

Photocopy of part of manuscript

"Supreme Injustice" returned by

David Lifton from RAMPARTS (received 6/20/66)

8/22/66 "FBI Hostage
RP - UHO"

Extracted,
Send to
Studies on Left

Untitled Manuscript

A Comparative Analysis
of the Warren Report
and the Hearings & Exhibits

Sylvia Meagher
302 West 12 Street
New York, N Y 10014

January 1966

Tentative Table of Contents

(Untitled Manuscript by Sylvia Meagher:
A Comparative Study and Critical Analysis
of the Misrepresentation, Omission, and
Distortion in the Warren Report)

Foreword (15 pages)

The Assassination (71 pages)

The Motorcade

The Presidential Car
The Mark on the Curb and the Cut on the Face
Where Did the Shots Come From?
The Zapruder Film

The Depository

Prior Knowledge of the Motorcade Route
The Chicken Lunch
The Shield of Cartons
The Sixth Floor at Noon
The Short Bulky Package

The "Escape"

Oswald's Departure from the Depository
The Bus Ride
The Cab Ride
The Linking of the Two Suspects
Oswald's Addresses
The Arrest (to be written)

The Rifle (34 pages)

The Vanished Mauser
The Guilty Carcano
The Serial Number
Scope, Shims, and Tests
The Peculiar Sling
The Rifle Ammunition
The Ammunition Clip

Medical and Autopsy Findings (38 pages)

The Autopsy Report
The President's Wounds
The Governor's Wounds
The Single-Missile Theory
The Stretcher Bullet

Oswald (75 pages)

Hidell
Oswald's Rifle Practice
Photograph of Oswald with Rifle
FBI Agent Hosty, Ruth Paine, and Oswald
The Post Office Boxes
Oswald in Detention--Plea of Innocence
The Interrogations
Motive and Mind

Tippit, Ruby, Walker (45 pages) (not complete)

Tippit's Movements
Tippit and the Pedestrian
Description of the Suspect
Discovery of the Killer's Jacket
Whose Jacket? (The Ownership of the Jacket)
Link between Oswald and Tippit?
The Revolver Ammunition

Ruby at Parkland

The Attack on General Walker

Anatomy of an Investigation (24 pages) (not complete)

Hoover's Men
No Stone Unturned
Who Was Betty MacDonald?

Foreword

The Warren Report is a dishonest and slovenly document. It leaves unfulfilled the duty owed to the murdered President and to the American people who mourn him --to uncover the full truth about the assassination and to bring the guilty to justice. The Report discredits the eminent men who produced it, the news media that went all-out to sell it to the public and to discourage dissent from its findings, and the American people who bred or tolerated violence, bloodshed, and murder and who became too malleable and gutless to exercise independence of thought and judgment and who have surrendered the substance of patriotism for its slogans.

These may be strong words to say today, but dispassionate history will make the same judgment and may well be more severe. Scholars who need not look over their shoulders with apprehension one day will study the events of Kennedy years and the immense tragedy of November 22nd, and they will pronounce the Warren Report a perverted and fraudulent document. The sooner the fraud is recognized, the better. The American people have evaded the opportunity for merciless self-examination, repentance, and restoration of national morality which confronted them in the wake of the grotesque events of Dallas. They have avoided the moment of truth and have permitted men of high reputation and institutions of massive influence to lull them back into complacency with fictions about random solitary maniac-assassins. Dallas and the country as a whole have been absolved of mortal guilt. That is why Dallas at Christmas 1965 was the scene of an assault by American Nazi Party thugs on peaceful citizens assembled in a public meeting. It is business as usual in Dallas, which was not held responsible for the political hydrophobia that culminated in the assassination of a President on its streets and the murder of a citizen on the premises of the Dallas police. The political hydrophobia which manifested itself repeatedly in Dallas, with immunity, continues and grows, in a climate still-unsobered by the disgust and opprobrium of the

civilized world. A cartoon which appeared in a Mexican newspaper on the occasion of Nikita Khrushchev's fall from power holds up a mirror into which we refuse to look: it shows two men walking past the eternal flame on the grave of President Kennedy, one of whom says to the other, "Those Russian barbarians! What a way to get rid of a leader!" No one unbemused by the mythology of Americana conceives of the assassination as anything other than a political crime. Indeed, that was the immediate intuitive and universal assumption on November 22nd, before the manipulators of opinion got to work.

