

11818 $\frac{1}{2}$  Dorothy St.  
L. A. Calif. 90049  
Dec. 17, 1968

Harold Weisberg  
Route 7  
Frederick, Md. 21701

Dear Harold,

Enclosed find a memo I mailed out dated 10/17/68, with all attachments except the two issues of OpenCity, which I'm sure you already have.

Enclosed also find my letter to Ed Epstein dated 8/23/68, and a 9 page commentary on his New Yorker article dated August 21, 1968.

The first item, with all atchments, was mailed out to about 65-70 people between late October, and into November, as I was able to produce copies.

The second item referred to above (the Epstein letter and commentary) was included in the packet, if the person was following the case closely enough. About 30 were sent out.

In the next ten days, I will try to get off an answer to your last letter, of 12/2/68.

Sincerely yours,

*David*  
David Lifton

I Some statements in the article vs. the position put forward in Inquest

Consider the following statements in the article:

"The conclusions of the Warren Commission, published some two and a half years before, had offered the authoritative judgement that Lee Harvey Oswald alone was responsible for the assassination. And although a host of doubts were subsequently raised concerning the adequacy of the Warren Commission's investigation and the reliability of its conclusions, it seemed incredible that the New Orleans District Attorney could declare, as Garrison had, "My staff and I solved the assassination weeks ago. I wouldn't say this if we didn't have the evidence beyond a shadow of a doubt. Indeed, the possibility that a local prosecutor had found the answers to questions that had baffled the investigative resources of the federal government seemed so remote to most journalists that, soon after the initial stir provoked by Shaw's arrest, news of the "assassination plot" was generally relegated to the back pages and treated about as seriously as flying-saucer reports."

"I, for one, however, was prepared to believe that District Attorney Garrison's claims might have some substance to them. In the course of writing my book "Inquest", I had found that the Warren Commission's investigation had been severely constrained both by bureaucratic pressures exerted from within and by limits of time imposed from without. Far from being the rigorous and exhaustive examination that it was taken to be, the Commission's work was, at certain crucial points, reduced to little more than an exercise in the clarification of superficial evidence. When one delved more deeply, some far more difficult problems than any acknowledged by the Commission began to appear. Even members of the Commission's own staff found this to be true." (p35, New Yorker)

"And once such a bridge was crossed, a whole new set of clues to why Oswald killed the President might have been found." (p35, NY'er)

"The fact that there was a marked increase...in the number of people who believed in a conspiracy when the Warren Commission became the subject of a heated controversy...may reflect a certain resistance by the general public against accepting a purported "truth" that is neither clearcut nor obviously irrefutable. The idea that even a few points in the Warren Report were subject to dispute, or that even a few of its facts could be differently interpreted, probably led many people to reject, or at least doubt, the over-all conclusion that the Commission had put forward so emphatically." (all emphasis added) (p78, New Yorker)

Comment: I think the above passages are entirely inconsistent with and a very unfair way of stating what you found in your book, Inquest. Your book says, in effect, that the WC condoned a false autopsy report in order to support the lone assassin thesis via the contrived single bullet theory, and that the conclusions of the report regarding "lone assassin" were, therefore, incorrect. You called these conclusions "political truth". A clear statement of your thesis in ordinary everyday english would be that the Commission lied to the people regarding the number of assassin involved, and that the reputation of evidence that had to be falsified to support that lie was the autopsy report. (I do not imply here that you said the Commission had any evidence on the the other shooter(s))

were, or had any evidence on any specific conspiracy. Rather, in order not to rock the boat, they employed the contrived single bullet theory in order to support a lone assassin thesis.)

I do not think, therefore, that the above statements I have quoted are representative of your attitude or of the position that you took in your book Inquest.

If you have changed your thesis, I think that you should say so. If you have not, then I think you should keep your writing consistent with your original position. Specifically, I think you should make clear two points. 1) Do you believe the Commission was involved in deliberately lying to the American people and falsifying any evidence whatsoever to support such a lie? (Your book states that they lied, in the sense that they misrepresented what they know to be evidence indicating that more than one assassin had taken part in the shooting, and employed the single bullet theory to obscure this fact and present a false basis for their conclusion of "one assassin".) 2) Aside from your position on (1), (which involves WC's deceit and the WC's integrity) do you, as an independent investigator, believe that the evidence supports the lone assassin thesis, i.e. single bullet theory?

These are two separate questions. I think that your book should make clear your position on both, especially if you have changed your mind on either of them since you wrote Inquest. Secondly, I think the tone with which you write should be consistent with your position on these two questions.

Specifically, Ed, if the shooting of President Kennedy is today still an unsolved crime, then Garrison's actions, and his success in gaining a following is a far more subtle and interesting matter than if your position is that the assassination is solved, and only kooks and paranoids might listen to one who propounds a conspiracy that stems from evidence indicating that more than one man participated in the shooting.

What I find interesting about the Garrison phenomenon is that this man has entered into a situation where there is an unsolved crime. The fact that the JFK assassination is unsolved is demonstrated by the many published critiques of the WR which show that there is more than one shooter. (These include your own, naturally.) Garrison has then built up his credentials and his following by a) cribbing on valid published critical research and b) combining it with his own theories of Oswald's activities and associations in New Orleans, using his office as DA of that city to make a host of authoritative sounding announcements regarding a New Orleans conspiracy. Garrison takes a perfectly fraudulent New Orleans "icing" and gently drapes it over a perfectly valid anti-Warren Report cake. He then claims the combination as his own, and pronounces it valid.

This, of course, is not the same as your analysis. For once one grants the fact that the solo-assassin thesis of the WR is demonstrably false, the critics of the WR come off as having valid intellectual credentials. Some of these people, and the general public, then get duped by Garrison. This can then be critically analysed and explained. If, however, you start with the attitude that the WR is correct, and that doubters are either peripatetic demagogues, kooks, or paranoids, you smear these people unjustly,

give unjustified support to the Warren Report, contradict the position you took in your book, and---most sadly of all---miss the real mechanics of the behavior behind the Garrison phenomena.

II These are five statements Garrison made which you claim are "false or captious". Each has a bearing on Oswald's guilt. I think that the position you take on each determines to what extent you are willing to condone and promote misleading analysis of evidence put forward in the WR in the process of criticizing Garrison.

1. "They do not tell you that Lee Harvey Oswald's fingerprints were not found on the gun which was supposed to have killed the President."

You called this "captious" or "false". It is neither.

