

## CHAPTER 46

### *Cui Bono?*

In thinking of this truly perplexing situation that among other things was like throwing money away I wondered if what I had intended as an act of friendship because Gallen is Carroll & Graf's lawyer could be the cause of this so worrisome situation. Richard was a dear friend of two and a half decades. He had been a good and a very helpful friend. I believed that I owed him, even though when I did try to be his friend in return I was aware of the possibility of it being misinterpreted.

In what I wrote about Harry Livingstone and his personal "Killing of the Truth" I do not give a full account of the utter insanity of much of it or of the total incredibility of what he was up to before his book was published. I knew from my friend Gary Mack that if what Livingstone said about him was in the book he would sue for libel. Libel it was, with the prerequisite of "malice" amply established. I knew also that Gary had a lawyer friend who could be expected to file suit for him. I knew also that another of Livingstone's targets of irrationality, the Cleburne, Texas, architect, Gary Shaw, who had written about the JFK assassination, had a prestigious Dallas law firm representing him in a lawsuit against the American Medical Association, its Journal (JAMA), its editor and special writer and the Dallas Morning News in a libel case. While as I told Gallen and as he knew without my telling him, at my age and in the state of my health I could not think of suing, clear a case of malice as Livingstone had already created, he was in violation of the Maryland code in attributing to me chargeable crimes what had not been charged officially. I sent him a copy of the code and a selection from Livingstone's angry, ugly and utterly irrational and false letters to me and to others that I had collected so I could use them if I faced the need.

I was careful, as best a non-lawyer could be careful, not to send what was not of this character and

could be interpreted as intended to discourage publication of that atrocity in the physical form of a book with the large announced first print of 50,000 hardback copies.

I did not, for example, send the proofs I had that those Livingstone pretended were new and unheard sources for his crazy stuff about me as involved in the JFK assassination, which he actually said I was in two different ways, had been well published. One of his sources -- and both had motive for seeking vengeance on the sons of the late reactionary oil tycoon H.L. Hunt -- had given his nonsense to The National Enquirer years ago. The other had given it to Jim Hougan for his book Spooks. So they gave that errant fool Livingstone nothing new for his book other than where it was not in accord with what they had already said, whether or not what they had already said and had been published is true.

Livingstone's crazy letters did establish malice and they were absolutely false. With regard to what he had put on paper about me I had written him that it was false and from prejudiced political sources with their own axes to grind. He was on notice and he made no attempt to either try to confirm that awful stuff or to learn why I wrote him that it was false. I have the proof.

This was also true of another elderly person whose health was impaired and whose husband was ill with what was known to be terminal illness. He abused them terribly.

But like me, their age and their health precluded filing any suit no matter how justified. Even though, as with me, he said they, too, were involved in the JFK assassination.

Nonetheless, I believed that the counsel for the publisher who according to his author was going to publish such terrible and utterly false defamations would want those copies of Livingstone's letters I sent him.

It defies belief that such really rotten and entirely baseless defamatory fabrication could be published.

But they were.

That they were ugly, undiluted intended evil and with not even a hint of any checking or corroboration of any kind. And that after being put on notice with copies of his rabid letters. That this sick, befuddled and mixed-up diatribe of a pretended book was published bears eloquent witness and is its own commentary on what has become the total lack of any publishing standards, morals, ethics, or concepts of decency or responsibility at all in the JFK Assassination Industry. The one consideration is can it make money. Livingstone's earlier to me High Trashes had made money. So without regard for anything else his personal Killing of the Truth was contracted and published.

That a book is contracted does not mean that if it is libelous or in any other way a bad book it must be published under that contract.

The standard with Livingstone's overflowing sewer of a book from his sick mind was not does this book libel, or what with "public persons" is required, is it malicious. Rather, was it, as is abundantly clear from that disgusting trash and obvious irrationality, will those it defames and libels with such obvious malice find it possible to sue the publisher?

