of the discovery of the alleged murder weapon, the television crew found the crowd around the exit of the Book Depository to be too thick to permit good coverage. The crew sent to their studio for a prop rifle. They then staged a discovery scene for the unsuspecting national viewing audience. Local amateurs photographed them. The amateur film became incorporated later into a locally produced souvenir film.

Several of the irresponsible critics, confusing the film with reality, later suggested the government suppressed evidence. The government suppressed evidence, to be sure, but the Dallas Associates souvenir film and the television clip were not evidence, but frauds.

The Mannlicher-Carcano

Rifle No. 5 on the list is the 6.5-mm Italian-made Mannlicher-Carcano found in the School Book Depository by police officers. The Warren Commission stated that this rifle, and no other rifle, killed President Kennedy, and that Lee Harvey Oswald owned the rifle.

At this point, the responsible critics feel they are enduring the labors of ancient Sisyphus in making rebuttals to the Commission assertion that Oswald possessed the rifle. There is no evidence whatsoever presented by the Commission to substantiate such a charge.

An outline of the rifle's history is sufficient to refute the allegation. A Chicago sporting goods store shipped "a rifle" to one "Alex J. Hidell" in Dallas. Oswald was not proven to have received a rifle through the mail, nor was the Klein rifle ever placed in his possession.

Contrary to the statements of many

(Continued on Page 26)

Photographs:

1. Pres. J.F.K. leaving hospital following death of infant son, Aug. 1963.
2. Pres. and Mrs. Kennedy in open limousine in downtown Dallas, 11.23.75.
3. L.H. Oswald being transferred from Dallas City Jail when shot by Jack Ruby.

Mystery in the Archives

In the decade following the death of President Kennedy, six major positions can be discerned among psuedo-critics and apologists of the Warren Report on the question of the sealed documents in the National Archives.

• The first explanation put forward attempted to shift the blame for the secrecy upon the Kennedy family. Carefully prepared news stories reiterated the point that something mysterious had occurred in Dallas that the family wished to keep secret, perhaps, to promote some crass political end.

Two typical examples are: David Wise, a Washington journalist who is co-author of a popular work on the machinations of the Central Intelligence Agency, wrote an article for the Saturday Evening Post that centered on the secrecy aspect of the records and thrust the blame upon the Kennedy family and President Johnson. A similar charge is to be found in the sensationalized story by Fred Graham appearing in the New York Times. He puffs the Kennedy secrecy story. Needless to add, the popular press and some elements of the general public also tend to hold this belief.

• The commercially successful film "Executive Action" advanced the clearest representation of the second reason for the secrecy. It charges President Johnson with issuing an executive order to seal the archives so the real truth about the assassination could not be had, namely that Johnson had participated in the plot to kill Kennedy.

• The third explanation is that Chief Justice Earl Warren ordered the Commission records closed forever. Behind his act, it is claimed, lurked a sinister motive or an awful inner knowledge of a foul deed. While some suspected his patriotism to be a factor, most did not specify why he would wish to seal a depository.

• A fourth reason makes the CIA the culprit; that the CIA murdered the President and then controlled the Warren Commission as well as its records.

• A fifth reason was charged by Attorney General Ramsey Clark when he said on a public television network that the Archives sealed the records as part of their policy.

• The sixth explanation functions more as a posture for disbelief that a public institution could have erred so radically in its responsibility. According to this view, the men who served on the Warren Commission acted from the highest motives under the most trying circumstances; it consigns critics to the wild and irrational never-satisfied emotional element so frequent in American life and letters.

Proponents of this view insist the secrecy question is immaterial and should be completely ignored. This distinctive trait is exemplified by the activity of Harrison Salisbury, an editor of the New York Times. He strenuously upholds the Warren Commission's conclusions by directing literary attacks upon the responsible critics with the kind of fervor one expects from a reader of apocalyptic books. He also works under some illusion about the role of the New York Times in investigating the murder.

Eric Severeid of the Columbia Broadcasting System is also an example of a peculiar outlook. He explained to a nation-wide viewing audience that those men who do not back the judgment of the Warren Commission members are simply "stupid."

That a President of the United States can be shot dead on the streets of the nation he governed and the foul deed can be masked by callous forgeries, perfidious conduct, studied deceit and broken oaths shames the history and fine tradition of the nation. It belies all he stood for as a man and as our President. It invites — yes strongly suggests — comparison with the political actions of Imperial Rome or Germany of the mid-1930s.

