C.T.I.A. NEWSLETTER
(Vol. I, No. 2. April, 1971)

I. Status of Newsletter

Our January Newsletter was, by and large, a happy venture. Aside from a number of favorable comments, we also garnered nearly $900 in contributions. While this sum is not enough to rescue the Committee from indigency--our current bank balance is about $500--we do feel it warrants continuation of our publication efforts.

There are, of course, some drawbacks to putting out a newsletter. In the aftermath of the January issue, our mailing list swelled to more than 900 names. However, as we are virtually without secretarial help--only an occasional volunteer--this put a heavy burden on our resident staff of two, engineer Bob Smith and lawyer Jim Lesar. Being mail chauvinists, they would just as soon someone else took care of the correspondence and filing.

The Committee will continue to send the Newsletter gratis to everyone on our mailing list. We hope, however, that our readers will send us such donations as they can afford. The money received goes for essentials: rent, office supplies, phone bills, xeroxing, lunches for the staff, and legal costs.

This last item is particularly important. The costs of the Freedom of Information Act suits we are handling tend to soar rather dramatically as cases reach the appellate level. The printing of the appeal brief in the "Spectro case" (see below) cost us $1100. While most cases will not cost that much, insufficient funds may prohibit us from appealing some of the cases we have filed.

II. James Earl Ray

In February Bud Fensterwald and Jim Lesar journeyed to Memphis where they and Memphis attorneys Bob Livingston and Richard Ryan represented James Earl Ray at the hearing on Ray's Petition for a trial. This hearing was the long-delayed continuation of the hearing held last September 2nd.

Ray's attorneys spent nearly three hours presenting his case to the court. This time there were no interruptions from the

bench. In fact, Judge Williams sat with his head lowered and scribbled furiously during the entire presentation. But when the speeches were finished, Judge Williams began at once to read off a lengthy oral opinion, replete with citations, denying Ray's request for an evidentiary hearing on claims that his guilty plea was coerced.

The basic ground of Judge Williams' oral opinion was his assertion that a guilty plea is not illegal in Tennessee if it is coerced by a defendant's own attorney rather than by agents of the State (such as the Judge, the D.A. or the police).

In addition, Judge Williams ruled that there had been no volation of Article I, section 13 of the Tennessee Constitution. That provision states that: "No prisioner shall be treated with undue rigor." Ray's attorneys argued that the State of Tennessee had violated this provision of its Constitution by keeping Ray in a windowless steel vault under constant light and TV surveillance 24 hours a day for more than 8 months while he was awaiting trial. Attorney Robert Livingston pointed out that the vault which was especially constructed for Ray is currently being used as a punishment cell for escapees and other bad actors and he challenged Judge Williams to leave the bench and inspect the cell, which is located in the same building as the courtroom. Judge Williams did not take up the challenge, however. Later, in his oral opinion, the Judge asserted that this provision was put in the Tennessee Constitution to prevent against sweat boxes and chain gangs and did not apply to Ray's treatment in the vault.

Ray now faces a time-consuming series of appeals in the State courts. It is necessary to appeal first to the Court of Criminal Appeals, then to the Tennessee Supreme Court. Both appeals are likely to be futilities, as these courts usually act as rubber stamps. However, it is necessary to go through the motions of appealing in order to exhaust state remedies. After that, perhaps in a year's time, Ray's case will finally make it to the Federal District Court in Knoxville.

When at last the Ray case does make to the federal courts, it is likely that somewhere along the line a court will take cognizance that: 1) a guilty plea does not have to be coerced by an agent of the state to be illegal, rather there is an absolute requirement that a plea of guilty be entirely voluntary; 2) Ray claims there was State action in coercing him to plead guilty and specifies numerous instances of it; and 3) in any event, the allegations in Ray's Petition require an evidentiary hearing at which Ray is called to testify as to the manner in which the guilty plea was obtained.