The news media carry a large responsibility for the tranquillization of the American public. The New York Times, the most venerated of American newspapers, acted as an arm of the Warren Commission and sponsor of its Report, on which it placed the stamp of its own high reputation and decisive endorsement. The Times placed the Report at the disposal of anyone who had ten cents, in the form of a special supplement, and almost immediately afterward issued a one-dollar edition (The New York Times/Bantam edition) which sold millions of copies. Later the New York Times published a companion paperback, "The Witnesses," one of the most loaded propaganda pieces ever to masquerade as objective research and information. "The Witnesses" publishes "highlights" from the testimony of selected witnesses, all calculated to confer conclusiveness on the Commission's case against Oswald. Anyone who takes the trouble to compare the selected "highlights" with the full transcripts of the testimony will be staggered by the passages represented in the book by the usual three dots showing elision. In one case, 38 pages of testimony are "condensed" into a single page dealing with a marginal matter, while the important evidence given by the witness concerned about Oswald's marksmanship and about the harassment to which the FBI subjected the witness in the course of the investigation is omitted entirely.

The New York Times, in issuing that misleading and tranquillizing digest of testimony as well as in the testimonials written by some of its most distinguished names in the Times/Bantam edition of the Report, has engaged in blatant partisanship which is the antithesis of responsible journalism. Its performance is not redeemed

"virtue of the editorial spanking delivered to reproach the Commission for deleting, without acknowledgment, a line in the statement of one witness—a deletion which became known only because a reporter had had access to the verbatim copy of the statement. The editorial reproach was for that deletion alone. The New York Times did not worry about other deletions or suppression of information, apparently assuming that the known instance was the sole example of unethical censorship; nor raise questions about the Commission's utter lack of control over its documents and records, which were repeatedly leaked or pirated. There was, moreover, a high correlation between the beneficiaries of the leaks and the newspapers or periodicals which engaged diligently in putting "an end to nagging rumors" whenever evidence against the official theory became troublesome—while the fact-finding was in progress. Thanks to those publications, it is clear that the Commission at no stage of the investigation considered any theory other than that of the lone assassin.

Some magazines showed independence of view and healthy scepticism, at least for a while. COMMENTARY published a stern editorial in January 1964, voicing the serious concern felt even then by the way in which the Warren Commission intended to proceed with its work. Two months later COMMENTARY published a trenchant critique of the case against Oswald by the prominent journalist, Leo Sauvage. While we are indebted to COMMENTARY both for its editorial and the Sauvage article, it is most disappointing that COMMENTARY retreated into silence afterward, thus abdicating its duty to comment on the Warren Report when it was issued and to appraise the degree to which the Report satisfied the criteria set forth in its own editorial.

THE NATION, a respected organ of the moderate Left, also took a responsible editorial position in the early days, and published an article by Harold Feldman which called attention to significant ambiguities involving the relationship between Oswald and the FBI. When the Warren Report was released, THE NATION commissioned a review by Law Professor Herbert Packer, who made some damaging criticisms of the Commission's conduct and methods but absolutely endorsed its

central findings on the basis of the "hard evidence." Packer reasoned that the case against Oswald was conclusive regardless of the manner in which testimony had been elicited from witnesses, although he deplored the Commission's failure to publish the testimony simultaneously with the Report. If Packer has since read the Hearings, he has not pronounced himself in a second article, as one might have expected. Perhaps he was too unnerved by the lack of impartiality, the discrepancies, omissions, and misrepresentations which become clear when the Report is compared carefully with the testimony and documents—a comparison which is the basic purpose of this book. In any case, THE NATION too has fallen silent and refused an article critical of the Warren Report by one of its most distinguished regular contributors.

