

With attachments, confidential

2/28/69

Dear Cyril,

I am sending the enclosed letter to Senator Edward Kennedy's administrative assistant by certified, deliver-to-addressee-only, return-receipt mail this afternoon. The illegibility of the copy of his letter to me is not the exclusive fault of my aged and still-aging Thermoform. He used pale blue that doesn't copy well.

Do not hold your breath Wednesday, until he calls!

Gary Schoener heard from Vince Salandria, who is in New Orleans, that until almost the last minute they planned to call you, I presume in rebuttal, after Finck. However, it seems that Finck left so little of the autopsy intact, they have decided it was not necessary, I do not know the courtroom conditions and the jury's attitude after being sequestered a month. However, I have been assured by a knowledgeable member of the press, a trusted friend, that Finck was utterly ruined. Since then I have received one of the papers with excerpts from his testimony, verbatim, and I have no doubt a perjury rap will stick. They did use what I have in POST MORTEM, which you may, by now, have read, and got the most significant acknowledgements of military intrusion on the general-officer level during the performance of the autopsy, his acknowledgement that there were fragments in the thoracic area, and much, more more. Considering the state of the prosecutor's knowledge, it was an admirable cross-examination.

I have also drafted a letter to Judge Halleck. That will not be retyped in time to include it, but I will mail it tomorrow, if I go into town. My wife will retype it tonight. It will be self-explanatory.

There may be other of my efforts at intellectual jugs enclosed. Today is the first pleasant one we have had in several weeks. I am aging so, tiring so easily and remaining this way, that I will try and get outside for a little exercise. If it precludes other enclosures, I will send them separately. I have been told your appearance on the "Long John" show was effective. About these things however, I would prefer silence so they may come to fruition without public attention, or at least have the chance.

Dissatisfied as I am of what has happened, and what did not, in New Orleans, I am no less satisfied than ever on two points: there is an important case there, or least one, and the net effect, despite whatever immediate effect there may be, will be to advance us, materially.

Sincerely,

Herold Weisberg

February 25, 1969

Mr. David W. Burke, Adm. Asst. to
Senator Edward M. Kennedy
United States Senate
Washington, D.C.

Dear Mr. Burke,

Your non-responsive answer to my letter leaves me aghest and deeply apprehensive of the future of the man you serve. Perhaps it is illustrative of how this awful, incredible thing has come to pass in our country.

First, it is in no way adequate to say I wrote "concerning the Warren Report". I wrote about much more, said much more, whether or not you chose to acknowledge this.

"This Report was prepared by a body of highly respected men and there is every reason to have confidence in their findings", you say." But what, therein, do you really say?

That the Dred Scott decision (and how many others?) ^{was} correct because it "was prepared by a body of highly respected men".

That the Volstead Act (prohibiting) was right because it was "prepared by a body of highly respected men."

That the agony of Galileo was earned because it, too, was ordained "by a body of highly respected men".

That the Nazi invasion of Poland was warranted, more, required, because this was the conclusion of those no-less "highly-respected men" appointed to another special commission by their government.

If this is an insufficient catalogue to convince you, please, do, ask that I lengthen it.

For you, who work in that environment, to say that "This report was prepared by a body of highly respected men" is shocking, for you know as you do that the day follows the night that never does such a "body", ever prepare its report, do its own work. That is a physical impossibility. In the specific case, you must also know that almost without exception, the members of the Commission had no time for its actual work, which they delegated to others. This includes the drafting of the report. And on this point, among other, I give you a direct challenge. I will prove to you, beyond shadow of doubt, in less than five minutes, that this report does not contain the beliefs of the members. And I will do it with the official evidence not published, which I will put in your hands. More, I will show you that to make this possible, the most dishonest, if not criminal, destructions were required and were accomplished. If you find this hard to believe, then call what you may think is my bluff.

I will at that time also show you that evidence was destroyed

where and when it was destroyed, by whom and by whose order. This, also, with nothing but the suppressed official documentation. Now, I will show you the nature of what was destroyed. I can do this redundantly. If you fail to confront me of this, then you are in the position of accepting it. If you thereafter are silent, you must face what, inevitably, you will, including yourself.

I am a blunt man, Mr. Burke, and I give you no sugar-coating. This is an affair that has had nothing but placebos. But not from me. As the administrative assistant of the now-sole surviving Kennedy, you bear his great responsibilities, as you do the country and yourself. It is up to you whether you accept them. Please believe me, if you do not, I will see to it that you do not escape the consequences of this decision.

What I have promised to show you above is but a small part of what I can put in your hands, that you can evaluate yourself. I select it because it is responsive to your abuse of my intelligence, your demeaning of the Senator, when you say the great are immune to error - and not another thing.

However, I do not limit what I offer to what addresses the integrity of the functioning of the Warren Commission staff. For further example, you being willing, I will put in your hands, all properly sworn to by the official witnesses directly involved, absolutely irrefutable proof that the late President was shot other than as officially accounted for and in ways that preclude the possibility of that official accounting. He was not shot in the back of the head but in the top. He was not wounded in the thoracic area by a perforating bullet that left no fragments, for there are fragments - visible in the X-rays, lied about under oath by those testifying before the Warren Commission, and, I will show them to you in these still-existing X-rays. Any fragmentation in that area is, in itself, entirely destructive of not only the Report but what followed it. In the absence of the X-rays, which have been repeatedly refused me, I will prove this to you by the sworn, official evidence in my possession. Thereafter, I will produce for you one of the world's most-qualified, most-respected forensic pathologists, who has already validated what I report to you from the evidence I will place in your hands.

As I have told the Senator, I ask only the preservation of my confidence and, specifically, I ask nothing personal of him - or of you. However, if you once take the minor trouble to look at this evidence, I will thereafter do what I can to help you (both) in what, inevitably, will be required of you. This, I am confident you will agree, involves crimes that have been committed.

Mr. Burke, let me put this on a very personal level, for it is with what I will say that you will have to live. You need not come up here, although I am but an hour from your office. I will be in Washington next Wednesday, March 5. In five to ten minutes I will describe to you what should be enough to satisfy you that I am not overstating one bit. You can then phone this world-renowned forensic pathologist and further satisfy yourself. Thereafter, you can see what-
ever I have that you may desire. In fairness to you, I tell you that I have already written a book setting this evidence forth, complete with the facsimile reproduction of the cited official evidence. So, it will, eventually, become public knowledge. The difference will be in the position in which the sole surviving Kennedy, the remaining brother, finds himself, and the positions of people like you, upon whom, inevitably, he depends for what he knows and believes. Frank Menkiewicz was given an assignment by the late Senator. He failed it and the Senator did not survive it. I think you will not want to be in the position in which, before long, Frank Menkiewicz will recognize himself. At least you have not yet said "what difference does it make" if the President was murdered as the consequence of a conspiracy. He did.

Sincerely yours,