

Burke On November 22nd, 1963, President Kennedy was assassinated. Prior to the death of John Kennedy, three other Presidents were felled by assassins--Lincoln, Garfield, and McKinley. In addition to the political aspects surrounding these three previous assassinations, there's one fact that altered the investigation, and the impact of the report of any investigation that followed: almost at the same moment as President Kennedy's death, the entire world could see the car, the streets of Dallas, the panic, the window where the shots originated; and from that moment on, we sat in front of our television sets and watched airplane flights of a Vice-President; and we saw a grieving widow by his side; and because of television, we saw another assassination--that of President Kennedy's alleged killer, who was shot by Jack Ruby...I don't know if Oswald shot President Kennedy, nor do I know if there was a general conspiracy, and frankly, I wonder who really does know.

Now, I gave up playing detective many years ago, when I discovered that I could outsmart Dr. Watson when I read the Sherlock Holmes stories. It has been 3 years now since Kennedy's death, and books are now being written, both for and against the findings of the Warren Commission Report...I think that perhaps all of these writers are doing what I used to do--playing detective. In their favor, however, is a fact--that John Kennedy was the President of the United States, he was a young man, he was human, he was loved by many, hated by many, a politician, a statesman, but, above all, the President of the United States. This alone, in view of the manner of his death, would continue to make the world wonder if the Warren Report is as accurate as it might have been, or if the many writers who say "No!" to the Report have the intuition to discount this Report--and perhaps it is intuition.

My guest is a critic of the Warren Report. He is Harold Weisberg, author of a book called "Whitewash." Mr. Weisberg, you had quite a time getting this book published, didn't you?

Weisberg Indeed I did.

Burke What was the problem in getting it published?

Weisberg In my opinion, based on what the editors told me, a self-imposed fear on the part of the publishers that this subject was a taboo.

Burke In other words, they thought it might affect them business-wise and that it was a subject they didn't want to touch?

Weisberg That is the clear inference...remember, I said "self-imposed." I don't think for one moment that the Government or any responsible part of the Government

went to publishers and said don't touch this subject--I don't for one moment think that, nor has it happened to me, nor do I think it will ever happen.

Burke Well, let's get into the subject. What did the Commission base its Report on--on its own investigations, or that of the FBI, or--and I believe you have some objections, do you not, to the FBI Report?

Weisberg I have an objection to the FBI Report--to both FBI reports--I have an objection to the entire method of the investigation. The Government was investigating itself--the investigations on behalf of the Commission were performed by agencies of the Government which themselves were at least indirectly involved in the assassination. The Secret Service--and, please, I think that nothing sinister should be drawn from this--but nonetheless, while the Secret Service was protecting the President, he was in fact assassinated. Oswald was in fact an active FBI case. And we are all human; we are all fallible, and I include myself. The same thing is true of the autopsy. It was all Government people. This in itself is a built-in inherent weakness.

Burke I believe in your book you have a picture of a document...it is a certificate and it says that I, James J. Humes, hereby certify that I have destroyed by burning certainly preliminary draft notes relating to Naval Medical Autopsy No. 863-273...now this is Commission Exhibit No. 397...a picture of a report saying that certain documents were destroyed, burned.

Weisberg Correct. The doctor further testified about that. He testified that what he described in this certification as "certain preliminary draft notes" were in fact the first-hand written draft of the autopsy. He testified that he burned it in the fireplace of the recreation room of his own home--not the day of the assassination, not the next day, but on Sunday morning--the second following day. He testified that he had made changes in it, and that there was a subsequent handwritten draft--and in my book I have some excerpts from that.

Burke Do you say that the original autopsy report and the one that the Warren Commission accepts are different?

Weisberg Yes, indeed.

Burke To what degree?

Weisberg Well, let me turn to the only existing and presumably the oldest existing handwritten draft of the autopsy report. I think that to make it comprehensible I should say that the Dr. Perry referred to here is Dr. Malcolm Perry, one of the Dallas doctors who tried, really, so valorously, to employ all of their skill--it must have been the most disagreeable job these men will ever face--to try and save--to do what science would allow them to do--to save the President, that I am confident every one of them knew was irreversibly dead, even though there were superficial manifestations of life. Dr. Humes in Bethesda, who was in charge of

the autopsy, phoned Dr. Perry the day after the assassination--not during the autopsy examination, not before it, not after it, but the second day. The Report refers to one telephone call but there were in fact two. Now, according to his testimony, this is the handwritten draft that Dr. Humes, the chief autopsy surgeon--a top medical man in the Navy Medical installation at Bethesda--wrote to replace the one he burned, and after he did this, he burned it. This is the first paragraph:--Dr. Perry noted a massive wound of the head and a second puncture wound of the lower anterior neck at approximately the mid-line.

That very clearly states that Dr. Perry in Dallas noticed an entrance wound in the front of the President's neck.

Burke Isn't there evidence that had the President been shot in the front of the head, that the bullet, because of the angle of entrance, would have had of necessity to pass through the windshield of the car in which he was riding?

Weisberg I think this would depend on the angle from side to side and from top to bottom.

Burke I believe that there is some kind of report that says that the person who would shoot at that kind of an angle would have to be lying in front of the car, on the street itself, and that at that angle the bullet would have to pass through the windshield of the car.

Weisberg As a matter of fact, it would have to be opposite of that, because the car was going downhill. He would have had to be higher than the car. Wounds of exit and entry have certain characteristics which are well recognized by competent medical people and unfortunately in Dallas bullet wounds are more common than I think some of the more responsible people in Dallas would prefer. But nonetheless, this is the handwritten draft. When this was typed, without the word "puncture" being stricken through, as it is on a number of other occasions, but still legible, in some mysterious way the word "puncture" was replaced by "much smaller wound" without any accounting in the testimony or in the evidence for how this change was made.