The facts are that Lee Harvey Oswald's fingerprints were not found on the rifle. There is a palmprint which, as the Liebelor Memorandum points out, simply shows that LHO held that part of the rifle at some time. Anyway, a palmprint is not a fingerprint. Secondly, as you yourself admit, there were no identifiable fingerprints found on the rifle. Garrison's statement, therefore, is factually correct. (I do not see how it can be termed captious or false unless you permit yourself, as an ad hoc assumption, or an act of faith, the privilege of assuming that had those unidentifiable prints not been so smudged, they would have turned out to be those of LHO!) Therefore, I think that this is a terrible example to use to attack Garrison. Besides, the reason the news agencies "do not tell you etc." is that the Warren Report takes a misleading stance with regard to fingerprint vs. palmprint, and the implications of those fingerprints that were found being not identifiable. Thus, what Garrison has done is take misinformation which was originally in the Warren Report and then popularized by the news media, and then postulated a conspiracy by "powerful news agencies" to suppress his New Orleans investigation. This, I think, is what ought to be pointed out here. But to do so will involve your making some rather unkind critical comments on the way the Report handled the fingerprint and palmprint evidence.

2. "And they do not tell you that it was virtually impossible for Oswald to have taken his fingerprints off the gun, hidden the gun and gone down four flight of stairs by the time he was seen on the second floor."

You reply: "A secret Service agent, simulating Oswald's movements reached the second floor from the sixth in one minute and eighteen seconds."

Again, I feel you have unjustly come to the defense of the WR. That simulation did NOT include the time necessary to wipe all fingerprints off those parts of the rifle, bolt, and trigger housing that could be touched in the operation of that rifle. It is well known to any student of this case that if you postulate, for the sake of argument, that Oswald wiped prints off the gun before he ran downstairs, you do further havoc with the already weak and tenuous time reconstruction necessary to get Oswald down to the second floor where Truly and Baker encountered him. In his book, WW I, and again in WHLL, Weisberg thoroughly demolishes the validity of the Commission's time reconstruction on this point.

Again, I feel this is a terrible example to use against Garrison. And again, I make the same point: the news media, by and large, have simply repeated the information on this point that is in the WR. What is interesting about the whole affair is that Garrison sees in the media (and WR) version of this matter a conspiracy on their part to deceive the public as part of an effort to thwart him and his New Orleans investigation.

You also state, on this point: "In any case, it is impossible to ascertain exactly what time Oswald was seen on the second floor; it could have been as long as five minutes after the assassination."

I am astounded by this statement. Truly's statements (both immediate press reports, Sheriff's report, FBI report, and his testimony) plus Baker's all support the thesis that Baker was pushing his way through the crowd as fast as he could, once he heard the shots. Even the Commission recognized this as one of their major problems; the Truly-Baker-Oswald encounter borders on being an alibi for Oswald, an alibi which they went to great lengths to merely prove was not airtight! Yet you casually state that it could have been 5 minutes later. In the light of so much evidence that it in fact was so soon after the sound of the shots, I think you are obliged to present your own analysis of the testimony and documents involved to justify such an assertion as "it could have been as long as five minutes after...".

3. No car and eyewitness testimony of shots coming from the grassy knoll.

You reply: "None of the hundred or so Warren Commission witnesses who testified on the matter or were questioned by the F.B.I. said they saw a rifle being fired from behind the stone wall." With this statement, I feel you have knocked down a perfect straw man. There is eyewitness testimony of 2 people who saw smoke (plus FBI reports of 2 others) coming from the grassy knoll area. If you want to go into the question of whether gun smoke, that is another matter, but in view of the head snap, plus the gunpowder smells smelled up there, I would still be quite cautious before I bought the "steampipe theory", or thought I had earned the right to ignore such eyewitness testimony. Furthermore, there is enough eyewitness testimony to make an excellent case that gunfire was emanating from the knoll. I'm sure you know this testimony as well as I do, and the problems attendant to its interpretation (echoes; do rifles give off smoke etc.)

But in spite of these problems, I don't think it is "false or captious" when one states there was overwhelming "testimony" that shots originated from that area. --Does it finally boil down to the fact that Garrison is being criticized here for saying eyewitness testimony, and not being specific enough as to what was meant?

Again, what is captious of Garrison is to imply a vast media conspiracy not to report the evidence of shots coming from the knoll. But the press, for the most part, has simply rubber stamped what is in the Warren Report. And it is the critical books on this case that have brought forth the eye, ear, and olfactory testimony regarding the grassy knoll.

4. "You have not been told that Lee Oswald was in the employ of U.S. Intelligence agencies, but this was the case."

I think Garrison should be blasted for making the assertion "but this was the case." No one has direct evidence, as yet, that Oswald was an agent. But, in blasting Garrison for making this flat assertion, I think you should explain exactly what facts it is that

make critics think there was a covert relationship between LHO and the government.

I have in mind Sylvia's original TMO article (Oswald and the State Department) and the chapter in her book dealing with this matter; also, Weisberg's chapter on the Oswalds' Government Relations, WWI; and the material described in Chapter 1 of Ford's book. There is legitimate grounds for suspicion, here. But there has been no solid direct evidence produced, as yet, which proves the existence of the suspected covert relationship.

Yet you do not mention any of this material. You cite this as an example of black-and-white error on Garrison's part, and state: "Finally, the assertion that Oswald was a C.I.A agent, as has already been shown, was based on Garrison's own private interpretations of "missing" or classified documents that he had never seen."

I feel that to accurately assess what Garrison has done in this matter is to start by granting to the critics what is validly theirs. That means to start with granting the fact that it has been shown that Oswald's relationship with the State Department is positively exceptional, that his wife's relationship with them (the 243-G waiver she received) is unusual, that the executive sessions transcript that was released shows the commission astounded by the same matters, and finally the failure of the Commission to objectively investigate the Wade/Waggoner allegations.

Starting with that, you can then show how Garrison has elevated a suspicion into a flat assertion. Again, a far more subtle interpretation illustrating how a demagogue is using a valid criticism in the service of his own cause, embellishing it where necessary, than if Garrison's statements had no basis in fact (or at least, you might say, well researched suspicion!)

### III Secrecy, as proof of the "second conspiracy" (p. 72)

I think that you are being too apologetic here, on the secrecy business. Frankly, secrecy is consistent with either hypothesis. One is that there is really nothing to hide, and that the secrecy is simply exercised to protect innocent person and prevent personal embarrassment. Granted.

But secrecy is also consistent with withholding information that might be pertinent to investigating a conspiracy.