There has been some confusion in the press recently which stems from the fact that Ray actually has two different but somewhat related lawsuits bouncing around in the courts. In addition to his Petition for Post-Conviction Relief, Ray also has a separate civil action which charges that his former attorneys, Arthur Hanes, Sr., Arthur Hanes, Jr., and Percy Foreman conspired with author William Bradford Huie to violate Ray's civil rights, particularly his legal right to a fair trial.

The two lawsuits seek different kinds of relief. The civil action against Ray's former lawyers and Huie asks that their contracts with Ray be declared void. The Petition for Post-Conviction Relief, on the other hand, seeks a new trial on the grounds that Ray's plea of guilty was involuntary. But both suits allege that there was a conflict of interest on the part of Ray's lawyers which operated to deprive him of a fair trial, so the disposition of one suit has some bearing on the disposition of the other.

The suit alleging a conspiracy to violate Ray's civil rights was dismissed by the United States District Court in Memphis. On appeal to the United States Court of Appeals in Cincinatti (6th Circuit), the District Court's judgment was affirmed.

However, the opinion of the Court of Appeals (Case No. 20694, decided April 29, 1971) was more favorable to Ray than the bare facts and generally garbled news media accounts indicated. Significantly, one of the three circuit judges who heard the appeal issued a strong dissent to the majority opinion handed down by the other two judges. Part of Judge Miller's dissent is reprinted below:

> "With deference to the views of my fellow judges in this case, I find it necessary to dissent. In my view the attorney-client contracts involved here were pregnant with a potential conflict of interest and were so susceptible of a violation of the strict fiduciary duty imposed upon attorneys, that the burden of going forward with evidence to demonstrate the falsity of the plaintiff's claim was shifted to the defendants. Tennessee law exacts an exceedingly strict standard of conduct from attorneys . . . as reflected by the early case of The Planter's Bank of Tennessee . . . and many later cases. The courts of Tennessee have, to my knowledge, never deviated from this rule. I believe that the rationale of these cases requires us to hold that where a contract concerning an

> attorney's compensation for legal services is suspect[1] on its face and is challenged by the client, the attorney has the burden of going forward with proof that no misconduct or overreaching was involved. Ordinarily, and I think here, his own personal explanation should at least be given. Indeed, the majority opinion itself recognizes in its closing paragraph that the contracts here involved may raise a serious question of conflict of interest between attorney and client and 'create incentives to undermine the judicial process . . . because of the publicity value of sensational tactics and disruptions of trials.' Like the majority, I would not declare the contracts void for these reasons as against public policy, but at least I would require the attorney to remove any suspicion of breach of duty, if he could do so, by making a full disclosure of his representation of his client pursuant to the contracts.
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> I would,therefore, vacate the judgment of the District Court in dismissing the action at the close of plaintiff's proof and remand it to that court for further proceedings."

> "[1]That the contracts now under consideration are 'suspect' on their face is obvious from an examination of them. Indeed, under such contracts, it is difficult to see how an attorney could represent his client with that degree of detachment and objectivity required by the high standards of his profession and particularly by the standards imposed by Tennessee law. The contracts are strongly suggestive of an inherent conflict of interest on the part of the defendant attorney."

After Ray's Petition for Post-Conviction Relief has run its course through the judicial labyrinthe at the state level, a writ of habeas corpus will be filed in a federal district court. We think that the dissenting opinion by Judge Miller could be very helpful in persuading the federal court to order an evidentiary hearing which would explore the circumstances surrounding contracts which, in Judge Miller's words, are "suspect on their face."

III. Freedom of Information Lawsuits

As mentioned in our first Newsletter, the Committee and other critics of the Warren Report are now waging a kind of guerrilla warfare against the government agencies which are suppressing evidence relating to the assassinations of President John F. Kennedy, Senator Robert F. Kennedy, and Dr. Martin Luther King. The number of lawsuits brought against these agencies under the Freedom of Information Act continues to mount.