Burke Well, what does this say to you?

Weisberg It says to me that in spite of the testimony to the contrary the doctors in Dallas in fact said that from what their medical science told them the wound they saw in the front of the President's neck came from the front. And if this is the case, obviously a man in back of the President couldn't have done it. The President could not simultaneously have been shot by a man who was both in front and in back of him.

Burke I gather you are saying that Oswald was not the man who assassinated the President. Are you?

Weisberg I am not quite saying that here. I'm saying at this particular point that if Oswald did do it, he couldn't have been in the front and in back at the same time.

But I'm not trying to evade your inherent question. I think it's a fair representation of the Commission's best evidence--not its Report, but its evidence, in these 26 volumes of testimony and exhibits--the best evidence is that Oswald didn't kill anybody.

Burke Do you believe, Mr. Weisberg, since you certainly have researched this thoroughly, that Oswald was a patsy, a fall-guy?

Weisberg My own personal belief is that this is the case; and I also believe that the Commission's evidence shows that Oswald was in some way involved. I don't think that on the basis of the Commission's record it really is possible to say what the nature of his involvement is, and I don't try and say in my book. But I give you my opinion that Oswald was a fall-guy.

Burke You believe that more than one person was involved, then?

Weisberg Definitely.

Burke How many?

Weisberg I have no way of knowing.

Burke Would you venture to name, not people, but organizations that might have supplied the conspirators?

Weisberg No. But in my book I restricted myself entirely to the Commission's evidence.

Burke But do you have an opinion?

Weisberg Not really; not really. And I think it would be irresponsible to try to form an opinion. We are, after all, dealing with the assassination of an American President. I don't think this is the kind of thing that lends itself to James Bond-ery.

Burke Certainly not. You mentioned earlier about the FBI being involved in it, and their report being different from the Commission report. Do you hold them in any way responsible for the Report of the Warren Commission?

Weisberg No. The Commission itself must be responsible for that, and when I say the Commission, in this case, I mean the members of the Commission, whether or not they drafted the Report, and in this case obviously they could not draft it--this was a staff function. All of these commissioners were the busiest kind of men--men most sincerely dedicated to the public service, and it took a tremendous dedication for these people to undertake this kind of a job. I think they erred. But I think there is no question about their dedication to the public service.

Burke Well, I am sure they are dedicated men but, as you say, they erred. Now, I don't want to make this into a James-Bond-issue, as you said, and I have no intention of that; but let me, if I may, press you for a thought of what you really think happened. You say that Oswald, in your opinion, could not have been in two places at the same time--this is rather obvious--that you do think he was a patsy, that you

will not say for whom you think he was a fall-guy...

Weisberg I don't know.

Burke You don't know. Then tell us what you really think occurred that day.

Weisberg I think that at least 2 people killed the President.

Burke It's not that simple. I mean--let's say that 2 people were involved: I would like for you to--just story-telling--to really get into this, and tell me, if you think that the shots came from the Depository, if you think that Oswald killed Officer Tippit...

Weisberg I don't.

Burke You think the second party killed Tippit?

Weisberg I think it's more probable that a man who bore a remarkable resemblance to Oswald killed Tippit. The Commission's best evidence is that Oswald could not have killed Tippit. Assuming that the Commission's time reconstruction, getting Oswald from the Depository to his rooming house, is correct, and I really do not believe it, they bent everything possible their own way--assuming, the Commission said that Oswald left that rooming-house at 3 minutes after 1--their own retracing of the steps could not get him to the scene of the Tippit killing until 5 minutes after it was on the police radio.

Burke What about--was it the sheriff there who ordered his men to the railroad underpass?

Weisberg No; up to the grassy knoll and the overpass.

Burke And didn't he do this, for no apparent reason, prior to the shooting?

Weisberg No; not to the best of my knowledge; and not from the testimony I have seen.

Burke Now you have written a book called "Whitewash;" there have been other books--

Weisberg Yes; I have read them; I've read Epstein's book "Inquest."

Burke There are statements in Epstein's book that are contradictory, are they not, to your statements?

Weisberg Yes; I think that is a fair statement. Epstein just assumes that the Commission was right, that Oswald was ~~might be~~ an assassin. To the best of my recollection he doesn't go into the evidence at all--he just assumes the Commission was correct in this part, but not in other parts.

Burke Where--again I ask the question--where did the Commission err?

Weisberg I cannot think of anyplace they didn't err. Would you like me to take any particular piece of testimony, any of--

Burke Let's get into the ballistics of it, then. What about the gun--the rifle and also the revolver.

Weisberg Fine; fine. The rifle is traced to Oswald by the testimony of handwriting experts whom I don't for one minute question. That rifle was ordered by mail order.

Curiously enough, it was available for less money in Dallas. It was sent to a post office box that Oswald rented....in a rather mysterious way--Oswald usually had other people and organizations accredited to use his post office box--Assuming, as there is every reason to assume, that Oswald did in fact get that rifle, to the exclusion of all other rifles, there is no witness--not a single witness in all this testimony--who ever identified that rifle as being in Oswald's possession, and I specifically include his wife...

Speaker (from the audience) Let me ask you a question. I take it that you do not accept the Warren Report in any aspect.

Weisberg Basically, this is correct.

Speaker All right. You mentioned the rifle before. Now, isn't there testimony that was taken, that says, number one, that the rifle had certain fabric hairs or threads that were similar to the shirt worn by Oswald...gray, blue, orange, yellow and they matched the threads on Oswald's shirt...Now, isn't it a fact that the Warren Commission received in its Report the evidence of the purchase of this rifle by Oswald, when he used another name, I think a Rydell name.

Weisberg Hidell.

Speaker Now isn't that a fact that that rifle was found on the sixth floor of the Book Depository, and Oswald's fingerprints and thumbprints were found on three different cartons by the window?