To repeat, using myself as an illustration, it says that H.L. Hunt paid me to help him when he was an assassination conspirator. That is clearly libel and it is in clear violation of the Maryland code in charging me with a crime with which I not only had not been charged but could not be. It is completely false. It has no basis for even being suspected.

Not only did my then good friend Gallen know me well and know that that was entirely impossible for me and not only had I nonetheless written him that it was all false, I also informed him and thus Carroll & Graf, that Livingstone's sources had been fired as common thieves by H.L. Hunt's sons and thus had motive for seeking to get even with them by defaming their dead father when the dead cannot sue from the

grave.

So before that monstrosity was published, the publisher knew it was utterly false and intendedly libelous. With malice established beyond question.

Yet it was published, without a question asked of me.

Moreover, Livingstone had put on paper of which the publisher had copies his threat to do the evil he did to that elderly and innocent couple if they did not confess their imagined guilt when, in his own right, he has neither the knowledge nor the ability to earn either fame or fortune and there is no other way he can get it.

Then there is what is ever so much more damaging and is also typical of the JFK Assassination Industry, the rewriting and the corrupting of our history in the minds of those who read the book and are not in a position to know that it is an ignorant, incompetent, hate-ridden bad and unfactual book that can only misinform and mislead and spread confusion, the confusion that helps only those in our basic institutions that failed themselves and all of us at the time of that crime and ever since then.

But there is no indication that my effort to be helpful about the possible costs to the publisher of Livingstone's insanity is what led Gallen first to fall silent and then do what is here recorded.

The truth is that I have no dependable indication of that cause.

Another possibility that suggested itself is a minor disagreement prior to the publishing of Selections from Whitewash.

David Gallen, Richard's son, wanted to reprint Whitewash, the first of that series. It remains the basic factual book on the subject although it was also the very first.

I could not and I did not agree to that. It would have meant much too much work and trouble for two octogenarians. Moreover, we had a new stock of a costly xerox reprinting of it, the only way we can

keep the book available because of our physical limitations, those that ended my publishing. I have been under a medical prohibition against lifting more than 15 pounds since the heart surgery of late 1989. The only place we have to store our stock of books, our warehouse, so to speak, is our basement. When I was then able to use the stairs only with difficulty and not often, and since then it has become unsafe and dangerous for me to use them at all, I could not think of what I would have preferred, a normal additional printing. For that I also would have had to rearrange the stock of the other books we had to make room for it. And if we got a normal printing down there it would be impossible for us to bring it up to make packages of those books as ordered.

We had had an earlier educational experience that was also costly.

Richard had suggested that one of his clients, a book distributor, Whirlwind, could distribute our books for us. Wanting very much not to have to do that work we agreed and at our cost shipped them a large stock they ordered. Time passed and Whirlwind, having sold few because it had made no effort to, returned what it had not sold. They were dumped in our carport with considerable damage in shipping and from entirely inadequate packaging. That may be the norm with books that are “remaindered,” or just dumped on the market at a great loss and at a low price, but it is disastrous with valuable books that literally are “out of print” or “rare” books as some dealers have for years been selling ours. The most recent of them was published in 1975. That they are still undated and still basic is also not the norm in the book publishing but it is the fact. So while we maintained the original cover prices, we also could not sell damaged books.

That was only one cost and loss. Bookstores that had not purchased our books from us but from Whirlwind returned them to us for their money back. To preserve our own reputations we had to pay them for books for which they had not paid us to begin with.

Richard's intentions were the best. He intended to be helpful to us but it did not work out that way at all. In addition, we had many letters to write about that confusing situation. And at our ages we did not want that kind of to us wasted work to take up our time.