The NEW REPUBLIC deserves thanks for printing a caustic appraisal of the Warren Report, "The Case for the Prosecution," by Murray Kempton. Although Kempton said that in the last analysis, he accepts the case against Oswald as "proven," one should not necessarily take him literally. The NEW LEADER, despite apparent editorial endorsement of the Report, made a major contribution to historical accuracy and completeness by presenting an article by George and Patricia Nash, "The Other Witnesses," which exposed the appalling negligence of the official investigation in overlooking completely three important witnesses to the Tippit shooting—easily found by the authors—who gave a description of the crime which differs radically from the account given in the Warren Report and one of whom reported police attempts to silence and intimidate her. The NEW LEADER also published a series of critical articles by Leo Sauvage.

ESQUIRE featured an article by Dwight MacDonald which was noteworthy both for its devastating appraisal of the Commission's methods and pomposity and for its literary sparkle. Although MacDonald concurred in the Commission's findings, his verdict was based on a sketchy acquaintance with the testimony and documents, and may be open to reconsideration.

THE MINORITY OF ONE has maintained an unequivocal stand against the lone-assassin-thesis and has opened its pages freely both to letters from readers and to major articles such as Harold Pollman's analysis of testimony on the direction of the shots. LIBERATION published an outstanding article in which Vincent Salandria, in a tour de force, synthesized in understandable language the highly technical, complicated, and abstruse testimony from the medical, autopsy, and ballistics experts--demonstrating on that basis alone that the conclusions reached by the Warren Commission are untenable.

In the newspaper establishment, several reporters and columnists have dug into the case and exposed facts or raised questions which otherwise may never have surfaced. Robert Ruark wrote a memorable column showing that the ballistic findings in the Warren Report were lunatic. Dorothy Kilgallen turned a frigidly sceptical eye on Dallas and wrote a number of stories which challenged the official case. Her sudden premature death, like Robert Ruark's, is a grave loss. Other reporters like Richard Dudman, Bob Considine, and Don Bonafede have helped to widen the scope of investigation and public knowledge. Sylvan Fox, city editor of a major newspaper, set a high standard in his book, "The Unanswered Questions about ~~the assassination~~ President Kennedy's Assassination."

All of these writers deserve gratitude by virtue of their attempt to prod the dormant public mind and to revive the spirit of scepticism and irreverence in national affairs. There are other segments of the Left and Liberal establishment, however, which have abandoned all claim to integrity by reason of a servile, unsolicited, and uninformed stampede to sanctify the Warren Report. I.F. Stone, who is too busy to read letters and who surely never read the massive Warren Report, devoted his Newsletter to an immediate frantic defense of the Report, coupled with shameful attacks on the morals and intelligence of his friends and political bedfellows over the long years--using the very tactics of smear and guilt-by-association to which he had made a career of opposition. What inspired the

principled and courageous Stone to such a humiliating performance? The answer may lie in public statements by A. L. Wirin, the civil libertarian. Wirin revealed, perhaps with unpremeditated candor, that his ardent defense of the Warren Report springs from gratitude and relief that the Commission absolved the Left from complicity in or responsibility for the assassination and thus averted a blood-bath against the Left by the Right. Wirin should realize that the Commission did not "save" the Jewish citizens of Dallas from attack by American Nazi Party thugs at Christmas 1965 and that while he may have the right shoe, he has the wrong foot.

Even if the Stones and Wirins in their secret thoughts suspect that the domestic or foreign Left was implicated in the assassination, one hopes that they are not seeking to sacrifice truth and justice to a mistaken concept of self-preservation. Nothing, including "reasons of State," can justify the suppression of the truth, nor damage the country--including the Left--so profoundly as compounding the nightmarish events of Dallas by a Dreyfus case of our own. Stone and Wirin have given a strange performance indeed.