Weisberg You find it unusual that ~~xxxxxxxxxxxxxxxx~~ the fingerprints of a man who worked in a place would be found on what he worked with?

Speaker Yes; yes. Because--I'll tell you why--because those fingerprints were found on cartons, and they had to be put there presently and currently.

Weisberg Are your fingerprints on that piece of paper? Is there any reason why they shouldn't be?

Speaker But if I waited for an hour or two hours, the fingerprints on that carton, on that type of paper, would have been blurred and could not have been clearly defined as those belonging to Oswald.

Weisberg How long after that time were those fingerprints taken off there? I think your information is not correct.

Speaker Well, the Warren Report had testimony from hundreds of people. They had ballistics reports--there were shells found--the carrying of the gun in the so-called paper bag, on which the fingerprints of Oswald were found.

Weisberg Where?

Speaker On that paper bag.

Weisberg Where on the paper bag, sir? Where were the fingerprints on the bag?

Speaker Well, the Report would show where they were, sir...You're making a statement that Oswald was a fall-guy.

Weisberg That's correct...Why don't we take these things you are going into one at a time?

(Station break)

Burke At the podium is a man by the name of Mr. Mansdorf, who is an attorney; and at this point it's going to be attorney and author, and we are going to take fingerprints, and itemize fingerprints one by one, and let's see what happens.

Mansdorf Before we start with that, Mr. Burke, if I may: You made a statement before that no publisher would touch your book, sir, is that correct?

Weisberg Up until I went ahead with the private edition, yes.

Mansdorf You've heard of Viking Press? Well, they published Mr. Epstein's book, is that correct?

Weisberg May I congratulate them for it?

Mansdorf And you've heard of Holt?

Weisberg Yes, indeed.

Mansdorf They're putting out Mark Lane's book.

Weisberg Are you familiar with the publication date of my book?

Mansdorf I happen to have looked at a copy of the book--

Weisberg I'm delighted. It's always helpful to know what you are talking about.

(LAUGHTER)

Mansdorf That's correct. It's always better to know; it's always better to check the contents thoroughly with reputable people...Sir: Is it your statement that the Warren Commission in their highly-documented book whitewashed everything pertaining to the Kennedy assassination?

Weisberg That's a paraphrase of it. I say--let me explain the explicit conclusion of my book--I think that would be helpful.

Mansdorf Before you do--

Weisberg Let's stop this filibuster! Let's stop this filibuster! I'll answer any question you have if you give me a chance. (APPLAUSE)

Burke We're not in court now, so I'll play the part of judge. Mr. Weisberg, it's your turn.

Weisberg First of all, the explicit conclusion of the book is that the expected job has not been done, and must be--entirely in public, and preferably in Congress. I conceived that in order to justify this conclusion I had to destroy, or at least to put in very grave doubt every major conclusion of the Commission. This is the approach I took. There is nothing in the body of my book of any consequence that is not referenced to a source in the 26 volumes.

Mansdorf Except your conclusions.

Weisberg Are you going to argue my right?

Mansdorf This is a free country, Sir.

Weisberg All right, Mr. Mansdorf, if you want to begin at the back, begin at the back--What's wrong with my conclusions?

Mansdorf Well, I think that you have drawn inferences that are not valid, Sir.

Weisberg All right, go ahead and explain them!

Mansdorf What is the motive, Sir? Could you tell me what the motive would be, or is, that the Warren Commission would falsify a report?

Weisberg May I suggest, Sir, that you are drawing the invalid inferences? May I suggest that in our society a President of the United States may not be killed--I beg your pardon, please let me finish--and there may not be an official investigation about which there may ever remain a reasonable question. Here we are today, a hundred years after Lincoln's death, and more is being written about it now than there was then. John Wilkes Booth at that time was the "lone and unassisted assassin" but tell me about the trial of Mrs. Surrat, and the books that are coming out now. No, Sir! the President is something unusual in our society. He is not just the embodiment of power and the representation of power--he represents the integrity of our type of government and the integrity of every single citizen.

Mansdorf I agree.

Weisberg I doubt this, Sir, there may never be a reasonable question that I hope may not be asked. Now how about you getting down to cases--you're trying to indict me, go ahead.

Mansdorf No, I am not trying to indict you.

Weisberg I think it's the total of everything you've said.

Mansdorf The purpose of this show is to have a free and open discussion--

Weisberg Look, Mr. Mansdorf, please: first you started talking about fingerprints, I said where, you go someplace else; you start talking about the rifle, I say where, you go someplace else, you say how about the pistol. Go ahead, be a prosecutor, I invite it.

Mansdorf I am no prosecutor.

Weisberg I invite it, I invite it. Take these things one thing at a time and stick to it--stop rambling and stick to one point at a time. Let's stick to the evidence.

Burke May we start, Mr. Mansdorf, with the fingerprints, on the cartons, in the Depository.

Mansdorf Did the evidence establish that there were fingerprints, and palmprints, of Oswald on the cartons, on the sixth floor of the Book Depository?

Weisberg Together with those of officer Studebaker and some FBI people, yes.

Mansdorf Was there any claim that the FBI people shot the President?

Weisberg No, sir. Was there any claim that Oswald had no business being on the sixth floor, where he was paid to be? Excuse me, you answer me first. Take it one at a time--I'm sorry, you've agreed to these terms--one at a time, one at a time please, sir. We are talking about the fingerprints. Now I'll tell you, and if I'm wrong, you tell me where I'm wrong. Oswald was paid to work on that sixth floor, that is the testimony. If you had the familiarity with the testimony you pretend, you would know that. Oswald dealt with Scott-Foresman books, which were stored on the sixth floor. I can conceive of no reason why his fingerprints could not have been there in the normal course of his work. This does not mean that they could not have been there for other purposes, but it is wrong to draw inferences--

Mansdorf And this is the reason why his fingerprints were only on these cartons that were immediately under the window--

Weisberg I beg your pardon--on what basis do you say that?