Thus far we have had only one success. In Weisberg v. Department of Justice (Civil Action No. 718-70), Harold Weisberg sued for a copy of the documents which the U.S. Government submitted to the court in London at the extradition proceedings of James Earl Ray. The Justice Department stalled the matter for more than a year, claiming that these documents, which were part of a public court record, were exempt from disclosure because they were part of "an investigatory file compiled for law enforcement purposes." On these grounds, the Justice Department even denied James Earl Ray himself access to the documents. Ultimately, however, U.S. District Court Judge Edward M. Curran granted Weisberg Summary Judgment when the government attorneys, who had delayed complying with a court order, failed to show in court.

A second Weisberg v. Department of Justice case (Court of Appeals case No. 71-1026) has now reached the U.S. Court of Appeals level. This suit seeks the spectrographic analyses of the "bullet, fragments of bullet and other objects, including garments and part of vehicle and curbstone said to have been struck by bullet and/or fragments during assassination of President Kennedy and wounding of Governor Conally." Last November, Judge John Sirica, U.S. District Court Judge for the District of Columbia, without issuing an opinion, dismissed the complaint.

The U.S. Department of Justice has claimed that the spectrographic analyses sought by Weisberg are exempt from disclosure because they are part of "an investigatory file compiled for law enforcement purposes." The "investigatory files" exemption is one of several catagories of records which are protected from disclosure under the terms of the Freedom of Information Act (See 5 Unites States Code, section 552).

However, Weisberg contends that the investigatory files exemption does not apply to the records which he seeks. In the first place, the records he seeks are scientific tests and their public release would not jeopardize the identity of any informants, suspects, or witnesses. Thus, none of the harmful consequences which this exemption was designed to prevent are possible, in spite of an FBI affidavit which asserts the contrary. In the second place, the spectrographic analyses were referred to in testimony before the Warren Commission and were utilized by it in reaching its conclusions.

American Mail Line, Ltd. v. Gulick, a 1969 decision construing the Freedom of Information Act, seems to require that whenever a government agency has publicly relied upon part of a record or memorandum, the entire document must then be disclosed to the public.

Thirdly, Weisberg relies upon a line of cases which hold that the Government must show that there is a "concrete prospect of enforcement proceedings" before it can justifiably invoke the investigatory files exemption. The "spectro" case reply brief filed recently presses hard on this point:

> "In regard to this question of present law enforcement action, the Government must make a painful choice. Either Lee Harvey Oswald was the lone assassin of President Kennedy, in which case there is no longer any possibility of law enforcement action, and the Government must disclose these spectrographic analyses; or else there was a conspiracy and the possibility of law enforcement against the conspirators remains, in which case the Government is obligated to establish the concreteness of the possible prosecutions.
>
> But the painfulness of the Government's decision on this matter is not at issue here. What is at issue is the right of the public to have access to information which will enable it to reach a more accurate judgment about the important events which shape our lives."

Elsewhere, the U.S. District Court in Kansas has dismissed, in the form of a summary judgment, the complaint filed by Dr. John Nichols in Nichols v. United States of America, et al. (Civil Action No. 4761) The Nichols suit is somewhat similar to the "spectro" case, though not so precisely drawn. Nichols requested that he be allowed to inspect and study numerous items, among them the coat and shirt of President Kennedy, the rifle allegedly owned by Oswald and the live round of ammunition found in it, bullet 399 (Superbullet), and bullet fragments removed from Governor Connally and President Kennedy. Dr. Nichols requested that he be permitted to perform nuclear activation analysis on some of these items.

The opinion dismissing the Nichols complaint argues that such items are not "records" as that term is used in the Freedom of Information Act. Judge Templar strained considerably to reach this result. In doing so, he utilized a dictionary defintion which restricted "records" to meaning only "written documents".