If you hold that the assassination is an unsolved crime, and that the Commission falsified evidence to support a sole-assassin thesis, I don't see how you can deride Garrison for his arguments re secrecy.

What is interesting here, to my mind, is that the situation is in fact indeterminate. And that Garrison has jumped in with both feet to make the most of it, using the more incriminating hypothesis, of course. The demagogue is having a field day, but his gripe happens to be valid!

It may be that nothing of substance is being hidden. But an outstanding counterexample is that the January 27 meeting of the Commission is still classified! If what Fox (in his book) has revealed is an example of the kind of thing that is still classified, then I eagerly await the day for more and more material to be declassified! And, in view of this example of the Jan. 27 meeting,

I must reserve a certain amount of suspicion for classified documents of any type connected with this investigation. Isn't this a reasonable, non-demonological stance?

IVa. Here is a point you seem to have neglected to make.

Garrison states: "Is it a Great Society which causes blackouts in news centers like New York when there's a development in the case? Are you aware of the fact that this refers to the great Northeast blackout? And that he thinks that this was part of a "plot" to prevent the "real significance" of Dorothy Kilgallen's death to be known? (It is Kilgallen's death which is "a development in the case".) Why not go into this matter? -This is surely one of Garrison's most absurd allegations, and I think he got this one from Penn Jones. ( See Forgive My Grief, on the Kilgallen death.)

IVb. Another point you have neglected to make.

Garrison claims PE 8 1951, a phone number on Ruby's bill and in Oswald's address book, connects the two in a conspiracy. It is Channel 11 in Ft. Worth. His statement is in a speech reprinted in the Free Press. See also, my "Notes and Comment" on Garrison, and my story in Open City. Why do you omit such an obvious example, or will it be in the book?

V The manner in which you deal with the published authors on the JFK assassination, and the critics.

I don't think it is fair to group everyone together and label them "peripatetic demonologists". In the beginning, it was the critics of the Warren Report (and especially Mark Lane) who brought the case to the American public. It is a fact that many of them act and even reason in a paranoid style. But I think it is also true that their suspicions, in the beginning, served as an aid in their research, in that they were not to be fobbed off the investigative track because of authoritative sounding pronouncements issued by the government.

Then, when Garrison came along, many of them flocked to his standard and condoned all sorts of outrageous conduct on Garrison's part, and showed themselves to have quite a double standard.

The outstanding and most well known example is Lane. Having had the brains and talent to write Rush to Judgment, and the courage to lecture on the case in the early days and bring it before the public, we now find him supporting a charlatan. Why?

This is the question that I think needs to be explored and written about: the fact that people who were capable of valid research regarding the 26 volumes of the Warren Commission, and its non-correlation with the Report, are perfectly capable of now becoming bedfellows with an investigative impresario who is conducting his own "pogrom" against certain right-wing characters.

If this matter is delved into, I think that the answer goes something like this. First of all, the critics who now support Garrison are very politically attuned. They were against the WR from the start because of its political implausibility. Furthermore, political motives motivated some of their initial research. I don't think there is anything wrong with this, up to a point. What I do think

(V, continued)

has happened is that they initially supported Garrison, continue to do so, and rationalize away his demonstrably false statements because Garrison's political theory of the assassination is politically plausible and pleasing to them.

These are the "knee-jerk new lefters". And, as I pointed out in my Open City article, the slogan seems to be: "Rally Round the plot, boys; it's not much of a plot but it's the only plot we've got."

These pages of your article give the impression that all the critics are a bunch of kooks. This is not true. The far more interesting story of how and why some of them have been misled, how they have been seduced by a charlatan, how they have betrayed their original standards, and how today they are a courtroom cheering squad for Mr. Garrison, has not been developed by you. Yet this is the story, I think, that is interesting.

Many of the critics, and especially the older ones, closely followed the Hiss case and the Rosenberg case. They will tell you how David Greenglass' non-credible testimony sent his sister to the electric chair, and how a slick job of forgery by typewriter sent Hiss to prison. Just as in the case of the Warren Report, they have carefully analyzed these cases and come to the conclusion that both Hiss and Rosenbergs were framed.

Yet many of these same people are now willing to accept the testimony of Perry Russo, or of Barbara Reid! This is what I find incredible. Here is a double standard.

When Garrison announced that PE 8 1951 linked Ruby and Oswald in a conspiracy, and it turned out that that phone number is nothing but Channel 12's phone number in Ft. Worth, we hear not a peep from the pro-Garrison critics. But suppose Richard Nixon, in his prosecution of Alger Hiss, had discovered a phone number in Hiss's notebook that was also on the phone bill of some Russian diplomat, and announced that as evidence of "conspiracy"? What would those critics who now support Garrison have thought if it turned out that the phone number was merely that of a Washington DC TV station? Why, you would never have heard the end of that. That would have been enough to brand the prosecutor a demagogue with political ambitions. He would be thoroughly denounced and derided, and any future statements he made would be examined with a microscope before being believed. Yet Garrison has gotten away with PE 8 1951, and there is no uproar.

Another example illustrating the double standard is the reaction of many of the people who are now Garrison's supporters to the famous news conference of Henry Wade on Sunday, November 24, 1963, after Oswald was murdered. Isn't this the news conference that inspired Lane to write that defense brief for Oswald? Isn't this the news conference at which Wade made pronouncements for which he was damned as reckless and ill informed? Yet the critics who condemn or ignore PE 8 1951, the code, and other outrageous pronouncements of Garrison react in an entirely different way when Wade did the same thing.

Instead of criticism, we find, in the recent COI newsletter, an apologetic paragraph that goes like this:

"Mr Garrison has developed certain witnesses whose credibility, on the surface at least, leaves much to be desired. He has made some sensational charges from time to time, a few of which appear to be aimed solely at focusing attention to his investigation and



which may be of dubious value; some of his charges have been incorrect. A single individual, however, with a relatively small number of assistants who has undertaken so overwhelming a task and who is constantly obstructed by a hostile press and news-media, and by nearly every governmental agency is bound to err, to falter along the way." (From a signed article by Maggie Field)

I think that the reason for the double standard is that the critics involved have selectively applied careful research standards only when it suits their political theories. They are really not first class researchers. They merely employ research in the service of propoganda when it suits their political theories to do so. It is this that explains why the same persons can condone in Garrison what was found to be repulsive in the case of Wade. These people are simply not devoted to the truth, with a capital "T". The men and the boys were separated the day Garrison started making demonstrably false and demagogic pronouncements. For it was then that one group of critics insisted on applying the same standard to Garrison as had been applied to the Warren Report, and another group did not.