Mansdorf The evidence of the Warren Report, Sir--that the fingerprints were on these cartons that were placed in front of the window.

Weisberg But they didn't say they were on only those cartons, and you are! Not in the Report, not in the testimony, not in anything, sir! At no point did they say that. His fingerprints were undoubtedly all over everything.

Mansdorf No--well, there you are inferring--

Weisberg If I'm wrong, you show me where!

Mansdorf Well, I can't pull out the 26 volumes--

Weisberg I'm sorry--I've been through them.

Mansdorf Now, did that rifle belong to Oswald?

Weisberg I'm willing to presume it did, on the basis that he bought it under the false name of Hidell.

Mansdorf So that we know that the rifle belonged to Oswald.

Weisberg No, we don't know it--I'm presuming it, to help you. We don't know any such thing! You're a lawyer. On what basis can you tell me that on November 22nd 1963 that rifle either belonged to or was in the possession of Lee Harvey Oswald?

Mansdorf Well, the testimony of the witnesses that saw him carry this bag into the building.

Weisberg They only saw a bag, not a rifle.

Mansdorf There was an object in that bag...it was not an ordinary bag, it was a bag that was pasted and made up to contain that rifle--

Weisberg I'm sorry--I'm sorry: you name me one witness who saw him take that bag into the building!

Mansdorf The person who drove him to work that very morning.

Weisberg I'm sorry, sir, he did not see him take anything into that building. You are completely wrong--

Mansdorf --lunch with him that day, that Oswald told him he was going to eat out that day--curtain rods, he said it was curtain rods--

Weisberg You're evading...you're evading. We're talking about into the building --into the building, sir.

Mansdorf And the testimony there, also, if I recall, had some content to the effect that ordinarily Oswald walked into the building, into work, with this individual who drove down with him. That morning he did not. He went in ahead.

Weisberg I'd like you to stick to one point, please. I've sat still. I want to take every point you've made. First of all, on taking anything into the building--there is only one person who saw Oswald enter the building, and this person is not the man he rode with, whose name is Frazier. That one person is an employee named Dougherty, and his testimony is, Oswald carried nothing into the building. The testimony you are referring to, about usually Oswald and Frazier walked into the building together --it is you, sir, who are drawing entirely unwarranted inferences--Excuse me, I'd like to finish!--It was Frazier's testimony that because of the ancient and decrepit nature of his car, he thought it was wise if he wanted that battery to start the car that night, that he sit in the car and race the motor for a while. And that he said he did, and Oswald went on ahead. He then testified that he followed Oswald to the building, and that he saw Oswald carrying a package, as you say. He did not, as you say, see Oswald carrying a rifle. No one saw Oswald carrying a rifle. People saw him carrying a package. There were two witnesses to this package, and I'll be glad to come back to it if you want to--Excuse me--Frazier said that Oswald carried a package cupped in his right hand, and nestled in his right armpit, and that testimony definitely limits the size of the package. Now, was there any other question you raised, because if there was I'd like to address myself to it. If not, go ahead.

Mansdorf The Warren Report has a lot of testimony about the size of the rifle.

Weisberg No, the Warren Report, I'm sorry, has conclusions--the testimony is in the evidence.

Mansdorf Well, conclusions and the facts--the report is a statement concerning facts.

Weisberg The report is an interpretation--

Mansdorf Let's stick to the facts. Now, the Warren Report, where they don't have facts, say, it was probably such, and probably such, but--what would be the motive for falsifying the facts?

Weisberg Let's come to that for the very next thing. All right--let's come to it right now.

Burke Let's finalize, if we may, to the best of our ability, the rifle business. The rifle. The rifle number was C-2766 which was the number of a rifle sent to a man by the name of A. Hidell, box 2915 in Dallas. This is the records of the company that sold the rifle. A palm print was found on the underside of the barrel and identified as Oswald's palm print by Sebastian Latona of the latent fingerprint division of the FBI. No other prints were found on the rifle. Does that clarify the rifle situation?

Weisberg Except for one thing.

Burke What is that?

Weisberg Incidentally, it's a correct statement of fact--it's only incomplete. That palm print was on the underside of the barrel, on the part of the metal barrel that was hidden, not accessible to a hand, when the rifle was assembled. It was blocked and protected by the wooden stock, and there is no testimony placing the age of that palm print.

Mansdorf So that the rifle was in the custody and possession of Oswald--

Weisberg Absolutely not. At some time, certainly--I've never denied this.

Burke Now, all right, if we may--because I don't want to belabor the rifle, this is a long kick--let's get to the motive.

Weisberg The motives of the Commission? I think we ought to be full of sympathy for the motives of the entire Government and the problems especially of the entire Government. Here, in the middle of the 20th century, with all of the tremendous power that so many governments have, unexpectedly a President of the United States was killed. The Government had so many problems, I don't think any one of us can project himself into the position of the people who exercised the responsibility which gave them these problems--the problem of preserving the nation's tranquillity--what was involved?--was it a conspiracy?--was it a foreign conspiracy?--could it lead to war? It just isn't possible, I think, to exaggerate the problems the Government had.

Mansdorf But WHAT was the motive of the Warren Commission, to falsify its Report?

Weisberg Excuse me! I beg your pardon! Do you find any place in my book where I said the Warren Commission falsified its Report?

Mansdorf Well, the inferences that you make say that--

Weisberg Well, then, don't say I said it, say I inferred it.

Burke Who is the gentleman at the podium?

Mansdorf This is Mr. Stanley Danzig.

Burke Mr. Danzig, are you an attorney?

Danzig I am, sir.

Burke Good! Be my guest.