At the same time, the Judge managed to ignore the import of the General Services Administration definition of "records" which he himself quoted. That definition states that: "The term 'records' means all books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics . . ." (emphasis added)

Dr. Nichols is now appealing this decision of the District Court to the U.S. Court of Appeals.

IV. Clay Shaw Perjury Trial

In March, 1969, New Orleans businessman Clay Shaw was acquited of the charge that he ahd conspired to assassinate President John F. Kennedy. Immediately thereafter, District Attorney Jim Garrison filed a new charge which contended that Shaw lied when he testified at the trial that he did not know and never saw Lee Harvey Oswald or David Ferrie, who were named as co-conspirators when the original indictment against Shaw was filed.

For one reason or another, there have been numerous delays in the two years that have passed since the perjury charge was lodged against Shaw. Early this year the Fifth Circuit Court of Appeals ordered Federal District Court Judge Herbert Christenberry to hold hearings on Shaw's request that Garrison be enjoined from prosecuting him on the perjury charge. On January 18, the day which the perjury trial was to begin, Judge Christenberry issued a temporary injunction to stop the trial until the hearings had been held. Several days of hearings were held on the charges that Garrison was persecuting Shaw and that he has a financial interest in the continued prosecution of Shaw because of the publication of his book Heritage of Stone.

On March 29, Judge Christenberry took under advisement the briefs which each side had submitted. Since then there has been no word of the Judge's decision or when it will be issued.

V. Items of Special Interest

Many of our readers send us newspaper clippings from time to time. Thus, last December a reader in New York sent us a copy of John Leonard's book review of American Grotesque and Heritage of Stone which appeared in the December 1, 1970 issue of the New York Times. By chance, this copy of the review from the New York City edition was compared with a copy of the same review as it had appeared in the out-of-town edition of the Times. Much to our

amazement, the "all the news that fits we print" Times ran two different versions of the Leonard review. This it accomplished by changing the heading and lopping off, in the manner of a Saigon newspaper, the last paragraph and a half of the review. These changes, we thought, exactly reversed what the reviewer intended to say. For the benefit of our readers, and so they may arrive at their own judgment, we reprint both versions below.

THE NEW YORK TIMES

Books of The Times

Dec. 1, 1970

The Shaw-Garrison Affair

By JOHN LEONARD

AMERICAN GROTESQUE. An Account of the Clay Shaw-Jim Garrison Affair in the City of New Orleans. By James Kirkwood. 669 pages. Simon & Schuster. $11.95.

A HERITAGE OF STONE. By Jim Garrison. 253 pages. Putnam. $6.95.

Bad vibrations.

New Orleans District Attorney Jim Garrison arrested New Orleans businessman Clay Shaw, charging that Mr. Shaw conspired to assassinate President John F. Kennedy. Mr. Shaw was acquitted by a jury. Mr. Garrison then had Mr. Shaw rearrested on two charges of perjury. Mr. Shaw is suing Mr. Garrison, and a host of others. The judge at Mr. Shaw's trial has since been arrested in a motel room where stag movies and loose women are alleged to have exhibited themselves. The principal witness against Mr. Shaw has since been arrested for burglary. Mr. Garrison has since been accused of molesting a 13-year-old boy at the New Orleans Athletic Club, which is interesting because Mr. Shaw allegedly had links with the New Orleans homosexual underground.

No, this is *not* a fiction by Gore Vidal. It is a serialized novel on the front pages of our daily newspapers. Maybe that explains why novelist James Kirkwood—"Good Times/Bad Times"—got obsessed with the subject. Mr. Kirkwood met Mr. Shaw, and believed his story, and so wrote a sympathetic article before the trial (published by Esquire) and an indignant article after the trial (rejected by Playboy) and this tome-stone of a book (troubling the reviewer). Did Clay Shaw know David Ferrie and Lee Harvey Oswald? Is Jim Garrison paranoiac about the Federal government? One wishes the whole business were a fevered invention.