Critics who follow the principle of objective truth have ever been repelled by acts that buckle to imposed base standards. Critics in a democracy have the double fortune of being able to pursue truth not only to the end of reality but also to the end of the political order because the essential argument of democracy is that the ends of government must be intelligently formed by the people's action.

To enable a condition for right action to exist, critics have the splendid duty of objectively presenting knowledge that ignorance cannot sway the citizen's act. That men and women continue to labor on the evidentiary foundation of the assassination of John F. Kennedy is a public good.

NEXT: Harold Weisberg vs. the federal government

Ford later denied, during the 1973 hearings for confirmation to the office of vice president, doing anything wrong or improper. He said:

"The book I published in conjunction with a member of my staff who worked with me at the time of the Warren Commission work — we wrote the book, but we did not use in that book any material that was not in the 26 volumes of testimony and sold to the public generally . . . We made a contract with Simon and Schuster in which they advanced us, as I recall, $10,000, which Mr. Styles and I divided between us."

Since such an important individual had printed some of the transcript, Weisberg had felt his request for the complete document surely would be honored. He asked again to use it. The Archives, however, continued to deny citizen Weisberg any portion of the transcript used by Gerald Ford.

Weisberg concluded that either the transcript was improperly classified to keep from embarrassing some officials for failing to have performed their duty in investigating the assassination, or that Gerald Ford had been given an exclusive copyright, or both.

Weisberg persisted. Before engaging in a costly legal suit, he tried to appeal the National Archives' decision through the several administrative remedies open to him only to be informed ultimately that the material could not be given to him for research purposes, because exemptions 1 and 7 of the Freedom of Information Act restricted such actions.

Exemption 1 forbids disclosure of matters that are "specifically required by Executive Order to be kept secret in the interest of the national defense or foreign policy."

Exemption 7 exempts from disclosure matters that are ". . . investigatory files compiled for law enforcement purposes to the extent available by law to a party other than an agency."

A Lawsuit and a Response

On Nov. 13, 1973, Weisberg's attorney, James Lesar, filed a suit for him in the United States District Court for the District of Columbia seeking access to the transcript under the provisions of the Freedom of Information Act, title 5 of the United States Code section 552.

The act provides that the court shall determine the matter of restriction "de novo" and puts the burden of proof upon the government defendant, in this case the General Services Administration which operates the National Archives, to justify its refusal to give access to the requested transcript.

Under Rule 33 of the Federal Rules of Civil Procedure, Lesar addressed a set of interrogatories to the General Services Administration. He wanted to know if any specific Executive Order required the transcript of Jan. 27, 1964, executive session of the Warren Commission, to be kept secret in the interest of national security or foreign policy.

He wanted to know the number of the Executive Order. He sought to find out if the Attorney General of the United States had ever made a determination that it is not in the national interest to release the transcript or the report of any FBI tests made during its investigation into the assassination of John Kennedy.

Lesar wished to be informed if the transcript was being withheld from research on the grounds that it is part of an investigatory file compiled for law enforcement purposes. Further questions clarified and elaborated these interrogatories.

Attorneys from the Department of Justice, headed by Earl J. Silbert, waited silently for several weeks. Then, on Jan. 14, 1974, they filed a motion for an extension of time within which to answer or otherwise plead with respect to the complaint and to respond to the interrogatories.

Judge Gerhard Gesell gave them until Feb. 16 and "no further" extension of time in which to respond. But on Feb. 13, the government attorneys moved to dismiss the suit or, in the alternative, for summary judgment, submitting memorandum to sustain the motion as well as providing answers to Lesar's interrogatories. They included also the affidavit of James B. Rhoads, Archivist of the United States.

At first glance, the Rhoads affidavit is impressive. A casual reader though would be misled by the formal trappings of a federal court instrument, the seal of the notary public, the legal jargon, the formal presentation and the professional credentials of the affiant.

The document actually gives few concrete facts. Of the five sentences in the affidavit only one is operative. It asserts:

"In accordance with Executive Order, at all times since the document in question, the transcript of the January 27, 1964, executive session of the Warren Commission, has been in the custody of the National Archives and Records Service, General Services Administration, it has been and continues to be classified 'Top Secret.' "

Motion to Strike

Lesar was not finished with Archivist Rhoads. On March 7, as the second part of his counterattack, he filed a motion to strike the affidavit of James B. Rhoads supporting his motion with a memorandum of points and authorities.