Danzig If you don't mind, I'll take either side here...I just happened to come across a point here that I thought was of interest, with regard to the motive of the Commission...I was a little concerned here about something...you have a book here that says "Whitewash." Do you really believe that a man of the prestige of the Chief Justice of the Supreme Court of the United States wanted to deliberately, premeditatedly, whitewash?

Weisberg That's a really loaded question.

Danzig The killing of the President?

Weisberg I say the Report is a whitewash--I don't say what Earl Warren or any other member of that Commission did--I say the Report is a Whitewash. Are you familiar with my introduction? Excuse me--I'm answering you. Are you familiar with my introduction?

Danzig Part of it.

Weisberg Well, what do I say about it? You're criticizing me for it.

Danzig I am familiar with the preface; and perhaps I'd like to go into that.

Weisberg Let's stick to one thing at a time, Mr. Lawyer.

Danzig So far as the preface is concerned, I think we are concerned with certain forensic facts having to do with certain psychological processes--

Weisberg You know, you guys should --- --- --- (inaudible) opposing counsel. As soon as I try to pin you down you shift your ground.

Danzig I'm here to ask the questions, sir. You wrote the book!

Weisberg Well, why don't you ask one question at a time? That's all I'm asking for! I'll answer your questions until the cows come home--but stick to one, so I can answer it.

Danzig I'll put the question.

Weisberg I ask you about the introduction in response to your interpretation of it and you switch to the preface! Would you rather go to Atlantic City, or by bus?

(LAUGHTER. APPLAUSE.)

Weisberg Excuse me--excuse me! I want to pull a shift here--No, I'll exercise my rights. By God! I've been sitting back and taking it from you guys. Now, you are both lawyers, and I have no doubt that you are competent lawyers--I have no doubt that you're honest men and thoroughly skilled and versed in the law. Why don't you come back and address yourselves to the burning of the first draft of the President's autopsy, and the total lack of questioning by anybody on the staff or the Commission about it? (APPLAUSE) Then, when you finish that, and I'm going to sit still while you do it--

Danzig You're not going to sit still while I do anything here, because I've been given the privilege of asking the questions.

Weisberg Yes--you don't even have to answer me!

Danzig I don't intend to answer you--

Weisberg I was sure of THAT! (LAUGHTER) Go ahead. You proceed.

Danzig And I'm concerned now with an accusation you made against what I would think would be a very honest effort on the part of a dedicated group of men, headed by the Chief Justice of the United States Supreme Court, and I'm wondering now whether the reason for the writing of this book is concerned with sales, and the selling of books, and profits, and sensationalism--

Weisberg I think that's unworthy of consideration.

Burke Mister, Mr. Weisberg, if I may, and Mr. Danzig--I think at the outset Mr. Weisberg made it quite clear that he thought that all of the men on the Commission individually were quite sincere and put forth every effort, on an individual basis. So I don't think it is particularly fair of you as an attorney, or as a citizen, to ask him a question which would infer--at least it does to me--that he doubts the sincerity of the Chief Justice of the United States, because he made it clear that as a Commission he doubted their authenticity in its Report, but individually he thought they were all extremely sincere and did the best they could.

Weisberg Can I answer you, please, sir? Wait a minute! You're talking about my introduction without even talking about it--you haven't read it.

Danzig I wasn't there, Mister!

Weisberg You're reading my book, or pretending to--you're pretending to know its contents, and you're grossly misleading--misrepresenting them...I went much farther than Mr. Burke went.

Danzig Give me a chance to answer--

Weisberg No, sir, I will answer you once, and then you go ahead and ask your question. You still keep on shifting. You're the two shiftiest lawyers I've ever seen! (LAUGHTER. APPLAUSE. LAUGHTER.)

Danzig I don't think that was nice, Mr. Weisberg.

Weisberg It wasn't nice--it wasn't intended to be nice--By God, you're not nice. At this time I want to stand up on my rights as a man and face you because you are, without being nice enough to do it, questioning my motives, sir! You're misquoting me and incompletely quoting me to do it.

Danzig Am I, Mr. Weisberg...Will you listen to your words, sir? ... On page 7 ...arabic 7...I've dealt with the Arabs before! Quote: Never in history have such crimes been solved by such a consistent disregard for truth, honesty, and credibility. With so much avoidance of the obvious, and so much dependence on the incredible, and palpably undependable, with such a prostitution of science, and so much help from misrepresentation and perjury. Now, you wrote those words, didn't you?

Weisberg I did indeed, sir; now, let's take them one at a time--please, for the first time tonight, one at a time!

Danzig Well, I took it all together so you wouldn't say I took it out of context.

Weisberg Well I can't answer you all at one time. Now let's take just one of these things.

Danzig All right...Do you think that it was the purpose of this Commission at the outset to disregard the truth?

Weisberg No; I never said so.

Danzig You attribute them honest motives to them?

Weisberg If you'd let me finish what I was trying to tell you before about the introduction you'd know this much more completely.

Danzig We can't get to a point unless you answer my questions--Do you attribute honest motives to the Commission?

Weisberg To the members of the Commission, absolutely.

Danzig All right. But you don't attribute honest motives to the questioners, to those who were working for the Commission--is that what you mean?

Weisberg Let me answer that question by addressing one of the specific things you say here. You're a lawyer--

Danzig I didn't write this book--

Burke Please let him answer the question.

Danzig He didn't; he wants to ask me a question.

Burke Well give him a chance to do whatever he pleases!. Go ahead, Mr. Weisberg.

Weisberg There is one of the witnesses who was an important witness; he was interviewed, a deposition was taken in Dallas. I think it's good for the audience to know that most of the hearings did not involve the Commission. Most of it was done in Dallas without the normal protections of the American judicial system--which

I happen to think is a pretty good one, and if you had read my book you'd know I say so...Why don't you please sit still and let me answer, for God's sake, without harrassing me!...What this amounts to is that you had the equivalent of a back room in Dallas, which happened to be the federal attorney's office, a lawyer, a stenographer, and a witness. Period. One of the important witnesses appeared before the Commission lawyer who was conducting the examination; and there came a point when the lawyer who was conducting this examination, and who had the right to administer oaths, told the stenographer, in effect, to get lost--to smoke a cigarette, to have a coke, to be at least 20 minutes, and then to come back.