'Perjury' Atop 'Conspiracy'

It isn't. Mr. Kirkwood argues in "American Grotesque" that Jim Garrison used Clay Shaw to try the Warren Commission report; that Garrison scraped the bottom of the barrel for variously sick and variously intimidated witnesses to smear Shaw; that Garrison's guerrillas sought a jury of sub-par intelligence to bemuse with bloody fantasies; that, having empaneled such a jury, they were so upset by the acquittal that they added the insult of "perjury" charges to the injury of "conspiracy" accusations. Unfortunately, Mr. Kirkwood is so conscientious in his reportage that one wonders *why* so many people claimed to have seen Mr. Shaw with Oswald and Ferrie. Were they all mistaken or lying?

To be sure, conspiracy wasn't proved, and the state embarrassed itself with surreal incompetence. But "conspiracy" is no longer the charge against Shaw; perjury is. We have only Mr. Kirkland's emotional word on innocence to go by. Such a word isn't conclusive, not even in a book reviewer's court. Mr. Kirkwood's loyalty to a friend is admirable; his taped interviews with all the principals in the first Shaw trial are fascinating; his attention to trivia is in the best parajournalistic tradition—the little boy who cried Tom Wolfe. But legitimate questions about John Kennedy's assassination aren't answered according to the buddy system.

Which brings us to Jim Garrison's "A Heritage of Stone." The District Attorney of Orleans Parish argues that Kennedy's assassination can only be explained by a "model" that pins the murder on the Central Intelligence Agency. The C.I.A. could have engineered Dallas in behalf of the military - intelligence - industrial complex that feared the President's disposition toward a détente with the Russians. Mr. Garrison nowhere in his book mentions Clay Shaw, or the botch his office made of Shaw's prosecution; he is, however, heavy on all the other characters who have become familiar to us via late-night talk shows on television. And he insists that the Warren Commission, the executive branch of the government, some members of the Dallas Police Department, the pathologists at Bethesda who performed the second Kennedy autopsy and many, many others must have known they were lying to the American public.

Frankly, I prefer to believe that the Warren Commission did a poor job, rather than a dishonest one. I like to think that Mr. Garrison invents monsters to explain incompetence.

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Mysteries Persist

Frankly, I prefer to believe that the Warren Commission did a poor job, rather than a dishonest one. I like to think that Mr. Garrison invents monsters to explain incompetence. But until somebody explains why two autopsies came to two different conclusions about the President's wounds, why the limousine was washed out and rebuilt without investigation, why certain witnesses near the "grassy knoll" were never asked to testify before the Commission, why we were all so eager to buy Oswald's brilliant marksmanship in split seconds, why no one inquired into Jack Ruby's relations with a staggering variety of strange people, why a "loner" like Oswald always had friends and could always get a passport—who can blame the Garrison guerrillas for fantasizing?

Something stinks about this whole affair. "A Heritage of Stone" rehashes the smelliness; the recipe is as unappetizing as our doubts about the official version of what happened. (Would then-Attorney General Robert F. Kennedy have endured his brother's murder in silence? Was John Kennedy quite so liberated from cold war clichés as Mr. Garrison maintains?) But the stench is there, and clings to each of us. Why were Kenndy's neck organs not examined at Bethesda for evidence of a frontal shot? Why was his body whisked away to Washington before the legally required Texas inquest? Why?

Harold Weisberg's Frame-Up has received only a few reviews so far. Below we are reprinting a favorable, and we think objective, review of the book which appeared in the April 10, 1971 issue of the Saturday Review. As many bookstores are not stocking Frame-Up, we are providing an order blank at the left-hand margin.