In your New Yorker article, you do not go into this matter at all. The critics have been lumped together, and an interesting story revolving the double standard subscribed to by some of them has been ingroned.

This does an injustice to the early work of almost all the critics, and oversimplifies the entire situation.

(If you want to rewrite any of this, it would involve reorganizing the section you call "phase-three" of Garrison's investigation. You would have to go back to Feb 1967, and trace the appearance of some of the critics before the Grand Jury in New Orleans (Marcus, Lane, and Weisberg), quote from the published letters of Sylvia to show the opposition that Garrison was generating, and deal with the article in the Minority of One that was so critical of Garrison. Another source of material that would be useful are the news letters put out by the CCI here in LA. I think you should also include the fact, that, in the beginning, some of whom are now Garrison's most arid supporters had deep suspicions that he might be a CIA agent, sent out to discredit valid research on the WR. Its up to you how much detail you want to include, but I don't think all the critics ought to be lumped together; and I think a distinction ought to be made between their original research vs. their subsequent behavior.)

#### VI pp54-55

The general tone of how Garrison altered his theories to agree with the latest critic, or what he thought was their "consensus" is perfectly correct. But I think these details ought to be straightened out. As I pointed out to you in my letter of August 6, details regarding your description of what Ray Marcus says about the photographs are incorrect as they are now stated. It is in in describing their contributions in some detail that you might want to indicate the appearance of critics before his grand jury. I think that is an important fact, and is what won the hearts of those who testified.

Also, despite Weisberg's denials of his own involvement, on the back of Photographie Whitworth is a Washington Post news story which is quite revealing.

Another one is from the London Times. Both are apparently inspired by Mr. Weisberg, himself, and both attest to his prowess in steering Garrison down the right track. (Sample quotes: "One mystery of the rather mystifying investigation of the Kennedy assassination now being conducted by Mr. Jim Garrison...has been cleared up. The source of much of his information is Mr. Harold Weisberg, the author of *Whitewash: Report on the Warren Commission*." (sic); "The scenario...can be glimpsed in any bookstore. The investigation is Garrison's, but the script apparently started with Harold Weisberg..." "It's sure following my book," Weisberg said delightedly yesterday...")

#### VII Arrests in Dealey Plaza

I have always been under the impression that there were other arrests in Dealey Plaza that day. Doesn't the radio log support the thesis that people taken off the railroad trains in the railroad yard were taken into custody? In any event, there is a news story in the Dallas papers on about Dec 10 reporting the release, from City Jail, of one of those arrested after the assassination on November 22. This was first reported by Joachen Joesten in his book "Oswald: Assassin or Fall Guy". The news story does exist; I have read it on microfilm of the papers. Also, the Ft. Worth papers report arrests, and Dick Sprague has pictures of these arrests, I believe. (There is also a news story describing an arrest after the shooting.)

Despite this, Garrison does have his foot in his mouth when he says he can connect these people who were arrested with the CIA, and I think that this is his weak point. But I don't see how you can deny the arrests, or cite Hollingsworth's opinion of what the pictures contain, when that opinion is demonstrably false. If you have ever seen the glossy prints involved, it is quite clear that the police are taking someone into custody. What we have here is a case of Garrison putting an unsubstantiated interpretation of his own (that the men involved are CIA agents) on a perfectly valid and substantiated unanswered question: who was arrested that day and then later released?

I think that this is the point that ought to be made, not simply to denounce the validity of the unanswered question.

L.A. Calif. 90049  
August 23, 1968

Dear Ed,

I received your letter of August 12. My letter to you of August 6 was written in a totally impromptu fashion, and largely based on my recollections of the many readings I had of your article when it first came out. Shortly after I mailed my letter, I decided to reread the article for my own benefit, and draw up a rough outline of it so that I might more easily reference to it when necessary. After several close readings of the article, I thought that it would be desirable if I expanded on my general remarks that I made in my letter of August 8, and got down to specifics. The result was 9 pages of commentary which you will find enclosed. I have referenced the various points I am making to the pages in the New Yorker. The points, themselves, are labeled with roman numerals. There are seven of them.

I think point I is, by far, the most important point that has to be made. And I think you will ultimately have to come down on one side of the question of the WR or the other. Your book Inquest has already put you in print with a specific position on the question of the solo-assassin thesis of the WR, and on the question of whether the Commission, as a political entity, would knowingly endorse conclusions they knew to be false. As I point out, if you have changed either of these positions, I think you ought to indicate it.

I  
In your letter, you state: "I didn't use the article to berate the WC, it is because I find the Garrison phenomenon more interesting---and dangerous. And I want to trace out the rise of a demagogue not beat dead horses (again)."

I think it is impossible to analyze Garrison correctly without taking a position of the WC's Report. And I think that the position you take on the Report in turn determines what type of conclusions that analysis will lead to.

The reason I think it is impossible not to confront the question of the Report's validity is because much of the credibility Garrison does have is founded in the vacuum left by the WR. To analyse Garrison's success is to analyse the nature of the void he is filling, and how it came about. To do this involves passing a judgement on the validity of the void, so to speak, and this in turn involves passing judgements on the WR, the criticisms of it that have been made, and the people making those criticisms.

Garrison's pronouncements fall into roughly two categories:  
1) those pertaining to the New Orleans aspects of his investigation (Shaw, Ferris, Russo, Bundy, codes, Thornley etc);  
2) those pertaining to the Warren Report, and the evidence in the 26 volumes or in the archives.

Your article can easily poke in Garrison's statement in the first category. It is the second category, however, which has earned for Garrison much of his credibility, stature, and credentials. Yet this work was largely done by the critics. It is in dealing with these statements that you must judge the Commission's work, the validity of the conclusions of the WR, the validity of the criticisms leveled by the critics, and the critics, themselves.

It is in this area, where Garrison frequently misuses valid unanswered questions to serve the ends of his own propaganda, that you must

separate the invalid misuse from the valid unanswered question. And it is precisely in this area where it is all too easy to use the WR and its conclusions as a tool with which to attack Garrison.

I don't think the issue can be avoided. More than that, I think that far from beating a dead horse, the question of the invalidity of the WR is central to understanding Garrison's success.

Statements made by Garrison pertaining to the WR or the 26 volumes have to be distinguished from statements made by Garrison merely pertaining to his own "new evidence". In the latter case, it is only necessary to show that Garrison is factually incorrect. Whereas in the former case, it is frequently the case that he has incorporated valid unanswered questions or a valid criticism into his New Orleans conspiracy theory using an entirely illogical and invalid methodology.