At that point he turned to this witness who was testifying and the two of them of were alone in the room--and I am now referring to the testimony of the witness subsequently--and he said, you spoke falsely in such and so, you spoke falsely in such and so to your superior, and I think I am correct in this--I don't claim to be infallible--I think he said to him also, you perjured yourself in the Jack Ruby trial.

Now the witness, according to his own testimony before the Commission --because he insisted on being heard by the Commission, and he was heard by the Commission--he was preceded by the attorney general of Texas and followed by the district attorney of Dallas--this witness said, I did not perjure myself as your lawyer accused me when I testified before him. And it is remarkable to me, if not to a lawyer, that the Commission couldn't have cared less about the charge of perjury made against an important witness by its own assistant counsel.

Burke Mr. Weisberg, I think this is an ideal place to stop. We will continue in just a moment.

(STATION BREAK)

Burke Yes; we're talking with Mr. Harold Weisberg, who has written a book called "Whitewash: The Report on the Warren Commission;" and somehow or other, with you here as the author of this book, Mr. Weisberg, and Mr. Danzig, who is an attorney, who takes exception to some of the things you say, it occurs to me that there has been a lot of jumping around. I am not quite satisfied concerning a point that had been brought up earlier, concerning the shell. May we discuss this?

Danzig I prefer not to. (LAUGHTER)

Burke Is there any particular reason, Mr. Danzig, why you prefer not to?

Weisberg May I answer too? The reason he prefers not to is that I say to his face, he does not dare.

Burke Is that true, Mr. Danzig?

Weisberg And if I'm wrong, prove it here and now!

Danzig That is the trouble with your book, because you have assumed things you have no knowledge of.

Weisberg You're evading.

Danzig I am not evading. You don't know what's in my mind. You're assuming something.

Weisberg You accused me on the basis of these shells--I dare you to go back to them, sir.

Danzig I will accuse you, sir, of advocating a position--

Weisberg But you won't talk about the shells?

Danzig I don't intend to--

Weisberg Of course you don't. You raised this matter to begin with, and now you won't go back to it--because you're unfair.

Danzig Because I have another question--

Weisberg Go ahead; I've made my point. You don't care. Go ahead to anything else you want. I think it's outrageous that you people raise these questions--don't give me a chance to answer, and jump to something else--as soon as I pin your ears back you jump to something else, and you can only do it because there's no defense counsel opposing you. (APPLAUSE) And that's exactly what was true before the Commission.

Danzig I don't see why you're exercised the way you are now--all I'm doing is--

Weisberg Why am I exercised? Here you are a lawyer; you're not talking about the question of civil rights raised in this book, you're not talking about the question of evidence raised in this book, you're not talking about the twisting of testimony, the incomplete quotations, the quotations out of context--you're accusing me without having gone back to see it for yourself. And if I'm wrong you show me!

Burke I think it's time that someone showed him.

(Laughter. Applause. Jeers.)

Danzig I just want to ask you this--

Weisberg The record speaks for itself; go ahead.

Danzig I know the record speaks for itself. Is it your opinion that this Commission set about with the purpose of proving the case against Oswald?

Weisberg Yes.

Danzig Then what you are saying is that the Commission embarked upon an inquiry not so much to obtain truth but for the purpose of proving guilt against an individual who was in a position of being accused.

Weisberg I think that's a fair paraphrase; it's not the way I'd put it, but it's close enough.

Danzig And for that reason you're saying that the Commission's inquiry was an unfair inquiry.

Weisberg If you can show me one thing to prove to the contrary, do it right now.

Danzig I'm only asking your position.

Weisberg I'm asking you, sir.

Danzig No; I'm not here for that.

Weisberg You mean you can make any sort of a foul false accusation and you can't be called on it?

Danzig ---I just asked you a question.

Weisberg I asked you a question--Answer it!

Danzig I don't intend to--

Weisberg You're not God--Answer it!

Danzig I don't intend to.

Weisberg You can't answer--you don't dare.

Burke Mr. Danzig, with your permission, sir--

Danzig I'm going to finish my questioning because I don't think that I should be in a position where I answer questions, because we're here for the purpose of finding out his position on the book that he wrote.

Burke On the other hand, Mr. Danzig, Mr. Weisberg did write a book; Mr. Weisberg is my invited guest; this is not a courtroom, you are not in the position of cross-examination with a yes or no answer or with a witness who perhaps does not know the law. It would appear to me, in all fairness to all concerned, that if you can ask Mr. Weisberg a question then he should be able to ask you one, and that you should be in a position to answer him--but to simply state that you are not going to answer him is not the purpose of this program.

Weisberg And my integrity is involved, sir. You've involved it.

Danzig Well, I don't know whether it is a matter of integrity, or bias, or your purpose.

Weisberg I'm the one who's biased, and you won't answer my questions. Go ahead. Go ahead, you got any more ~~more~~ questions? And I wish you'd stick to facts for a change.

Danzig I'm not concerned with that, I'm concerned--

Weisberg Of course you're not concerned with facts, that's obvious. (LAUGHTER)

Danzig I'm concerned with your purpose in writing this kind of book.

Weisberg I told you my purpose to begin with and I'll repeat it now--and I submit the book proves it beyond a reasonable doubt: the job has now been done, and must be, entirely in public, and preferably by Congress. What's wrong with that?

Danzig All right; nothing wrong.

Weisberg Okay; then somebody else ought to ask some questions. (LAUGHTER)

Danzig Will you agree then that there are people who differ, who honestly differ with you on the same set of facts?