I did not want another source of Whitewash to create any added work or trouble for us. David may or may not have believed me but we just were not up to that however much we might have made from a reprint that we did not have to package, mail and keep records of sales and payments on. Because he did seem to want to do that very much after thinking about it for a while I asked him if he would be satisfied to select from all my books what appealed to him and publish that in a separate single volume as "Selections" from my work. He liked that and agreed to do it. I sent him a supply of books he could cut up rather than have to retype for the selections he made and then for a long time heard nothing at all about it.

Until I started getting cancellations of orders from bookstores and from individuals that led to much added wasted time for us old folks neither of whom was in good physical condition.

Unknown to me The Complete Whitewash was announced to the trade. There was to be and there is no such volume. Calling it that was a fraud that would deceive purchasers. Aside from which it would kill our sales as with some purchasers it did.

It also led immediately to much of our time being taken up in responding to letters and to telephone calls from all over. It created a problem for us that while it has eased off we still had after more than two years. I learned from a bookstore in Chicago that they could not eliminate that nonexistent book from its index, that it had to be done by the publisher. Who still has not done it. Just before that Chicago shocker I'd gotten a call about it from a university in the upper northwest. It wanted to order copies.

It is a troublesome problem that should not have existed and had not ended when I wrote this.

With my first knowledge of that I wrote immediately saying that I not only had not agreed to that,

I had refused permission to reprint Whitewash.

After much time passed I got page proofs of the book with “Selections from” inconspicuous on the title page and the “Whitewash” prominent on it and with the title “whitewash” on each and every inside left-hand page. I have no idea whose notion that was but it was both deceptive and certain to make much wasted work and new problems for my wife and for me because of the confusion certain to be created. As the title “The Complete Whitewash” still does. So I insisted that the correct title be placed on those left-hand pages. It was but there was a not inconsiderable cost involved in doing it.

Whatever led to the use of the false title Whitewash on all those left-hand pages of the entire book it was a deception and a misrepresentation that could have been intended only to suggest that the reprint was actually of Whitewash.

When I saw the printed book it had an attractive cover and the selections, whoever made them -- the book does not say -- used exceptionally good judgement, I felt, in making them.

And no additional work for us and no confusion resulted.

Moreover, for those readers who did not want to read all of the five of my books from which those selections were made, having them available in a single, attractive and very readable volume is a worthwhile service.

While I did not believe that without authorization taking and using the wrong title in “The Complete Whitewash” or in using the unauthorized title of “Whitewash” on every left-hand page of selections from my books was designed to deceive, the possibility did suggest itself.

Because of our high regard for Richard my wife Lil and I really struggled to find an explanation that satisfied us. We never did. Others did suggest themselves but there is no basis for being certain about any of them.

When she remembered that both of Richard's sons became lawyers like him and then neither wanted to practice the law or liked it, she wondered whether Richard had persuaded David to follow the added career he had chosen for himself and then when he did not like it, Richard was overly protective of David, who was in his business. (Jonathan had set up his own sports-related business.) If it had been David who had done those things and if Richard were defensive and overly-protective because of it, perhaps that did explain the abrupt change in Richard's attitude toward me and his atypical silences and nonresponsiveness.

After a period of silence, again without any prior notice I received some neatly retyped copy with a short note from Richard that could have been intended to tell me that was all of it. It was retitled, with mention of it to me, from Hoax into Case Open. Because it was but a fraction of what I wrote and because it had neither a table of contents nor any conclusions I believe that more was to come.

At the time Richard said they would retype my rough draft in New York he also asked me to send him what I had by then done. That was about six chapters. I wrote 34 plus a Preface and Conclusions and he had sent word to me to write an undescribed author's statement, which I did. The retyped copy was of these six chapters plus one of the later ones and part of a second later one.

I found many errors in the proofs, made the corrections, returned them and waited.

No more copy came.

Then I got a short note enclosing contracts for both books. I had told Richard when he agreed to copublish NEVER AGAIN! that dealing with him I needed no contract but if he wanted one to send it. That was in 1992. He then sent no contract. But with this short note of February 1994 he sent contract for both books. I signed and returned them.