(Example: the attempt to relate the multiple shooter evidence---single bullet theory or head snap---to the conspiracy he claims to have found in New Orleans, thereby shifting the question away from Russo's credibility to matters dealing with the Zapruder film!)

If you take the tack I am suggesting, the theme of your article would be that an investigation that did not find the truth and evidence of more than one assassin, has led to a situation in which a demagogue is having a field day. He is exploiting popular suspicions regarding a conspiracy which are well founded in fact, he is exploiting popular unanswered questions which are well founded in fact, and he is exploiting peculiar behavior on the part of the government which is well founded in fact. *the existence Publish*

My analyses, then, goes like this: The Warren Report is incorrect, and false, on at least the solo assassin thesis. The investigation was incomplete, and there are indications that the Commission was more interested in making a strong case against LHO as lone assassin than in finding out the truth. Valid published research has poked holes in the Warren Report. We need a new investigation. The existence of Garrison is a perfect example of why we need a new investigation. For he has entered a vacuum of public discontent with and disbelief in the conclusions of the WR. Garrison claims to have found the conspiracy which killed President Kennedy. On close examination, his case breaks down at every point. His effort boils down to an attempt on his part to foist his personal theory of a conspiracy onto a public prepared for such pronouncements due to the existence of valid unanswered questions and false conclusions in the Report. (The specifics cited here would be largely the same, but the context would be quite different, and you would not find yourself in the position of promoting the Warren Report in order to knock Garrison.)

I am enclosing the two articles I wrote in Open City under separate cover.

I hope you find the enclosed commentary useful in editing out the apologetic tone, for the WR, that is presently in the article.

Best regards,

David *David*

10/17/68

To: Recipient  
From: David Lifton

This envelope contains several items regarding New Orleans District Attorney Garrison and his prosecution of Kerry Thornley for perjury as part of Garrison's assassination investigation.

Open City, an underground newspaper in Los Angeles, and the main competitor of the LA Free Press, agreed to run articles on Kerry's situation written by Kerry and me.

These articles were run in two issues, which are enclosed. (Certain irrelevant pages of the newspaper issues have been deleted, to economize on mailing costs.) Kerry's article was printed in its entirety in one issue. My article ran in two parts. The first issue (Number 54, May 31-June 6, 1968) contains Kerry's article and the first part of my article. The second issue (Issue Number 55, June 7-13, 1968) contains the second part of my article.

Following the issuance of these articles, Harold Welsberg wrote two letters to Open City. The first letter was mainly an attack on Kerry Thornley; the second letter was mainly an attack on me. Both were published. These letters, and especially the tone with which Welsberg writes, speak eloquently for themselves. Kerry answered the letter attacking him, and his answer was published in Open City.

Welsberg's two letters, Kerry's published answer, and a 5 page memo that I have recently written responding to some of Welsberg's many scattergun charges are included in this packet.

Also included in the packet is a correction sheet regarding my first article, written by Kerry shortly after it appeared. There are several errors in the article----some typographical, and some due to minor misunderstandings of fact on my part.

Kerry's trial date has not yet been set. He has been arraigned on a perjury charge, and he has pleaded NOT GUILTY. At this juncture, Garrison's office seems to be awaiting for the Supreme Court to rule on the Clay Shaw case.

The information contained in these articles about how Kerry came to be involved in Garrison's probe will be very timely, and will probably be expanded upon at some length in the major news media, if Kerry's case ever comes to trial.

In the meantime, this material is being mailed to you either because Kerry has requested such, or because I felt you might be interested in this information.

Enclosed:

- 1) Open City, Issue No. 54, May 31-June 6, 1968;  
Contains article by Kerry Thornley; Also contains first part of a 2 part article by David Lifton
- 2) Open City, Issue No. 55, June 7-13, 1968; contains second part of two part article by David Lifton
- 3) Letter from Harold Welsberg to Open City, published in Issue 59
- 4) Letter from Harold Welsberg to Open City, published in Issue 60
- 5) Letter from Kerry Thornley to Open City, published in Issue 61
- 6) Memo (dated 10/10/68) regarding Welsberg's two letters
- 7) Correction sheet regarding first Open City article

Open City, 6/28-7/4/68; Issue 59  
"Letters" column; 1st Weisberg letter

Dearest Editor:

A flower in the mouth of Kerry Thornley is as appropriate as the word "love" in the mouth of a whore.

It is unfortunately typical of that major part of your issue of May 31-June 6, devoted to two lengthy diatribes by Dave Lifton and Kerry the Great (ask him) Thornley.

In all of this biased outpouring, which is in no way related to the charge of perjury against Thornley, there is not a single word in refutation of that charge. In fact, not a single word from it is quoted or, indeed, alluded to by even the most remote indirection. Instead there is a drumbeat of lies, distortions and self-justifications (Lifton's, for all the bum steers he has so industriously fed).

How honest is your caption on the picture of the bearded Kerry Thornley? There are a number of photographs of him of the time of the assassination. Could you not have found a single one of them? Why not print one side-by-side with what you used?

If Thornley's testimony before the grand jury was anything like his deliberate misrepresentation of me and when I said what, there was no way for him to avoid a perjury charge.

For minor example, I described his magnus opus as of pamphlet size. Now, the outside dimensions of the page are 4 by 7 inches. Of what Thornley wrote, there are between the covers a total of 87 pages, with large areas of blank space. Included in the padding, which is half of the "book," are three dozen pages of Thornley's "testimony." He has trouble with the word "official." It sticks in his mouth, as your readers may recall. So, he "improved" on the "official" testimony by editing it, an appropriate contribution by this modest man. His benefactions extend to the questions asked of him. These, too, he edited!

Have you not seen many pamphlets with more than 67 pages of writing? And how many books of this size do you recall?

Thornley paints a picture of a new kind of "Communist," a man whose idol was Orwell, who to Thornley's knowledge had a secret security clearance in the Marine Corps while getting Communist literature openly in the mail (and the officers telling the enlisted men to forget about it,) a man who never spoke another word to him once Thornley called him a Communist.