Lesar argued that Rhoads' affidavit failed to meet the standards set forth in the Federal Rules of Civil Procedure. Those standards expressly state that only persons with authority to classify documents "top secret" shall have the authority under Executive Order 11652 to assert that the transcript had been classified "top secret" in accordance with the Executive Order.

Other important weaknesses in the affidavit were that Rhoads did not swear the transcript bears on its face a "top secret" stamp as law requires and he did not name the person who classified it. He did not give the date it was classified.

The Federal Rules state that a copy of the cover of the face sheet bearing the secrecy stamp must be attached to the affidavit. Rhoads did not do so.

Having finished with these additional moves, and while awaiting Judge Gesell's ruling on the motion to strike, Lesar turned to oppose the Feb. 13 motion of the General Services Administration to dismiss the case.

On March 12, Lesar filed in opposition to dismiss the case, supporting it with a memorandum of authorities and points along with an affidavit of Harold Weisberg.

Weisberg's affidavit broke the back of the Justice Departments' case which Attorney Earl Silbert had tried to erect on the Rhoads' affidavit to block access to the transcript. Rhoads had sworn that the transcript had been stamped "top secret" originally and lawfully pursuant to Executive Order 11652 and its predecessor 10501, as amended. Weisberg swore: "This is false."

Then he proved his statement by showing that a commercial reporting firm hired by the Commission to take down and type the minutes of the Executive Session had, as a matter of office routine, classified the document "top secret."

The Washington firm of Ward & Paul stamped all its records of the Warren Commission "top secret," including its internal housekeeping records. When it did not resort to this stratagem, its records fell into chaos.

Weisberg attached copies of the Ward & Paul work sheets and other documentary evidence proving this. He showed that the Warren Commission disregarded the Ward & Paul "top secret" labels attached to all its transcripts. In fact, the Commission itself published most of the transcripts stamped "top secret."

Weisberg attached proof that the Commission had authorized commercial sale of these prior to their publication. Finally, he swore that it is well known from Ford's book that the Jan. 27 transcript dealt with the rumor that Lee Harvey Oswald had been an undercover agent for the FBI.

FBI and Secret Service reports pertaining to their investigations of this rumor were not classified. Weisberg has many such reports; some of these he reproduced in facsimile in his book, **Whitewash IV.**

The Rankin Affidavit

On April 1, Silbert responded with James B. Rhoads' second set of answers to interrogatories, but now the information had to take into account Weisberg's affidavit with its exhibits.

Rhoads swore that in a letter of May 1, 1964, J. Lee Rankin, General Counsel of the Warren Commission, ordered Ward & Paul to classify all such transcripts "top secret." Rhoads assumed that Rankin must have ordered the classification of the Jan. 27 transcript sought by Weisberg. His quibbling responses to the interrogatories did not satisfy Judge Gesell who now sensed that the government attorneys were not cooperating with the bench but were attempting to obfuscate the facts.

On April 4, Judge Gesell responded to Lesar's motion of March 7 to strike Rhoads' affidavit. He stated the affidavit had merit and denied the motion of Lesar that it be stricken, but he was impressed by the argument that procedural irregularities may well be an issue in the case.

Accordingly, he ordered the General Services Administration to file "with the Court by April 17, 1974, proof competent under Rule 56 of the Federal Rules of Civil Procedure that the transcript at issue has been properly classified under Executive Order 11652."

Weisberg Loses—At First

Do Secret Records Imply a Conspiracy?

This is the third segment of a series on the Kennedy assassination by David R. Wrone, associate professor of history at the University of Wisconsin-Stevens Point.

Originally scheduled to run in three parts, the series has been divided once more due to space limitations. Part 4 will run in Thursday's Capital Times.

In part 2, Tuesday, Wrone began the drama of one critic's search to learn why certain documents of the Warren Commission Records in the National Archives were classified "top secret." This installment describes researcher Harold Weisberg's initial futility.

By DAVID R. WRONE

On April 27, 1974, Judge Gerhard Gesell's district court received the affidavit of J. Lee Rankin, former general counsel of the Warren Commission.

In it, Rankin swore he ordered certain executive session transcripts classified — including the Jan. 27, 1974, transcript being sought by Harold Weisberg.

