Showcase
BOOK WEEK

CHICAGO SUN-TIMES
401 N. Wabash Av., Chicago, Ill. 60611.

Dear Mr Weinberg:

A review of your book appears in this issue of SHOWCASE.

Best wishes, best regards

HK

HERMAN KOGAN

4/15/71

Mr. Herman Kogan
Showcase
The Chicago Sun-Times
401 N. Wabash Ave.,
Chicago, Ill. 60611

Dear Mr. Kogan,

Thank you for sending the copy of Elmer Gertz's hatcheting. I do not think it is Elmer's pride in his use of the weapon that caused him to overlook it.

I make no demands upon you. I have too long been denied freedoms to even suggest the slighest interference with this right for others.

If you doubt the charge I make to Elmer in theenclosed letter, I give you two other reviews for comparison, those of Publisher's Weekly (which is not prejudiced in my favor for having invented the underground book to bring out my best-seller WHITE-WASH)) and The Saturday Review. Or, better yet, read the book yourself.

The second suggestion has this merit: It may suggest to you that it is not, generally, good editorial judgement to assign a review to a partisan. Elmer is and has been very much parti pris.

The picture of Elmer Gertz taking up the cudgels for J. Edgar Hoover -and today yet - never once mentioning his name or that of the FBI, is not pretty.

Nor his apparent contentment that a man like King can be assassinated and the world not know the truth - and a deal can be arranged to preclude it.

With that on one side and the Elmers, of whom there will be many, what have we come to?

Sincerely,

cc:Elmer Gertz

Harold Weisberg

DHD, BF, RB, AR, GR, JM, JW

4/15/71

Mr. Elmer Gertz
120 S. LaSalle St.,
Chicago, Ill. 60603

Dear Elmer,

After reading your diatribe in the Chicago Sun-Times' Showcase of April 4, I was so depressed at the self-portrait of Elmer Gertz as ax-man for injustice I got out our correspondence to see if I recalled it incorrectly. I did no, and I will have the poor grace to cite it to you.

I also recalled the afternoon of a blizzard the first Friday in January 1967, when you and your wife and I spent a long time in the WBBM cafeteria in Chicago, and our long talk -as well as the Madigan show we later did - and what you should recall as an estimate of me, that you were there only because that other Chicago legal eminence, former senior counsel of the Warren Commission, Elmer Jenner, copped out when he found he would be facingme (and that not for the only time). On that occasion I offered you access to all of my research. You may recall you then planned your book on the Ruby case.

When you first wrote me, on June 7, 1966, and told me you were part of the Ruby defense, in my June 9 response, among the many things I said is this: "If there is any was in which I can help you, please let me know, for while there is no doubt in my mind that Ruby is history's most public murderer, there is, likewise, no doubt that he got something less than justice." I then went into my letter to Phil Burleson and Dean's perjury and the character of his tainted testimony (which I brought to light and sent you when you asked) and the fact that Belli had had no interest in it when I wrote him. Need I remind you that that in which I could not interest Belli was the basis of the Ruby reversal - that I was right when his lawyer was not? (And as I now note, although I was without income and deep in debt from this work, I billed neither of you for what I sent you.) You response of June 14 concluded, "I deeply appreciate your helpfulness and you may be sure that I will get in touch with you soon." Your "Dear Harold"letter of July 6, 1967, after publication of the last of my books on the JFK assassination to be printed, ends with "Warmest regards". My July 9 response was a renewed offer of help with your Ruby book and a caution about your personal involvement with one of the most disreputable scavengers ever to taint the literary scene, the man you associated with despite his milking of your client Ruby of more than 50% of his take on Ruby.

Yet you were part of that, and that very shabby business of the tape recorder hidden in the lawyer's attache case and the stinking resultant commercialism and related dishonest ies and libels. Or do you prefer not to recall?

Should one judge Elmer Gertz in court or in print with his association with that jackal Larry Schiller? As you know, I am talking about reality. Now let me quote you on unfeality:

"The most depressing commentary on his (meaning my)work is that he was one of the experts associated with the New Orleans District Attorney Jim Garrison in his aborted frame-up of Clay Shaw."