Naturally, it does not come out this way in the piece he did for you, where he refers to "scuttlebutt" that Oswald had a secret clearance (every man in the outfit, a U-2 unit, had at least "confidential" clearance, a new kind of outfit for a "Communist"). His testimony before the Warren Commission is subject to the kind of misinterpretation he offers you and your readers if one has that intent, for he does refer to a "rumor." However, at the bottom of page 84 of Volume XI of the hearings, after swearing that Oswald had worked in the "security files" (another new kind of Marine Corps assignment for "Communists"), when asked, "And that was a level of clearance--," he interrupted to say, "Probably a secret clearance would be required." And this relates to but a part of Oswald's assignment, not his major function.

Of that the officer in charge gave this testimony (Volume VIII, page 298):

"He must have had secret clearance to work in the radar center, because that was a minimum required of all of us."

To this I add the assurance that top secret was not high enough for what this new kind of Thornley-anointed Communist, Lee Harvey Oswald, really did. His clearance, above his top secret, was "crypto."

Having only recently read some of Thornley's vitriol, in which he laments the leftish tendencies of Wall Street and assails any concept of its regulation (Thornley, defender of widows and orphans!), I am surprised to find him in your columns under the banner of "peace and freedom."

But wouldn't it be nice if, with all that crap on which you wasted type, you could have found space to tell your readers the charges against Thornley, wherein he is alleged to have perjured himself?

And wouldn't it have been nice if he had told you that after being interviewed by the FBI, he went back, on his own, to stool-pigeon? Now, the day after the assassination he was interviewed by the Secret Service. Two days later the FBI. Two more days, and he went back to the FBI, on his own. "Libertarian" is the word with which he describes himself, this FBI-seeking Thornley, the same Thornley who pinned a bum "Communist" rap on the murdered Oswald when his other Marine Corps buddies would not.

Here are the words of the FBI report of November 26, 1963:

"KERRY WENDELL THORNLEY, 1824 Dauphine Street, New Orleans, Louisiana, voluntarily appeared at the New Orleans Office at 12:30 PM November 26, 1963..."

How does this come out of Thornley's mouth? Interviewed on WTVT-TV, Tampa, January 14, 1968, beginning 1 p. m., and asked why "they (federal agents) approached you so quickly," Kerry the Truthful said, "I know exactly why they came to me so quickly because later I learned that a man named Tony Shimbosky (phonetic), an artist in Pirate's Alley, had called them."

According to the FBI itself, not until December 3, or a week after federal agents first interviewed Thornley, did they speak to the artist. I enclose a copy, of as good quality as the character of the archive to the martyred President provides, thinking your readers will find it of interest. While it is not possible to authenticate the words attributed to Thornley (the Warren Commission, with great delicacy, not having embarrassed him by asking him about them under oath), his former girl-friend said he had told her, "If Oswald hadn't killed President KENNEDY, he would have done it himself."

Dig that flower in the mouth! Thornley, man of peace

and freedom, flower-boy!

Why not have another article by him, consisting of just the letters he wrote friends and editors about President Kennedy and his murder? I think you'll find it not inconsistent with the above.

And may I ask with his own language from the TV interview above, does it seem so utterly impossible that Thornley COULD have committed perjury?

Those lies Thornley wrote about me are not worth dignifying. Suffice it to say that, when he had the chance to confront me on his local radio station, he did not. Does the above give a slight indication of why? However, I think it worth reminding him and your readers of what he neglected to burden them with. In early November 1967, I sought out his "literary agent," Clint Bolton, and asked him to tell Thornley that if Garrison knew but part of what I did about Thornley, his interest was inevitable. I suggested that as an aspiring writer it was possible he knew the meaning of which was lost upon him, and that if he were unwilling to go to Garrison I would be glad to discuss what he knew with him. The eminent and judicious Mr. Bolton thereupon wrote a letter to Thornley not dissimilar from Thornley's own writing in your pages. Through the anti-Semitism, it was clear that Mentor Bolton also recommended this course to Thornley. It is surprising Thornley did not heed Bolton's advice, for is there not this highly literate dedication in his "book":

"To Clint Bolton, who first said to me: 'Go home and write - ya bum!'"

Famous first words!

It is unfortunate that you did not adequately inform your readers about the credentials of Dave Lifton, who writes of what he calls the "theories" of others. Dave is best known for the deep conviction that President Kennedy was assassinated from papier-mache trees in Dealey Plaza. More recently, he has been the associate of Wesley J. Liebeler, most active member of the Warren Commission staff, the man who wound up in charge of that part of the work of which Thornley was part.

Yours for "peace and freedom" - and truth,  
Harold Weisberg.

PAGE EIGHT

# LETTERS

Dearest Editor:

In two fields David Lifton can lay genuine claim to expertise: In "weaving Kennedy-assassination theories" and in framing people. His own distortions in your second attack on Jim Garrison and me establish this. Dave is less irresponsible when he works on his own pet "theory," that the assassination was committed from papier-mache trees somehow, mysteriously, removed in the middle of the night, while thousands of unseeing looked on. Such, he once explained to me, is the power of the power-elite in Dallas, all those visitors, too, were intimidated into silence.

Kerry Thornley will be fortunate indeed to survive Dave's "friendship," particularly its manifestations. Dave will be lucky to survive his own self-indictment as a "critic" of the Warren Report, all the recent manifestations of which are of collaboration with the major framer of the frameup, Wesley J. Liebeler, the Commission lawyer in charge of the "conspiracy" part of the case against Oswald.

Dave is Liebeler's advance man. It is in just that capacity that he intruded into a debate arranged between Liebeler and me in Reseda, California, this past February. Liebeler could not turn it down, for I had published a detailed account of his own career in framing history and Oswald. Instead, Dave butted in and raised new "conditions" of the debate and, between him and Liebeler, got it called off.

If anyone doubts the truth of this, let him arrange an identical debate NOW. Like Lifton, who has talents. He can both arrange and moderate it. We can have the very same debate anytime Dave arranges it and Liebeler agrees to it. But will Liebeler, who was really in charge of this part of the investigation, its crux? Will Dave, whose heart bleeds so for the fascist-minded?

Dave's literary techniques come right from Goebbels:

"...Barbara Reid, an alleged practitioner of witchcraft..."

Thornley, something less than an impartial source, is the origin of the allegation that Barbara, a writer and a TV producer, is the "key witness" (Dave's word, or the only witness in Kerry's representation) against Thornley.

Aside from his slurs on those who refused to be conned by his own gross errors, what has Dave in this second opus? The detailed story of how he fed false affidavits to Garrison and how he and Thornley plotted to frame John Rene Heindel. Of course, he has a few lies, too. Like:

"In the fall of 1963 Thornley lived in New Orleans and was in the city during a two-week period when Oswald was also there."

If Dave doesn't know better, he should have said nothing.