FRAME-UP:
The Martin Luther King/
James Earl Ray Case

by Harold Weisberg

Outerbridge & Dienstfrey/Dutton, 518 pp., $10

Reviewed by Fred J. Cook

■ On March 10, 1969, in a Memphis courtroom, the curtain rose on one of the most brazen travesties of justice ever to disgrace America. James Earl Ray, the accused killer of Dr. Martin Luther King, Jr., was to go on trial. But there was no trial. There was instead a deal between judge, prosecutor, and defense attorney. Ray would plead guilty in exchange for a life sentence, and the court would return the verdict so much desired by the American Establishment: Ray had acted alone.

The drama ran as smoothly as a well-plotted Hollywood film—up to a point. Then James Earl Ray spoke. He did not agree, he said, with Attorney General Ramsey Clark and FBI Director J. Edgar Hoover, who had been insisting there was no conspiracy. Here was the man who had to know, and, at some risk to himself, he was telling the court that the script was phony. Defense Attorney Percy Foreman, who had had to browbeat his unwilling client into copping a plea instead of standing trial, leaped into the breach. It was not necessary, he said, for Ray to accept everything; all that mattered was that he was pleading guilty to the crime. Was he? the judge asked. Yes, Ray said, and the juggernaut of official machinery rolled over his feeble but courageous protest.

Harold Weisberg, a onetime government investigator who has devoted himself to a pursuit of the ignored or suppressed facts about political assassinations, has now turned to the case of James Earl Ray in the book he calls *Frame-Up*. He does not doubt that Ray was implicated in the King assassination, but his thesis is that Ray filled the same role Lee Harvey Oswald did in the assassination of President John F. Kennedy in Dallas. In Weisberg's view Ray, like Oswald, was not the killer; he was the decoy, the patsy, the man meant to be caught.

Weisberg shows that in the King case, just as in Dallas, a baffling use was made of doubles. Just as there is evidence that two men used the name of Lee Harvey Oswald, so is there evidence that someone besides James Earl Ray knew and used some of his various aliases. Here are a few of the points Weisberg raises:

Ray's arrest at Heathrow (London) Airport, June 8, 1968. According to Scotland Yard, Ray, traveling under the name of Ramon George Sneyd, came into the airport about 6:15 A.M. on a flight from Lisbon. While waiting for his plane to refuel and fly on to Brussels, he wandered unnecessarily into the immigration section for incoming passengers and was spotted and detained. But on that date a man using the name of Ramon George

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Sneyd was living—and had been for several days—at the Pax Hotel in London. He left about 9:15 the same morning to catch a plane for Brussels. The FBI's reconstruction of the case was based upon the proposition that Sneyd No. 2 was really Ray. The landlady of the Pax was subpoenaed for possible appearance in the Memphis farce, which the press dubbed "the minitrial." She said afterwards that she had been warned by an FBI agent, accompanied by four Scotland Yard operatives, that she was only to answer the questions she was asked—she was not to volunteer anything. When she remarked that she had found a hypodermic syringe in "Sneyd's" room after he left, she was "virtually told" she must be lying because Ray was not a narcotics addict. Was this all just some kind of official foul-up in announcing the details of Ray's arrest? No; as Weisberg shows by correspondence he reproduces, Scotland Yard was insisting in November 1968—five and a half months later—that the man it had arrested arrived on a Lisbon flight. Who, then, was the man at the Pax who had been using Ray's alias?

The two white Mustangs. The official version states that after Ray shot Dr. King from the bathroom window of a Memphis flophouse, he made his escape in a 1966 white Mustang he had purchased secondhand in Birmingham, Alabama. He drove some 400 miles through the night and abandoned the car in an Atlanta parking lot, where it was not discovered for days. But there is abundant evidence that two similar white Mustangs were parked in the street near the flophouse at the time of the slaying. According to eyewitnesses, both had red and white license plates—one set were Alabama tags, the other Arkansas. Furthermore, the Mustang which Ray had purchased in Birmingham had an automatic shift, while the one abandoned in Atlanta, with Ray's license plates on it, had a stick shift. The ashtray of the abandoned Mustang was overflowing with cigarette butts—and Ray does not smoke. No mention of model or serial numbers, which would have identified the Mustang positively, was made at the Memphis minitrial, and, though the car must have been splattered with fingerprints, there was no indication that the FBI had found a single print of Ray's in this, his supposed getaway car—evidence that almost certainly would have been flaunted, if it existed, to rivet the case beyond doubt.