That was when he also told me "we are sending Case Open to the copy editor today. I think you



did a great job. You would have been a notable lawyer in the Clarence Darrow mold.”

Along with his compliment on my work he was telling me that the small fraction of what I had written was all that he was going to publish.

And there was nothing I could do about it. Not as a practical matter.

It was that or nothing.

Without asking permission or even telling me. Or discussing it.

All this incredible gutting of an important book without a word to me!

When the copy editor finished and the text was sent to the printer, mistakes I had caught and corrected were uncorrected. There still was no table of contents. There were two different subtitles, the one on the copyright page was both incorrect and inappropriate. All those different styles on indenting direct quotations remained. Even altering direct quotation for no reason at all that I had corrected was uncorrected. And where I had changed a note for scholars of the future, both versions appeared, the correction and the one to be removed on correction.

I got those proofs of the to-be entire book on a Thursday afternoon with the note indicating that with all the time that had been wasted there was a sudden rush. They had to have the corrected proofs in hand in New York on the coming Tuesday morning.

In terms of a normal work-week that gave me a single day to read and correct the page proofs of an entire book!

Sick in heart and troubled in mind I got that done in time to make the outgoing mail on Sunday evening and rushed it by Express Mail. With the corrected proofs I sent a letter insisting that publishing a work of nonfiction without even a table of contents, with contradictory subtitles and without both conclusions and an index was certain to turn reviewers and many serious readers off.

There was nothing I could then do about an index at that late date but I said I would write appropriate new conclusions and would send them the next morning by Express Mail, overnight mail. I did.

When the book appeared those conclusions had been cut arbitrarily. Where the rest of what I'd written in summing what remained of the book up could have been there was instead a dozen blank pages!

Or, there was no need to butcher the conclusions, too, and no sensible purpose in doing it.

The corrections of mistakes I had made on the copy and that had uncorrected in the proofs remain in the book. At least about 75 do because I counted that many after noting them on a copy of book read in haste.

What remained for those readers not turned off by the sloppiness and the gross departures from nonfiction norm, like those different subtitles, no table of contents and no index, was still a powerful indictment of Posner and his book.

But that was not my sole purpose of my writing the book and it was not all that the book I wrote was.

A magazine article would have sufficed for exposing Posner.

When Richard had said on reading those first half-dozen chapters that he'd have to edit, I agreed and I wanted editing. The way and the haste in which I worked assured the need of it.

I do not recommend it as the way to work. I believe that no writer should want to work that way.

I have been aware for quite some time that because I have done work no others have done and have gotten and learned what no others have gotten and learned about this major turning point in our history, when I die some knowledge of it will die with me. For that reason when it was apparent that after the 1989 heart operation I was weakening steadily I decided that with what time remains for me I would do what was possible for me to perfect the record for our history.

Any assassination of any President is perforce a coup d'etat in this country, whatever the intent of the assassin or assassins might be. That is an event of such moment and consequence that the history of it should be as recorded as fully and accessibly as is possible. With most of the books trash or worse, with no publisher ever commissioning an authentic scholarly work on the subject, with most of those writing on the subject ignorant of the fact, and with the almost total abdication of the professional scholars and of the major media, save for crude sycophancy and support of the official mythology, I worked as rapidly as I could because I knew, although it did not happen, that my life could end at any unexpected time and with that the knowledge that I alone have could be lost, perhaps forever.

Two medical problems that I have turned out, with a little experimentation not suggested by my doctors and questioned by some of them, to be an asset.

As is common with men of my age, I have a prostate problem that persists after surgery to correct it in 1986. It gets men up often at night. That interrupts sleep.

I also have what I'd never heard of, sleep apnea. "Apnea" is a Greek word. It means in rough translation that from time to time when we are asleep we do not breathe. It is also an illness that can cause instantaneous sleep at any unexpected moment. Even when driving a car.