"Thornley has been charged and arraigned for perjury because of this disagreement."

No wonder neither Dave nor Thornley troubled your readers with a printing of the indictment!

It is perfectly proper for Lifton and Thornley to cook up an untrue story on John Rene Heindel. And it is perfectly proper procedure for Lifton, AFTER he has filed the affidavits with Garrison, to check out the story and find it is untrue. Noble man, he then telegraphed Garrison. And terrible prosecutor Garrison, he didn't just forget it there, did he? Or is this his crime, wondering why Thornley would swear to what was not true, to point the accusing finger at the wrong man? Shades of the Warren Report and Wesley J. Liebeler, how can that be wrong?

Let me digress for a moment for Dave's delineation of a true-blue Warren Report "critic," David Lifton.

"Lifton met Thornley in 1965 and they discussed the Heindel matter."

Garrison's investigation became public knowledge in mid-FEBRUARY 1967. So, this stellar critic does what?

"In SEPTEMBER 1967 (after waiting seven months) Lifton called Jim Garrison..."

About what?

"Thornley's and Lifton's theories of Heindel's possible involvement as a 'co-patsy' with Oswald in a two-gunman assassination plot..."

How anyone, even Dave, could connect Heindel with a gun, Dealey Plaza, or anything else besides a bad assassination trip I'd like to hear. THIS theory is invention, nothing else.

Dave says of Kerry, "I knew he just didn't want to go any further" than making wrong affidavits. No reason other than a dislike for Garrison (stemming from that solid base of having once served him dinner) ever occurred to Dave? Like Thornley knew it just wasn't so?

Again, Dave's words, "explaining" how Thornley ultimately appeared before the grand jury in New Orleans. "Kerry, in order to prove he had nothing to hide, went voluntarily."

Is that what it means when you are hailed into a Tampa court and the judge orders you to go, Dave? "Voluntarily?"

To those of us who wondered about his association with Liebeler, Dave's explanation was that he was just trying to get cookies of information from Liebeler, that they really detested each other. I have had earlier signs of this mutual "dislike." Here is a grand one. Liebeler is responsible for this part of the Warren Commission case. His self-description is of the ten-fingered Dutch boy with a twenty-holed dike. Albert Jenner, his associate, was too busy running for the presidency of the American Bar association to do any work, so Liebeler had it all to do. True, Liebeler did. And none of this Thornley bit is in it, aside from his misrepresentation of Oswald the Marine, who had the highest security clearance possible while openly getting Communist literature in the mail and who was anti-Communist. From Thornley's testimony this comes out that Oswald was a Communist.

Who is Dave REALLY "defending?" Can it possibly be his "friend," Thornley?

Or is it Liebeler and the Warren Report?

Yours for truth

Harold Weisberg.

Open City; 7/12-18/68; Issue 61  
Kerry Thornley's reply

Dearest Editor,

The Weisberg letter [in issue #59 - first of two such letters] contained some untruths.

For example he implies that there was something sneaky about picturing me with a beard - and yet his own false

Oswald [see "Oswald in New Orleans"] had such a beard.

My testimony before the grand jury released to the press as the "perjurous" portion [and punctuated so as to make me sound like a moron] contains my denial that a woman named Barbara Reid - in my considered present opinion - saw me with Oswald in 1963, at about the time she was also boasting to having hexed a Bourbon Street stripper with a Voodoo doll.

Mr. Weisberg described my book as a pamphlet in order to give the idea it was something I'd run off in my basement on a ditto machine and was passing out on Canal Street. I edited the version of my Commission testimony which appeared in that book in order to protect one innocent person who had been inadvertently dragged into the proceedings and to make it clearer and smoother reading. A note was appended at the beginning of the reproduced testimony explicitly noting that it was edited.

My testimony does not paint a "new kind of 'Communism'" - for I said I'd gotten the impression that Oswald was "idle in his admiration" of the Soviet system.

That he admired Orwell, got a Russian newspaper openly in the mail, and was rumored to at one time have had a Secret clearance are things I cannot help. Both Garrison and Weisberg have displayed astonishing chutzpah in misrepresenting that testimony, a matter of public record which can be checked against their assertions, to give you some idea of where they are at.

Donovan's statement quoted by Weisberg, "He must have had a secret clearance to work in the radar center, because that was the minimum required by all of us," is in error. I myself did not have a secret clearance at that time, but worked in the MACS-9 radar center.

I am indeed a defender of widows and orphans, because I am opposed to a money system - controlled through a Federal Reserve Bank - which enslaves them. What Mr. Weisberg fails to add is that along with my "rightwing" economic views I am also opposed to an imperialist foreign policy, in the tradition of the principled isolationists who supported Robert A. Taft. "Confessions of a Rightwing Liberal" by my good friend Dr. Murray N. Rothbard in the June "Ramparts" will give you some idea of my political views, and Harold Weisberg's paranoia.

That Mr. Weisberg should call me a "stool pigeon" because, when Oswald was murdered, I went to the FBI and offered to do whatever I could to assist in the apprehension of whoever had used him as a pawn [as I felt someone had at the time] makes me wonder what this little man who boasts of a history of Establishment finkery for spy outfits and Senate investigations would call himself!

When, where, and under what circumstances did I pin a "bum 'Communist' rap on the murdered Oswald" when my other Marine buddies would not? Garrison made this same charge in his infamous press release, offering nothing but butchered-out-of-context quotes to back it up. There were people who knew Oswald before he went in the Marine Corps who recall him as a Marxist! And as looking up the affidavits and depositions of Oswald's other fellow-Marines will prove, I was certainly not alone in my observations on this score. It seems that my "crime" is having drawn Oswald out - being thus able to testify in more detail.

The way I learned of the comment of my former girlfriend about me - "If Oswald hadn't killed President Kennedy, he would have done it himself?" - was through Mr. Jenner, Warren Commission counsel.

Weisberg knows this and there is no excuse whatever for his laying the blame to me if my notion of when that comment was made is inaccurate. The Garrisonites seem to take a sadistic delight in punishing others for the mistakes and deceit of Warren Commission personnel - presumably because they are afraid to go after the responsible parties and must release their aggressions on someone. [Notice that Earl Warren, for example, is not on trial for perjury - nor any other member of the Commission or its staff!]