Weisberg Why, certainly--the Commission.

Danzig The Commission. Honest people.

Weisberg Obviously you don't know the facts. You're just here with a blind determination to say that this couldn't happen. I want to suggest that you people ought to find yourselves eventually in an uncomfortable position on this. You're imputing something to me about a member of the Supreme Court and other people. What happens when the Supreme Court hands down a decision? And there is a minority, and the Chief Justice is with the minority? Does this mean he's some kind of a bum?

Danzig No.

Weisberg The majority of the court says he's wrong.

Danzig But you have stated here that this Commission deliberately and pre-meditatedly undertook to prove that a man was guilty, and was not concerned with truth. And if that's what you say--

Weisberg And if you find one fact to the contrary, do it now.

Danzig I don't intend to go any further; I got my answer.

Burke All right...there's a lady. Your name, please?

Speaker Marie Lambert. Would you mind telling us what evidence there is that the Warren Commission, that they undertook to prove this man guilty? Would you give us the items of evidence which show and which prove that they undertook and they started out with a premise that Oswald was guilty and they were going to prove it?

Weisberg Show me where they have ever considered any other possibility.

Lambert No, no--you answer my question.

Weisberg This is an answer.

Voice Excuse me--Mr. Burke, haven't we had enough of lawyers? (APPLAUSE)

Weisberg Frankly, no; we have not had enough of lawyers. Lawyers should be up on their hind legs screaming about what happened, and they're not.

Voice The man has been presented with many questions that he has not been able to answer. I have many questions myself but I'm sure he could use most of all the time left to answer the questions already put to him, and I'm sure there are other people who have questions, who are not lawyers, they are just interested, and they're not trying to pin him down to anything. I think we should all listen to them and let him try to answer the other questions.

Burke All right; thank you for your opinion. Madam, are you an attorney?

Lambert Yes; I am.

Burke Would you care to answer the lady attorney?

Weisberg Yes, indeed. I think I have. I am telling you that nowhere in the Report will you find any evidence that the Commission ever considered any other possibility. Do you want me to go farther?

Lambert I'd like you to.

Weisberg Then let me tell you about the man who was arrested in the building across Houston Street, as having no proper business there. There was no testimony taken on this. There is no mention of him in the Report. The only reason we know about it is because it's in the police radio logs. The Commission had no question about contradictory versions, three contradictory versions of the same police radio logs. And here is a case of a man who's arrested as a suspect. There is not a word of testimony on it and if you say there is you show it to me.

Lambert Was there any evidence, insofar as the man who was arrested across the street, that he had ever had in his possession a rifle that was connected with the assassination?

Weisberg This man was arrested before Oswald was picked up; the Commission did not go into it, just as it didn't go into the fake radio logs, so there's no disposition of it. It is just absolutely not touched. Now, again, you lawyers have not addressed yourselves to the point---that this rifle was ever shown to have been in Oswald's possession at the time of its use.

Lambert Are you familiar with the testimony with reference to the fibers in the paper bag, and the comparison of the fibers in the paper bag with the fibers in the blanket that was in the garage in the house where Oswald lived?

Weisberg You tell me what that proves?

Lambert Are you now telling us that in your opinion there is no connection between Oswald and the rifle despite the fact that his palmprint was found--

Weisberg You are misquoting me--

Lambert I am not--

Weisberg --and I will not let you misquote me. If you'll give me a chance I'll prove it to you. I'm saying that on November 22nd, the day the rifle was used--and that's all that's material, Mrs. Lawyer--

Lambert Is it a fact that the palmprint was on--

Weisberg --his palmprint where he could not have had it if he was using the rifle. Why don't you tell me how this man fired three shots with this rifle and left no fingerprints on it while he was firing the shots.

Lambert Maybe he cleaned off the prints after he fired the shots.

Weisberg He couldn't have gotten to the second floor--

Lambert It doesn't take very long to clean them off.

Weisberg They didn't have enough time as it is--you're not very familiar with what you're talking about. How much time did they take to get him from the sixth floor to the second floor, if you're so familiar?

Lambert Let me ask you the next question.

Burke Just a moment--just a moment, counselor, if I may.

Lambert I have another explanation.

Burke I'm sure you do.

Weisberg I have no doubt either.

Burke However, it seems to me that Mr. Weisberg has been asked many many questions, but when he asks the questions he only gets another question in return which doesn't even pertain to the question he asked. How about answering Mr. Weisberg's question?

Lambert It does not take very long to wipe off fingerprints, and it is also possible to fire a gun with gloves on so that you would not have fingerprints.

Weisberg Were any gloves found there?

Lambert The gloves may have been taken with him.

Weisberg Did they find them anyplace?

Lambert The fact that they were not found does not mean that they weren't taken with him.

Weisberg Don't forget we are going to have to talk about firing of such accuracy that the best experts the Commission could get couldn't duplicate it.

Lambert That might also have been an accident--

Weisberg Might? Might? Are we talking about the solution to the assassination of an American President in terms of "might"?

Lambert We are talking about what happens in real life--

Weisberg I beg your pardon, we are talking about "might."

Burke Thank you very much, young lady. All right, young man, what is your name?

Voice David Weinglass. I think the whole point--the whole point being that lawyers are concerned with evidence. The most important thing here is not evidence but the intention. I am familiar with a speech in Shakespeare, made by Anthony, with the refrain, "But these are honorable men." And that's what Mr. Weisberg seems to be saying. He goes to the point of saying that Earl Warren must either be a liar or incompetent. Earl Warren was in charge of that report. I am sure he signed something saying this is a good report. If it is lies--

Weisberg Have you read my introduction?

Weinglass I said--I have not read the book, I have not read the Warren Report.