With the work I felt impelled to do in mind, after very little sleep I was wide awake and could not return to sleep.

Sleep apnea can be very serious, fatal, and I'm told most who have it are not aware of it. Snoring is usually a clue, in men or women. For most people it can be corrected by simple surgery. But I am not, according to all my doctors, a candidate for any other than the most urgently needed surgery. For me to continue living my blood requires anticoagulation. Without it my blood can clot and kill me.

One of my doctors will not even make a normal, everyday test he thinks is indicated because it is

what the doctors call “invasive” and can be dangerous for me.

I asked the family doctor for a prescription to help me stay asleep. I have no trouble getting to sleep. As a precaution my wife consulted a medical handbook. We threw that prescription away. It is contraindicated for my conditions and my other medications.

The same thing happened when I asked my cardiologist on my regular visit to him, for something to help me stay asleep. We did not use that medication, either, for the same reason.

Our neurologist is also an expert on sleep disturbance. When he gave me a prescription I asked him if it was safe for me.

“I don’t know. I can’t remember them all,” he said. “Ask the pharmacist.” When I asked the pharmacist she also said she did not know.

On my regular trip to the urologist at The Johns Hopkins Hospital in Baltimore I asked him.

“My God!” he exclaimed. “That could kill you!”

This is also a sidebar on professional experts, even in medicine. It is, tragically, also true of historians with the assassinations.

But there is no doubt that I do have sleep apnea. It was confirmed by elaborate overnight sleep tests. The first was in a nearby hospital one of the directors of the sleep disturbance clinic of which is our neurologist. It was also confirmed at The John Hopkins Hospital Sleep Disturbance Center to which one of the physicians I saw there referred to me.

The tests and the printouts are incredible!

At each hospital 25 electrodes were attached to my body and even to my fingers. At Hopkins a sensor was additionally snaked down into my throat on a wire through a nostril. Each sheet of the continuous printouts is about 15 inches square and they stacked, at Hopkins, where I saw them about five

inches high!

The computer also does all the wanted calculations. Like how often we breathe, for how long each time, with how many interruptions and of how much length to each. It even evaluates the quality of the sleep.

So there is no doubt at all that I have sleep apnea and there is the certainty that medically nothing can be done about it with me or with others who have the same or similar problems and required medications.

How, then, to cope with it? And how did my learning that make more productivity possible for me when I am so old and frail?

(While this explains it may also be of help or of guidance to those in the same or similar situations.)

I decided that there had to be a psychological component when I was wide awake with too little sleep and that this component must be related to my urge to do as much of my work as I can. That, I believed, is what had me wide awake much too soon when I could also return to sleep rapidly before then.

One of my required medications is a diuretic. It is normally taken in the morning unless repeated doses are prescribed. I decided to try taking it before retiring so that there would be less to void after it once awakened me. That worked, and with experimentation I learned what seemed to be the best time to take it before retiring. As a result I was up less often, sometimes only once before getting up.

Because the time I was wide awake seemed to be about the same whenever I retired, with that being psychological suggesting itself, I gradually began retiring a little earlier each day. And that also worked.

So, while I averaged only about four hours of bed time while writing NEVER AGAIN! by the time I finished what was published as Case Open I had increased that more than an hour on the average.

(This changed radically in the early spring of 1996. I was then hospitalized with congestive heart failure, renal insufficiency and internal bleeding. Discharged after two weeks I was again hospitalized two months later, that time for almost four weeks. The local hospital sent me to Johns Hopkins, regarding my condition as that serious. Since then my body has wanted much more sleep and has been getting it.)

When I was writing NEVER AGAIN! I was sometimes wide awake by midnight, even a little earlier.

Those early hours are never disturbed by phone calls or visitors. They are uninterrupted hours when the mind is not intruded upon and it can work away. At least that is true with me.