It is noteworthy that advocates of the Report of the ilk of Stone and Wirin defend their position by eye-rolling rhetoric, asking how anyone can possibly question the probity of the Chief Justice or Senator Russell (much as one may disagree with his views on race) or--by crickets!--good old Allan Dulles. They do not argue on evidence, because they are completely uninformed, and in preaching their faith in the Warren Commission there is scarcely a discredited, vulgar, or cynical platitude they are not willing to use. As a general rule, partisans of the Report have not read it, much less the twenty-six volumes of Hearings and Exhibits. In discussion and debate, they invariably expose their unfamiliarity with the facts and expound all kinds of irresponsible errors and assumptions.

critics of the Report, on the other hand, by and large have performed grinding labor and taken infinite pains to master and document all the available information with scrupulousness which was to be expected but which is not found in the Warren Report. Only a few of the critics who question or reject the Report have been guilty of careless or incomplete research; and while that is not to be condoned, it is nevertheless the Commission and not the lone critic which had the responsibility to establish and report the truth, and which had virtually unlimited manpower and funds at its disposal.

Nevertheless, the Warren Report is inherently illogical, inconsistent, and pockmarked with inexcusable errors. When it is compared with the Hearings and Exhibits, it is exposed as a deformed and fraudulent document which consistently misrepresents or omits evidence which, in the aggregate, speaks more for Oswald's innocence than his guilt.

It is not the critic's responsibility to explain why the Chief Justice signed such a Report or why Robert Kennedy accepts it or to answer any other irrelevant, mystical, and foolish questions posed by the orthodox. Nor is it the critic's responsibility to name the person or persons who committed the assassination if Oswald did not---another characteristic non sequitor. It is the responsibility of the authors and advocates of the Report to explain and justify the specific, documented defects. If they cannot or will not, then let the Government which has given us so profoundly a defective document, at a cost to the people of well over a million dollars, recall the Report and commission one that will sustain its assertions and conclusions and survive the test of close scrutiny.

One of the most disgraceful actions of the Warren Commission is that it dissolved and disbanded the moment it handed over its Report, leaving no individual or corporate entity to answer legitimate questions arising from demonstrable misstatements of fact in the Report. In effect, the Commission on September 27, 1964 attempted to close the case no less firmly than the Dallas

... tried to close it on November 25, 1963. Letters to Commission members or counsel posing factual questions on the basis of cited material in the official volumes have gone completely unanswered, or unanswered in substance. The policy of silence is an affront to the citizen and presents the irresistible inference that since the authors are unable to defend or justify the points at issue. A group of letters, together with such "replies" as were received, are found in the Appendix to this book.

The indecent haste with which the Warren Commission closed its case is arresting because when all is said and done it is the very same case that the Dallas police tried to close before Oswald's corpse grew cold. Curry, Fritz, and Wade said that Oswald was guilty. The Commission says so. Curry Fritz and Wade said that he acted alone and had no accomplices. The Commission says so. Curry Fritz and Wade said that he shot Tippit. The Commission says so. The Commission adds the charge that he tried to kill General Walker---but that is no tribute to its investigatory skill as opposed to that of the Dallas police. It is merely a story told by Marina Oswald and accepted by the Commission too readily by far, in disregard for the inconsistency between her story and the objective facts recorded contemporaneously or determined later and in disregard for the doubts which arose about Marina Oswald's credibility when unyielding facts forced the Commission to reject her matching story of an attempt on Nixon.

The Commission's blatant bias for and against witnesses and its unblushing double standard of judging credibility is enough to stop a clock. Marina Oswald's testimony is treated as impeccable, despite the ludicrous Nixon story and her poor showing under the sole cross-examination (by Senator Russell) to which she was subjected. Helen Markham is another star witness. If Markham did not commit deliberate perjury, one can only say---as counsel Joseph Ball said on a public platform---that she is an "utter screwball." It is not necessary to belabor the Commission's hypocrisy and desperation in declaring her wild testimony as having "probative value." Having deemed "reliable" the testimony of Marina Oswald and Helen Markham, how does the Commission deal with witnesses who on the face of it

have neither fabricated nor become embroiled in blatant self-contradiction nor
raved like lunatics? The Commission decided that Seth Kantor was "mistaken."
Wesley Frazier and his sister--mistaken. W W Litchfield--mistaken or "lying."
Wanda Melnick--mistaken or "lying", and Gertrude Hunter, Edith Whitworth,
Roger Craig, Arnold Rowland, Victoria Adams, William Whaley, Albert Guy Bogard,
Dial Ryder, C A Hamblen, Wilma Tice, and still others.