The duplicate driver's license. In early March 1968 Ray was in Los Angeles attending bartender's school and getting his pointed nose clipped by a plastic surgeon. Records establish his presence there beyond doubt. But, at this very time, the Alabama Highway Patrol received a telephone call from a man calling himself Eric Starvo Galt (the alias Ray had used in Birmingham). The caller said he had lost his driver's license and needed a duplicate, and gave the address of the Birmingham rooming house at which Ray had stayed. The duplicate license was mailed; the small fee required for this service was promptly paid—and Ray was not in Birmingham, but in California, nearly a continent away. The evidence seems unchallengeable that someone other than Ray—the rooming-

house proprietor could not say who—had picked up the duplicate license and mailed the fee.

The telltale bundle. According to the official version, Ray, after shooting King, walked out of the flophouse, deposited a bundle almost in the doorway of an adjacent café, strolled down the street, and drove off in his Mustang. The bundle contained the rifle Ray had purchased and which supposedly did the killing, put carefully back into its cardboard carrying case and wrapped in a green bedspread, along with a pair of binoculars which Ray had bought that very afternoon and which were decorated with his fingerprints. There was also a shaving set he had purchased the day before—and, most helpful of all, a transistor radio he had acquired while in Missouri State Prison, with his prison number stenciled on it. Weisberg holds that it defies belief that the real killer would have taken the time to insert the rifle in its case and wrap up all these articles, then just drop them on the street instead of taking them with him in the Mustang. Such an action, he argues logically, can be reconciled only with the role of a man serving as decoy in an elaborate plot.

Evidence that Ray fired the shot. There is none. The medical examiner's testimony at the minitrial failed to establish the first essential—the trajectory of the shot that killed Dr. King. *Paris-Match* tried the experiment of re-enacting the crime and found that the killer would have had to be a contortionist to have fired from the bathtub, as was alleged. Ballistics testimony was worthless. Dr. King had been killed by a soft-nosed dumdum bullet; when it struck it exploded and fragmented. The prosecution claimed the largest fragment was "consistent" with a shot fired from Ray's rifle. That is the very word used by a corrupt prosecution in the Sacco-Vanzetti trial, when a police expert who was convinced fatal shots had *not* been fired from a given revolver was asked whether it was "consistent" that they had. He could answer "Yes," since the shots had obviously been fired from a revolver. So here "consistent" means only that the bullet fragment came from a rifle. The term that so deceived press and public does not meet the first requirement of proof—that the ballistics expert be able to testify the shot came from Ray's rifle and no other.

There is more, much more, in Weisberg's book. There is the question of how Ray, alone and unaided, a stranger in Canada, managed to come up with aliases that were the real names of three living men who looked much like him, in one case even to a similar scar on the face. There is the mystery of his free-spending, cross-continental Canadian-Mexican spree, and of how a penny-ante crook like Ray came by so much money. There is the business of the phony police radio broadcast on the night of the assassination, graphically describing a gun battle with a fleeing car, which led police north out of Memphis and away from the assassin's escape route. The reek of conspiracy is on everything.

Weisberg is an indefatigable researcher. Unfortunately, he is not a skilled writer. His book suffers from lack of organization and conciseness. He mentions an issue in passing, then pages or even chapters later he goes back and worries it. He repeatedly lashes out at virtually all concerned in the minitrial as liars and scoundrels, devoting long passages to denunciation instead of the cool presentation of evidence. Though his indignation is in most instances thoroughly justified, it gets in the way of the story.