My mail is heavy and because those who write me care I try to respond to all letters. Some of those who read my books and have questions phone me. Less frequently than in the past, some of the media also do. So do teachers, bookstores, and those who want to know where they can get my books or how. While my wife does all the paperwork I do the packaging and mailing of books that are ordered. This all takes time and time from writing.

So also do my medical needs. I cannot walk much at a time but six mornings a week when I was writing these two books I left to walk at a shopping center usually about five o'clock in the morning, sometimes as early as about 4 o'clock. When my legs made me stop and rest I sat in the car, listened to the stereo, and read the morning papers, a book or both until it seems safe to use my legs again. Then I walked again. I do that for an hour and a half and then, three mornings returned home to work again.

The three other mornings I drive to the medical building in which the medical laboratory is located. I have three blood tests a week. I can get into that building by five-thirty and then I can walk and rest and repeat that, again reading while I rest, until the lab opened two hours later.

From the Lab I drove to my physical therapy and after that I returned home and to work..

For all the time these needs take -- and I also take my wife shopping and occasionally we lunch out -- and for all my time taken by extensive correspondence, phone calls and packaging and mailing books, in two years, in addition to all my correspondence I wrote, in books and several long articles, three-quarters of a million words! For the record for history, which I had set out to do.

Beginning when I was 79 and frail.

So, the old saw, “every knock is a boost,” with me has some validity.

Insofar as getting it onto paper is concerned.

Getting it to the people is another matter.

With NEVER AGAIN! that could easily have been in the bookstores in July of 1993 long in effect suppressed and with only about 70-75 percent of Case Open published.

NEVER AGAIN! Was later announced for publication in September, 1994, without my being told or even sent a copy of the notice to the trade. It wasn't. When I asked in early 1994 and got a response that time I was told it was delayed again, until March of 1995. Without regard for the interests of the writer or of the people, especially those interested in the subject, but perhaps with regard for the damage of accurate solid work could do the well-announced books to “commemorate” the 30th anniversary of the assassination. All of them are seriously flawed in different ways and degrees.

Posner's was the most designedly wrong on fact and in its contrived support of the official assassination mythology. Livingstone's monstrosity is the apotheosis of indecency. Others, as we have seen, are as fraudulent as Posner's but in other ways. Mark Lane's, for example, has nothing at all to do with the fact of the assassination. Others are works of unrestrained imagination and irrelevancy.

With NEVER AGAIN! as a standard for comparison, all would have done more poorly than hoped for, as all did, deservedly, in any event. They'd have done worse.

With Case Open, Gallen did not edit. He cleaved it like a butcher.

While the reaction to it is excellent most by far of it remains entirely unknown.

It was chopped into an incomplete exposure of Posner's dishonesty. His dishonesty was so thorough even an entirely incomplete exposure of it is impressive to the several hundred who wrote or phoned within the first few months it was on sale.

There was only one way an appropriate commentary on Posner's book could be done rapidly, or least only one of which I thought. That is to treat it as what it is, the cheap prosecution case of a backwater shyster of an unscrupulous prosecutor who is smooth and facile with words and who is also the embodiment of the old Latin maxim, penis erectus sciam non habet.

The full book was powerful. It was an expose of much more than Posner, his most thoroughly dishonest of all the books about or supposedly about the JFK assassination.

Because it did in writing what a defense lawyer would have done in court it became the first book that had as one of its purposes proving that Oswald was innocent -- based on the official evidence only.

As without question he was.

As without question is proven by my earlier books and the two excellent ones of those earlier books, Sylvia Meagher's superb Accessories after the Fact (Bobbs, Merrill, Indianapolis, 1967) and Howard Roffman's Presumed Guilty (Fairleigh-Dickinson University), Roffman's is the best simplification of all.

It was not so much my purpose to exculpate Oswald. Rather that was inevitable in the utter destruction of the shabby job of exceptional and intended dishonesty Posner did in his shyster prosecution case.