All these "mistaken" or "lying" witnesses have one thing in common--that they
gave evidence which in whole or in part was inconsistent with or antithetical to
the official thesis of the lone neuropsychotic assassin and the lone neuropsychotic
killer of the lone neuropsychotic assassin. That was the thesis of the Dallas
police and district attorney on November 25th, 1963 and, with minor and
inconsequential variations, the thesis of the Warren Commission a year later.

It has been said that the Dallas police are not so bad--look how quickly
they caught Jack Ruby. Not so bad? They are positively brilliant. In some
48 hours they solved three murders of unparalleled complexity and mystery in the
same terms as the findings made a year later by the Chief Justice and his six
eminent colleagues, and the stable of bright young lawyers, and the legions of
investigators, and the brace of criminological experts. The Dallas police achieved
in a matter of some three days what the Commission achieved after an investigation
said to be unprecedented in scope, depth, duration, and we daresay expense. There
are not many police departments that can match the Dallas force. One recalls the
many months which passed before the New York City police made an arrest in the
notorious murder of Janice Wylie and her roommate. James Whitmore, the arrested
man, confessed to the double murder. But the open-and-shut case became a scandal
and nightmare to the police when a reporter, acting in the highest traditions of
his profession, pursued his own investigation and produced evidence that Whitmore
was innocent, leading to the disclosure that his "confession" was compelled by
police brutality and coercion. Then there are the Mississippi police--naturally
they could not solve a triple murder in which, it turned out, they were themselves
implicated.

In addition to the crimes and brutalities committed by police and other officers of the law, not in the South alone but in other regions, it is an open secret that police officers are found increasingly among the members of such dangerous and deadly groups as the Klu Klux Klan and the John Birch Society.

It is true that the Dallas police permitted the most important prisoner in the history of Texas to be gunned down in their basement, handcuffed to a detective and flanked by officers. It is true that a few months later the Dallas police lost another prisoner by suicide in one of their jail cells. But the same police solved the mystery of the assassination and the murder of Tippit with such speed, authority, and skill that one is lost in admiration. It is grossly unfair that editorialists first assailed the Dallas police with merciless contempt and then played dazzling fanfares in tribute to the Warren Commission, without retracting their unkind words for the hapless Dallas cops. They should not have it both ways. If they accept and endorse the Warren Report, they must also concede that the Dallas police should be commended for their swift and sure work and vindicated in their finding that Oswald was the lone assassin and the case was closed.

The difficulty is that the editorialists and advocates unleashed their superlatives before they could have read the 888-page Report with the requisite care and long before the supporting documents and testimony were available for examination. When the Hearings and Exhibits were issued later, there was another concert of praise and wonder, equally extravagant and premature. None of the favorable appraisals were conditional on the basis of further study to be undertaken (with the possible exception of Professor Packer) and none have been followed by a restatement, reiterating or modifying the initial appraisal on the basis of careful scrutiny of the Hearings and Exhibits. Such scrutiny, it must be acknowledged, is a monumental undertaking, involving twenty-six thick volumes consisting of some 20,000 pages and more than ten million words. Few people can

the time, or the stomach, for such a grind. Perhaps some students of the
would have liked to study one or two elements in the case from A to Z, to
determine whether there was fidelity between the raw data and the presentation
in the Report. Such a check would not require exorbitant time or effort; but
the lack of a subject index makes it impossible to trace any single aspect of
the case without reading the twenty-six volumes in their entirety. The sheer
mass of unclassified unrationalised data is enough to discourage an attempt to
take inventory. It would be tantamount to searching for information in the
Encyclopædia Britannica if the contents were untitled, unalphabetized, and in
random sequence. It is hard to be unsympathetic to the student who shuddered
and declined to read the Hearings and Exhibits, word by word. But it is hard
to be sympathetic to the critic who read the Report superficially, without
scepticism and without noticing its internal contradictions, publicly endorsed
the findings with enthusiasm, and then eschewed entirely a reading of the
unabridged Hearings and Exhibits.