But when all this has been said, Weisberg remains invaluable. He has pursued the facts, and they are there, buried in the mass of his book. And they are facts that lay claim to the conscience of America. For it should be clear by now that, if the assassinations of some of the nation's most outstanding leaders are to be dismissed with the "one man-no conspiracy" refrain, there will be no deterrent to conspiracies in the future whenever hate may point the way and pull the trigger. And, in that event, this greatest of democracies will have been reduced to the status of a Latin American banana republic. That is the issue.

Fred J. Cook is the author of "The Troubled Land," "The Secret Rulers," and "The FBI Nobody Knows."

BERNARD FENSTERWALD, JR.
EXECUTIVE DIRECTOR

ROBERT SMITH
DIRECTOR OF RESEARCH

JAMES LESAR
COUNSEL

COMMITTEE TO INVESTIGATE
ASSASSINATIONS
927 15TH STREET, N. W.
WASHINGTON, D. C. 20005
(202) 347-3837

VI. Board of Directors Meeting

The Board of Directors met all day in Washington on Saturday, April 17.

The first act of business at the meeting was the election of Directors. The new Board of Directors is printed on the letterhead above.

Next, officers were elected, as follows:

Executive Director . . . . . Bernard Fensterwald, Jr.
Secretary . . . . . .Richard Sprague
Treasurer . . . . . .Lloyd Tupling
Director of Research . . . . Robert Smith
Counsel . . . . . .Jim Lesar

Several reports were given. The financial report assessed our financial situation as poor; our present bank account balance is about $500.00.

The report on our attempt to gain tax exempt status is also discouraging. The Internal Revenue Service has denied us a tax exemption because they say we do not qualify as an educational organization. The manner in which they arrived at this conclusion is particularly amusing. The IRS straight facedly explained to us that the Warren Report was educational. Since we are anti-Warren Report and don't give a "balanced view", ergo, we are anti-educational and don't deserve an exemption.

There was considerable discussion of the more than 2,800 pages of documents pertaining to the Kennedy assassination which were recently declassified. The general concensus was that a few interesting items were released, particularly those relating to David Ferrie,

but a large amount of the material declassified is trash. Some of the documents released should never have been made public as they violate the right of privacy and are totally irrelevant to serious inquiry into the assassination of the President. Among the items released were some 40 pages of medical records relating to Marina Oswald's pregnancy. In addition to releasing privileged records such as these, the Archives also"declassified" and "released" some documents which were previously published in the Warren Commission's 26 volumes.

The Board of Directors agreed to attempt the following three programs:

1) The establishment of a special collection of assassination material in a selected public or university library. Anyone knowing of a library that might be interested in working with the Committee on the establishment of such a collection should put the library in touch with the Committee; we have a remarkable collection of books, photos, manuscripts, articles, tapes, etc. and they ultimately should all go to a research library.

2) The establishment of a C.I.A. speaker's bureau in order to spread the word and make some money for the Committee.

3) To approach some Foundations to see if we could get financing for the compilation and publication of an Annotated Warren Report graphically showing just how phoney a document it is.

COMMITTEE to INVESTIGATE ASSASSINATIONS
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I wish to further the Committee's investigation into the murders of a number of our leaders, by becoming a

/___/	PATRON	$100.00
/___/	ASSOCIATE MEMBER	25.00
/___/	FRIEND	10.00

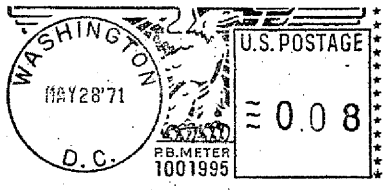
My check is enclosed. I do (do not) wish my name placed on the Committee mailing list.

Name: _____
Street: _____
City: _____State:____ Zip____

[This gift is NOT tax exempt]

- -

WHO
IS KILLING
OUR LEADERS??
MAILER'S ADV.



CTIA NEWSLETTER
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