It is in this sense that what I did is unprecedented, in the sense that it was a direct refutation of the



alleged evidence, addressed that way and irrefutably -- I emphasize -- from the official evidence itself, to which I restricted myself.

That which Posner corrupted when he did not bypass it with phony interviews of his own that could and did serve no other purpose.

In the finest detail that is what I did -- with the official evidence only.

I took Posner's false account of the alleged incriminating evidence and proved it wrong by writing about it truthfully and with the use of the official evidence Posner knew about and lied about or was ignorant of.

Posner's actual subject-matter knowledge cannot be gauged by his own representation of the work he did because he did not begin to do what he claims to have done and because so much of the media so excitedly praised him for doing what he did not do. Like indexing the Commission's 26 volumes of testimony and exhibits, and estimated 10,000,000 words. None of the ecstatic media asked to see all those index cards. Fortunately for Posner and unfortunately for our history.

With or without guidance he read some of what he wanted or was told could make him a prosecutor's type case. Where the Commission's published records abounds in refutation of what the Commission said in its Report, that is unknown to Posner, from his book. So also is what also serves the same purpose in the Commission's unpublished records.

What is in Posner's own account most important in his fraud of a book is what he plagiarized. Of much of his pretended evidence of the crime, particularly of the shooting, it is doubly dishonest because he used the dishonest work of Failure Analysis Associates as his own work. With his pretended new timing for the first shot he cribbed the faulty work of a fifteen-year-old boy. Both of these are in sufficient detail in Case Open. So also is Posner's phony claimed basis for his pretendedly scientific basis for saying that

Oswald was a born assassin who spent his short life waiting for his historic moment.

Why this was doubly dishonest of Posner warrants repetition. First it is because that disreputable shrink Renatus Hartogs swore to the exact opposite of what Posner attributes to him in his Warren Commission testimony -- which Posner quotes from both sides of the page that holds Hartogs' testimony that he said and meant no such thing as Posner attributed to him. Secondly is it because although the record of it is public in the New York City court and in the media, Posner suppressed from his book the fact that Hartogs was getting free sex from his women patients -- free to him-they paid for it -- until the court award to one of them was \$350,000.

I took up each of Posner's alleged chain of proof and disproved it and dissipated Posner's integrity at the same time.

On the alleged getting the rifle into the building.

On the alleged construction of the so-called "Sniper's Den" or "Sniper's Lair."

On Oswald's alleged flight from that sixth floor after the shooting.

Of his alleged hiding of the rifle.

On where he was when and who then saw him and who he saw.

On his encounter with the building manager and Dallas policeman Marrion Baker in the building's second-floor employees room with a coke machine in it.

On the shooting and which shot did what.

On just about everything claimed to be incriminating.

The plain and simple truth is that the official story does not stack.

Oswald could never have been convicted at trial. The evidence alleged against him in fact rather than as alleged was not enough to send the case to a jury.

By neither witnesses nor by any other means could Oswald be placed at the alleged scene of the crime at the time of the crime.

There is evidence that he was not and that he could not have been.

This and more like it is what mustered as would have been done by a defense lawyer, thanks to Posner's misuses, dishonesties that include literary thievery, fabricated "proof" and "proof" just lied about.

This is what Richard Gallen said he wanted.

It is what he got.

And it is what he eliminated from the book he copublished.

He is an experienced and a successful lawyer. Lawyers ask the traditional question, cui bono, or who benefits?

The obvious answer that cannot be ignored is the government which did not investigate the crime itself and foisted off on the people and on our history a knowing false "solution" to what was correctly known as "the crime of the century."

By eliminating most of the book and almost all of this character the book was weakened significantly, not strengthened.

Its importance and its sales potential were greatly weakened, not strengthened.

Its gutting was a benefit only to errant government.

The gutting included pictures that in themselves are exculpatory, too.

So, cui bono?