It has been said that the American people are the only jury that Lee Harvey
Oswald will ever have. It is our responsibility, then, to examine the evidence
for and against him with the utmost care and to reach an independent verdict.
It is a responsibility that cannot be delegated to other men, however exalted their
reputation and honors. The first step must be the patient reading of the full
Hearings and Exhibits, however imposing the task. If that reading demonstrates
is an inaccurate, incomplete, or partisan synthesis of the raw material on which
it relies, the authors must account for the discrepancy in a manner that satisfies
all doubt about their competence and their motives. If they cannot or will not
provide such satisfaction, the people are entitled to a new investigation and
report by a competent and disinterested body, on the basis of an adversary
procedure which will permit Oswald the maximum defense which can be given
posthumously—an act of justice thus far denied him.

A new investigation utilizing the adversary procedure may find also that Oswald was the lone assassin. If such a finding is supported by unambiguous evidence which cannot be successfully challenged by the defense and if it is based on procedural decorum and equity, it will be acceptable. If there is a different finding, implicating co-assassins, or absolving Oswald entirely, that too must meet the strictest tests of evidence and procedure.

We believe that a new investigation is imperative, because study of the Hearings and Exhibits has destroyed the grounds for confidence in the Warren Report. Study has shown the Report to contain (1) statements of fact which are inaccurate and untrue, in the light of the official Exhibits and objective verification; (2) statements for which the citations fail to provide authentication; (3) misrepresentation of testimony; (4) omission of references to testimony inimical to findings in the Report; (5) suppression of findings favorable to Oswald; (6) incomplete investigation of suspicious circumstances which remain unexplained; (7) misloading statements resulting from inadequate attention to the contents of Exhibits; (8) failure to obtain testimony from crucial witnesses; and (9) assertions which are diametrically opposite to the logical inferences to be drawn from the relevant testimony or evidence.

In this constellation, as in the case of the "mistaken" witnesses, there is one constant--that the effect of each inaccuracy, omission, or misrepresentation is to fortify the fragmentary and dubious evidence for the lone-assassin-thesis and to minimize or suppress the contrary evidence. To that constant must be linked the Commission's unashamed refusal to permit Oswald a defense, as formally requested by his mother, in contravention of the most elementary concept of fairness. The excuse that Marina Oswald, chief witness for the prosecution, did not desire a defender to represent the man whose guilt she proclaimed and reiterated, hardly merits discussion. If that position had any legalistic merit, it was vitiated completely when the Commission appointed the President of the American Bar Association,

Craig, "to participate in the investigation and to advise the Commission in his opinion the proceedings conformed to the basic principles of American justice." This compromise was worse than meaningless. It did not require the head of the ABA to remind the Commission that it is fundamental that an accused has the right to self-defense and to the benefit of reasonable doubt--even posthumously--and in any case no such reminder issued from Mr Craig or his appointed observers. They participated in the examination of witnesses from February 27th to March 12th, 1964 (after Marina, Marguerite, and Robert Oswald had completed their 468 pages of testimony), the most memorable of the infrequent interventions being a question hostile to Oswald's interests. Thereafter, by agreement with the Commission's chief counsel, Craig and his representatives "made suggestions" to counsel instead of participating directly in the proceedings. Therefore, it became impossible to isolate any contribution on their part, much less to infer that in any sense there was any safeguard of the interests of the accused or the propriety of the proceedings. Moreover, the ABA observers took no part whatever in the examination of 395 witnesses who did not appear before the Commission but were deposed by counsel. The whole sorry arrangement was a mockery and further compromised the Commission's claim to impartiality.

Although the Commission excluded the use of the adversary procedure, it did not hesitate to take advantage of the techniques of courtroom trial by engaging in the preparation of witnesses. The records show repeated instances of "dry runs" in which counsel questioned a witness in advance of his formal testimony. Such prior rehearsal of a witness is essential in a trial where his story will be challenged in cross-examination but in a fact-finding investigation resort to dry runs in advance of testimony can only feed suspicion that there was no search for truth but only for testimony which would buttress a preconceived and fixed conclusion.