Weisberg You're talking about what you don't know about...you're talking about what you don't know about. That's the opposite of what I said. You didn't read my introduction and yet you are telling these people here what it says and you're telling it falsely.

Weinglass Well, I've heard what you've said here.

Weisberg When did I say that Earl Warren lied or anything like that?

Weinglass You said that the Commission did a whitewash--that's the title of your book. It's a train of logic. It's almost syllogistic. The book is called "Whitewash." It implies there is a definite attempt to falsify evidence. To hide truth. If that is true, then the guilt lies with the man who is at the head of the Commission, and it's his responsibility--

Weisberg I'm sorry, I'm sorry, I won't accept that word guilt. I'll take the word "responsibility," that's the word I use.

Weinglass Then Earl Warren is responsible for lies and signed a paper which he either willingly knew were lies or was too incompetent to discover were lies.

Weisberg That's an outrageous thing to say.

Weinglass I agree. And I think you're really saying it without having the courage to come out--

Weisberg I didn't say any such thing! It would be so helpful if you lawyers would once in a while know what you're talking about!

Weinglass I'm not a lawyer.

Weisberg I said--I said--you know, I try to get things in, but I don't get a chance. Remember before I said that most of the hearings were not held before the Commission? If you were familiar with my book at all--stop talking and let me answer, By God! The very first thing I say in the book is that the members of the Commission were busy men, the busiest men--

Weinglass But they were honorable men--

Weisberg Stop putting words in my mouth or you'll keep your foot there all night. I say that the one responsibility they had that they could delegate was their responsibility on the Commission. And this is an unfortunate truth of our life. Nobody could preside over the Supreme Court for the Chief Justice. Nobody could vote in the Senate or preside over his committees for Mr. Russell or Mr. Ford. The one responsibility they could delegate, that on the Commission, they did. If you were familiar at all with my book you would know that I say, as I started to say here earlier--I didn't finish the answer because the lawyers, again one of you lawyers interrupted me.

Weinglass I'm not a lawyer.

Weisberg That's refreshing. (LAUGHTER)

Weinglass You have talked longer than I have, I might remind you.

Weisberg It's about time!

Burke Just a minute, young man--I don't think it's your prerogative to decide how long either of you should talk, really, so don't stop Mr. Weisberg.

Weisberg I went farther. I said of all the disagreeable tasks a man could be assigned, this was certainly it. I went farther than that and I said there was absolutely no chance of personal gain for anybody, that these were all men with well-established careers. You people are entirely distorting my representation and I think that the lawyers should start thinking as lawyers and know that the basic thing in our free society is a mechanism for the correction of error. And that is all my book asks for. But since you quote Shakespeare, I would like to add just these two short lines, which concludes my chapter on witness--Tis not the many oaths that make the truth, but the plain and simple vow that is vowed true. Proceed.

(Station Break)

Burke Harold Weisberg, author of "Whitewash," on the Warren Report, has some doubts about its accuracy but not about the ~~members~~ intent of the men who formed the final report; is that correct?

Weisberg The members of the Commission.

Burke That is correct. There's a gentleman at the podium, and your name is?

Voice George Skiatus, Mr. Burke. Mr. Weisberg, I have a question to ask. I haven't read your book. However, I'd like to find out how you propose to have an investigation exercised, and who should exercise this investigation, and would it be as accurate as it would have been done then, at the time?

Weisberg If I forget to answer any part of that question, please ask me. I think it is a very valid question. I thought I said before, preferably by Congress, and that's all I said. Of the possible alternatives--I don't want to pretend to be a lawyer, I'm not--but I think that with the death of Oswald, there is nothing to take to court. So the normal processes of the American judicial system couldn't work. As I said before, these were not really public sessions. I think it is important not only that citizens be allowed access to it--and I am specifically addressing myself to such things as the accusation of perjury I addressed myself to before--but I say, let the press. This is the way our society works. I think it is an admirable way. I'd like it to work that way. Now here I'm addressing myself to that part of your question which I take to be "preferably by Congress."

There are several other parts. Would you take one of the others and I'll answer it.

Skiatus Yes, sir; I asked--I want to know actually, will it be as accurate?

Weisberg No; it can't be as accurate. With the passage of time people disappear, they forget. It can't be as accurate. But the longer times goes on the less accurate it's going to be. One other thing: I think it should be an official proceeding, so that there is a means of compelling testimony, so that there is a means of compelling the production of documents--assuming that they still exist --and so that there is a punitive power, so that people cannot get away with perjury, cannot get away with contempt. And this requires, as I understand it --I hope I am not wrong--I don't intend to be--this requires some kind of official proceeding.

Skiatus I see. One other question. Do you feel that the responsibility for lack of the truth--let me put it that way--does it fall on any one individual, or is it the chain of command?

Weisberg No, I think that this whole thing is a consequence of the situation that like Topsy, it just grew, until it became almost inevitable. I think it is one of the tragedies in our recent life. The whole thing was preempted. My God! I hope those lawyers aren't going to get up again--they haven't let me talk about the shells yet! May I talk about the shells?

Burke Yes; I want you to talk about the shells, but this young lady with the picture hat has been standing there so long, I'm sure she's tired of standing.

What is your name?

Voice I'm Demaris Myer, and I'd like to congratulate you, sir. I believe that your timing is very correct. Like you said, in the Lincoln affair, everything is being brought out now, way beyond his death. And I know from my experience, sitting in front of the TV and seeing the whole thing, likely I and everyone else I knew would have convicted Oswald on the spot. So public opinion was very high. And if he had not died, he'd have probably been hung just by public opinion--

Weisberg No--if he hadn't died he could never have been convicted. The police saw to that.

Myer And if he had been set free, public opinion was so high at that time he would have had great discrimination against him.

Weisberg All right; thank you for the first respite I've had all evening. I think it's very kind of you.

Myer And I think your timing is right, now that everybody has calmed down.