At this point, E. J. Silbert, head of federal attorneys opposing Weisberg's suit, sought dismissal of that suit. We pick up at that point.

Weisberg and his attorney, James Lesar, responded to the Rankin affidavit on the assumption that the prestige of the individual affianting has no bearing on whether an alleged fact is true. The scales of blind truth weigh only facts, not prestige.

On April 24, Lesar launched a fierce attack on Silbert designed to smash the factual base of Rankin's affidavit while at the same time wrecking his credibility. The argument fell into four parts.

• First, Lesar demonstrated the Warren Commission did not have the authority to classify its records pursuant to Executive Order 10501. That order specifically states that "except as such authority may be specifically conferred upon any such agency or unit," they "shall be deemed not to have authority for original classification of information or material under this order."

No specific authority for classification was given to the Warren Commission. Neither Rhoads nor Rankin nor the federal attorneys could offer one. It did not exist.

• Second, Lesar showed the classification procedures required by Executive Order 10501 were not followed for the documents generated by the Warren Commission. That directive sets forth specific ways for classifying material relating to national security. Persons who have the authority to classify must by law affix the security stamp. Ward & Paul's method of handling their bookkeeping simply did not meet the federal requirements.

Furthermore, it states that documents must be classified with respect to their contents only. Again this could not mean the routine of the stenographers who stamped everything, including putting a "top secret" stamp on documents that had come to them declassified by the government.

• Third, the court was told that the defendant had not shown that compliance with the President Lyndon B. Johnson's **Guidlines** on making the Warren Commission Records available to the people. This information and its documentary support presented to the court destroyed a portion of the irresponsible critics' myuth concerning the sealed records of the Commission. Many had proclaimed throughout the land that Johnson was behind the killing and had deliberately sealed the evidence of his misdeeds.

Using documents that the Department of Justice attorneys had attempted to hide through subterfuge, Lesar and Weisberg revealed that in January, 1965, President Johnson ordered guidelines set up to release the Warren Commission Records to the public.

In implementing the order, the Attorney General of the United States requested Chief Justice Earl Warren's position on the question of the classification of the papers of the Commission he chaired. On April 3, 1965, Warren replied, saying the Commission wished "fullest possible disclosure" and did not wish to restrict any of its own records.

The Chief Justice's letter bluntly contradicts the reasons preferred by the Department of Justice and the National Archives for keeping the Jan. 27 transcript secret. That is why attorneys for the federal government kept the existence of the Warren letter quiet and then tried to block access to it by Weisberg.

In addition to Earl Warren's statement on disclosure, Lyndon B. Johnson's **Guidelines** supported Weisberg. Johnson had directed the National Archives to implement his **Guidelines** opening the Records to the public as expeditiously as possible consistent with law. The "top secret" stamp blatantly flies in the face of executive decree.

• Fourth, Lesar and Weisberg through a supplemental affidavit argued against Silbert's employment of the Rankin affidavit because substantial material facts are in dispute.

Rankin swore that the Warren Commission had ordered him to classify the transcript and he had directed Ward & Paul, Washington publishers of the Warren Records, to do it.

Weisberg stated there is no document in the Commission files that directs Rankin to classify and that the defendant did not produce any. Moreover, Rankin placed his affidavit in a chronological framework that disproves his own statement.

No Classification Orders

Rankin began work on Dec. 8, 1963. Weisberg swore and provided proof that no transcript of an executive session was ever classified prior to that date. The transcript of that date does not direct Rankin to classify transcripts or

page 13.

The Warren Records: Lesson in Suppression

Weisberg Is Handed the Secret Transcripts; Some Conspiracy Theories Lose

This is the fourth and final segment of a series on the Kennedy assassination by David R. Wrone, associate professor of history at the University of Wisconsin-Stevens Point.

Part 3 Wednesday continued the story of researcher Harold Weisberg's 10-year struggle to obtain secret transcripts in the Warren Commission records. This final installment offers a bizarre twist to the story and an interpretation of the entire series by Wrone.

By DAVID R. WRONE

On May 3, 1974, U.S. District Court Judge Gerhard Gesell ruled against Kennedy assasination researcher Harold Weisberg and his attorney, James Lesar.

Gesell decided that the Jan. 27, 1974, transcript of the Warren Commission Records sought by Weisberg was "off limits."

Attorney Lesar immediately filed a motion for reconsideration of the summary judgment. We pick up his argument opposing Gesell's "suppression" order.