A reading of the full testimony leads to the irresistible conclusion also that the witnesses fall into two general categories--the "friendly" and the "unfriendly"--which again is alien to the impartial fact-finding process.

In the case of some "unfriendly" witnesses the Commission went beyond a show of sympathy and set out to discredit character. As Paul L. Freese wrote in the New York University Law Review (May 1965), "The technique of character impeachment used by the Commission has disturbing implications." While Freese ascribes the Commission's publication of defamatory comments on certain witnesses to its "zeal to publish the full truth," it is susceptible to other interpretations. It is striking that the Commission regarded as unimpeachable a number of witnesses whose testimony is inherently disordered and strongly suggestive of falsification or mental incompetence, or both. When Jack Ruby, a convicted murderer, gave testimony in conflict with the testimony of Seth Kantor, a responsible and respected member of the White House press corps, the Commission chose to believe Ruby and decided that Kantor was mistaken. It relied, as mentioned already, on Marina Oswald and Helen Markham, both of whom became flagrantly ensnarled in self-contradiction if not outright falsification. By contrast, the Commission set out to impeach the character of a number of witnesses who were disinterested and whose testimony was corroborated by others, apparently for the sole reason that their testimony came into conflict with a theory which was not subject to change regardless of the evidence.

Moreover, it is arresting that off-the-record discussion took place well over two hundred times during the examination of witnesses, on occasion at crucial points in the testimony and as frequently as seven or eight times per witness. Some of these off-the-record passages undoubtedly were innocuous; in many instances, the discussion was placed on the record immediately afterward. However, one witness who was deposed by counsel subsequently appeared before the Commission at his own request to report that during an off-the-record interruption counsel had accused him of perjury and had threatened him with the loss of his job. If the witness had not himself placed those facts on the record, they would have remained concealed completely from public knowledge. We are therefore entitled to regard the

constant resort to off-the-record discussion as an unsatisfactory and possibly sinister practice.

Of the 489 witnesses who gave testimony, less than one-fourth appeared before the Commission. Even in those cases, the full seven members were never present as a body or throughout. The Chairman was in attendance at least part of the time for all 94 witnesses who came before the Commission; but his colleagues heard only the following approximate numbers of witnesses: Representative Ford, 70; Mr. Dulles, 60; Senator Cooper, 50; Mr. McCloy, 35; Representative Rogers, 20; and Senator Russell, 6. But in most cases, the member was present only for part of the testimony of a witness. Some of the difficulties they encountered in finding time away from their other duties for the business of the Commission were almost comical, as illustrated in the following colloquy:

Chairman Senator Cooper, at this time I am obliged to leave for our all-day conference on Friday at the Supreme Court, and I may be back later in the day, but if I don't, you continue, of course.

Cooper I will this morning. If I can't be here this afternoon, whom do you want to preside?

Chairman Congressman Ford, would you be here this afternoon at all?

Ford Unfortunately, Mr. McCloy and I have to go to a conference out of town.

Chairman You are both going out of town, aren't you?

Cooper I can go and come back if it is necessary.

Chairman I will try to be here myself. Will Mr. Dulles be here?

McCloy He is out of town. (3H 55)

If attendance was spotty, at least some of the members of the Commission heard some of the 94 witnesses who came before the panel. None of them heard the 395 witnesses who were deposed by counsel, although some of those witnesses were key figures in the case. They included Forrest V. Sorrels, Seymour Weitzman, Sheriff Decker, Dial Ryder, Jean Hill, James Tague, George Senator, Harry and Kay Coleman Olsen, Bruce and Karen ~~Carlin, and Larry Craford, among others. A number of witnesses~~ Carlin, and Larry Craford, among others. A number of witnesses who should have been examined with particular care are represented in the Hearings

THE ASSASSINATION

1. The Motorcade
2. The Depository
3. The "Escape"