Elmer, you are a lawyer. I tell you this is libel. I do not propose or suggest suit,

so this is in no way a threat. But this is false, it is malicious, and it is a very serious accusation against me. I defy you to show a single case, that of Shaw or any other, where I have been part of a frame-up. I was part of effecting exonateration of several others, and I was never part of any investigation of Shaw. What my own independent investigation of other things in New Orleans did was to go into what Garrison did not. In the course of these other pursuits, I did stumble into some data on Shaw - unpublished. Be my guest if you want to be shaken up. Nobody has ever seen it.

The sad truth is, Elmer, that you have no personal knowledge of the nature of my relationship or lack of relationship with Garrison. If you want detail, all you need do is ask. Which is what you should have done before libelling. You could afford the phone call or the postage stamp.

But my relationship of lack of relationship with Garrison is utterly irrelevant to my writing, my dependability as an investigator or researcher, my beliefs, or anything else. It is, actually, less relevant than your voluntary association with that truly contemptworth whore Schiller.

What I am doing is asking the lawyer to play doctor and heal himself. All you so-called "liberals" are hung up on your own ignorance of fact, your own prejudices, you unwillingness to confront reality. It will some day plague you, and I will be sorry.

This is a very dishonest piece of work, in intent and in expression. I think if you have any self respect, you will attempt, in your own interest, to re-evaluate it and your motives and do what you can to reclaim your honor.

Let me give you a very simple way of seeing it and a challenge if you do not:

Reconsider the book as a defense attorney and ask yourself two questions: with that evidence, do you think any jury, racist or other, would have convicted your client; could any one of the so-called prosecution witness have survived your cross examination with what I have in the book only (which I assure you is not all that I have)?

(You might ask yourself is Elmer Gertz as prosecutor would have dared take such a case to a jury.)

If you do not agree with me, this is my challenge: You arrange a jury of your own impartial selection in Chicago, you play prosecutor and let me be defense counsel and let us have a "trial". Yes, I still trust you to select an honest "judge".

I have eschewed comment on the minor part of your "review" that deals with what it pretends is the content of my book, for you are entitled to your own opinion, and it need not be honest or fair to meet modern standards, most of all on writing about political assassinations. I am, of course, disappointed that it does not meet the standards I would once have regarded as those of Elmer Gertz, defender of the unpopular, the highest calling of the lawyer in our society (and is it not for the writer, for how else do we establish truth and justice, bishops not being notorious gangsters, rapists or murderers).

It is too bad that you seem still to smart from what I administered on that Madigan show. I warned you in advance that I regard this subject as one of utmost seriousness, one that addresses the integrity of our society, and I would brook no trifling with fact or its manufacture to my face.

A final comment on your beginning and on your end. Your opening nastiness is that "Weisberg...believes that there was a gigantic conspiracy to suppress the truth." If you for one minute doubt this, accept my invitation now five years old and let me show you

what the Commission withheld and more, what wa s withheld from the Commission. If this relates to the King case rather than that of JFK, how can you make so carping a comment with the contents of the last chapter of the book and its appendix? How many summary judgements have you gotten against the Department of Justice, in all your years of legal experience? Is not that exculpatory evidence? Did you find space for citation of one teensy-weensy bit of it (fewer insults would have provided it)? Does not this suit and what I cite of it in the book add up to a "gigantic conspiracy to suppress truth"?

"...come up with answers rather than questions." This coming from a defense counsel? Do you prove your clients innocent by proving who is guilty? What kind of system of justice would require this of you? But it is fair to say that all I do is ask questions? Is there one element of the evidence I did not destroy, one witness I left credible? In fact, Elmer, there is not one I did not address, nor is there any of the evidence, no matter how irrelevant, that I did not demolish.

I dare you to deny this.

The great tragedy is, Elmer, that when the lawyers fail it sometimes falls the lot of the humble scrivener to attempt to save society from the consequences of their failure.

Or is this what really bugged you?

I lament what you did to yourself more than what you intended to do to me.

Sincerely,

cc: Herman Kogan

Harold Weisberg

P.S. My apologies for inflicting the inevitable typographic errors on you. I don't have time to correct them and frankly, with what I'd thought of you, I just do not want to reread this painful obligation to us both.