Lesar pointed out that the use of the transcript precluded its ever having been compiled for law enforcement purposes. Before they were made available to law enforcement officials, several of the 86 pages of the transcript had, in effect, been sold to the public for a personal profit by Gerald Ford. In addition, the judge simply had misread **Weisberg vs. Department of Justice.**

This brazen act capped Weisberg's years of costly and time-consuming effort to get documents for his scholarly concerns. That the Department of Justice attorneys had fought for Rhoads and the General Services Administration to block access to it did not matter. That the act mocked the ruling of a federal judge was immaterial. That they negated the principles of their respective professions while insulting a citizen's quest for intelligence was a trivial matter apparently compared to their allegiance to a peculiar code of conduct.

Weisberg had his document. Its contents show Gerald Ford, with unindicated editing, changed it to hide its meaning when he printed it in his book. It shows the Commissioners were afraid of the FBI and discussed the "dirty rumor" that Oswald was a federal agent. Proof also was found within the transcript that the bullet entered too low, "according to the autopsy" photograph, for the killing to have been the work of a single assassin.

There is much more to the transcript which Weisberg and Lesar discuss in their book. **Whitewash IV.** But for our purposes, the question of secrecy of the Warren Commission Records, the transcript shows one important thing.

Contrary to the allegations that have appeared in the press for many years and that continue to appear from lawyers associated with the Warren Commission investigation, the transcript reveals that the Kennedy family cooperated fully with the Commission.

A Capital Times Special Series

The Assassination of John F. Kennedy

Having been intimately associated with the suit, Lesar convincingly elaborated on the appeal to fallacious precedent. The judge also had ignored the statements of Earl Warren, Lyndon Johnson, the attorney general, and even J. Edgar Hoover who had once declared the Records were not compiled for law enforcement purposes. But . . . to no avail.

Then the case took a bizarre twist, perhaps unique in crisis-connected lawsuits. On June 15, out of the blue and 10 years after Weisberg began attempting to get it, the mail carrier delivered the Jan. 27 transcript to him. The cover letter by Archivist Rhoads said it had just been declassified — so here it was.

The Commission members saw the autopsy evidence and the photographs associated with it, meaning also the conclusive evidence of a conspiracy therein. That is, they had the full set of autopsy film, not the doctored and incomplete material that had been revealed when the material in the Archives was opened to the public.

The autopsy film from the time it was taken until today is legally federal property and has always been in the possession of the federal government in the Archives.

allies that after all citizens might find the facts of a conspiracy in the Warren Commission Records, some sure way had to be found to still the growing clamor, lock the door and hide the key.

They found their allies in the vast bureaucracy, not only in the National Archives, but also in the nooks and crannies of government departments everywhere. Bureaucrats joined them because they are not different from other members of the human race.

Some are like members of other professions — military and educational — who are often moved by a vision of what they hold to be greater things. They are attracted by enhanced prestige, greater power, more privileges and a ride on the sparkling political currents that carry helpful persons with them. They all knew what successful careers demanded and did their duty.

Government attorney E.J. Silbert, for example, received a promotion, being appointed by President Nixon as United States Attorney for the District of Columbia. What they had not counted on were the winter scholars and storm-battered citizens standing in 200 years of American tradition who were moved by a far wider vision.

A Summary

That a President of the United States can be shot dead on the streets of the nation he governed and the foul deed can be masked by callous forgeries, perfidious conduct, studied deceit and broken oaths shames the history and fine tradition of the nation. It belies all he stood for as a man and as our President. It invites — yes strongly suggests — comparison with the political actions of Imperial Rome or Germany of the mid-1930s.

Critics who follow the principle of objective truth have ever been repelled by acts that buckle to imposed base standards. Critics in a democracy have the double fortune of being able to pursue truth not only to the end of the political order because the essential argument of democracy is that the ends of government must be intelligently formed by the people's action.

To enable a condition for right action to exist, critics have the splendid duty of objectively presenting knowledge that ignorance cannot sway the citizen's act. That men and women continue to labor on the evidentiary foundation of the assassination of John F. Kennedy is a public good.

IE CAPITAL TIMES

WEATHER — Mostly sunny, warmer. High mid-40s. Clear tonight. Low mid-30s.

AGES
CTIONS

MADISON, WIS., Thursday, December 4, 1975 ★★