I have never denied that I was caustic and sarcastic about John Kennedy's murder. Having been shocked by the butchery of Katanga - which was U.S. financed and sanctioned by JFK - my political opposition to Kennedy's domestic and foreign imperialism became a deep personal disgust. Of the Katanga atrocities, Lord Bertrand Russell said they surpassed anything brought up in the trials at Nuremberg for cruelty. Assassination had not yet become a disturbing national pastime, and the tears of people who never cry when the powerless and helpless go down offended me. So I let them have it, man - I celebrated, openly and in public.

Garrison and Weisberg consider this damning evidence, one would have it, that I took part in a secret assassination plot as a secret agent.

I do not think my opposition to JFK deprives me of my civil right to hold a flower in my mouth.

I have never been offered the opportunity, by the way, to confront Weisberg at my local radio station or anywhere else. I did not even learn he had been on the air until I heard a tape of his lies about me three days after the fact.

As for Bolton's open letter to me, I am having copies offset printed for mass distribution precisely to show the many editors and other media personnel who have gotten poison pen letters from Weisberg on the subject of that article, what a willful and malicious liar he is. Let me say now, though, that the "anti-Semitism" of Clint Bolton's piece was that, genuinely mistaken, he understood Harold's last name to be Weisberger.

Apparently they were introduced with a loud Dixieland band playing in the background because, elsewhere, Harold refers to Clint as Cliff. I keep trying to find something sinister about THAT, but I simply do not have Mr. Weisberg's talent.

I think the nicest thing I can say about Harold is that on one occasion he told what is obviously the truth: "It's wonderful. You ought to see the letters. I've got over 500 unsolicited letters. My eyes water when I read some of them. My telephone rings in the middle of the night with people who are troubled. I have insane people who have escaped from the insane asylum, calling me up as

the White Knight, to try and help them. They reach out and I can't quite give it to them." ["The Scavengers" by Richard Warren Lewis, Delacorte Press 1967, page 120.]

Poor Harold. When will he get the mass recognition he deserves?

Yes, baby - peace and freedom,  
Kerry Thornley



To: Distribution  
From: David Lifton

10/10/68

Memorandum Regarding Weisberg's Two Letters Published in  
Open City (Issue #59, 6/28-7/4, 1968; Issue #60, 7/5-11/68)

The Open City issues mentioned above, and particularly the second one, published letters from Harold Weisberg that made many charges against me, some related to the Thornley matter. This memo presents answers to some of these charges.

1) Regarding the legal action Garrison has taken against Thornley, Weisberg states: "...neither Dave nor Thornley troubled your readers with a printing of the indictment." (Issue #60, Open City) As Harold well knows, there was no indictment. A most unusual aspect of Kerry's case is that the Grand Jury never indicted Kerry Thornley for the testimony he gave before them. They never were given the opportunity to do so by Mr. Garrison, to vote on the question of whether they thought Kerry had committed perjury when he testified before them in his Grand Jury appearance of February 8, 1968. Instead, after Kerry gave testimony (about his fall 1963 whereabouts and associations)----testimony that was in flat disagreement with Jim Garrison's (and Harold Weisberg's) "conspiracy" theory, Kerry was personally charged with perjury by DA Garrison. Garrison used a legal device called a "Bill of Information" to prefer the charges against Thornley. This Bill of Information, which Garrison personally filed as DA of New Orleans, avoided the necessity (and bypassed the judicial protection) of having the Grand Jury vote on Kerry's testimony, on the question of whether they thought he might have committed perjury. Garrison's "Bill of Information" is nothing but the DA's official way of expressing the fact that he thinks so, and is not to be confused with a Grand Jury indictment. The standard of "probable cause" as to whether Kerry committed perjury is obviously quite different when that determination is made by a jury, rather than by the DA himself, and especially when that same DA is the proud author (or co-author, considering Weisberg's involvement) of a conspiracy theory which postulates the involvement of the witness whose testimony is being scrutinized for perjury! If Kerry's testimony were allowed to stand, it would vitiate that portion of the DA's assassination "conspiracy" theory which involves Kerry.

(Indeed, the DA has told reporters that to understand the conspiracy he has uncovered in New Orleans, one must understand the central role played by Kerry Thornley. Even more ludicrous, there are indications--- from those who have interviewed these two men---that there is something of a feud between Mr. Garrison and Mr. Weisberg over who should get the credit for discovering Thornley's "key" role!)

Considering these circumstances, it is perhaps not so strange that Mr. Garrison, a professed civil libertarian, found that readily available judicial safeguards were dispensable luxuries, in the case of Thornley, where the DA had certain specific interests at stake. Rather than risk rejection of his fragile, facile, and fanciful "Thornley theory" by a Grand Jury that might have refused to indict Kerry, Garrison simply bypassed them and filed the charges himself.

There is no question as to the legality of Mr. Garrison's method, but this behavior is in stark contrast to Garrison's professed concern for the rights of the individual and the powers of the state. Is this the same Jim Garrison who claims that he sought a preliminary hearing in the Shaw case to insure the protection of Shaw's rights, and that his aim was not the attendant and worldwide newspaper publicity? In Thornley's case, Garrison seems more concerned about his pet "Thornley" theory and any attendant newspaper publicity he can drum up for it, than about legal procedures which might act to safeguard the rights of the defendant. %X

On the day Garrison charged Thornley with perjury, he issued a highly inflammatory, propagandistic seven page press release entirely devoted to Thornley, a press release which purports to describe Thornley's key "role" in Garrison's New Orleans conspiracy theory of the assassination. This release is so packed with non-fact, non-logic, innuendo, and distortion that it makes the Warren Report look like a paragon of reason and understatement.

This press release, with its many reckless, false, and unsubstantiated charges against Kerry Thornley, will undoubtedly be a focal point for future published studies, if and when Garrison ever ever gets around to setting a trial date for Kerry Thornley, and the case comes to public notice. And perhaps, before this whole lurid and ludicrous affair is over, the press release might even be the basis for a lawsuit against Garrison, Weisberg, and others responsible for its content and release.

2) As explained in the second Open City article that I wrote, Garrison claims that Thornley and Oswald were seen together in a bar in New Orleans called the Bourbon House, in the fall of 1963. Kerry denies seeing Oswald at that time. Garrison's key witness is Barbara Reid, the New Orleans woman who is an alleged practitioner of witchcraft in the French Quarter.

How does anyone, 5 years later, prove that they were not at a particular bar on a particular night in September, 1963?? Since Kerry did not have himself followed around by a team with a video-tape machine 5 years ago, one way in which he will probably have to attempt to clear himself of Miss Reid's allegation is to question her credentials as an observer of reality. Therefore, it is of paramount importance that, at Kerry's trial, it will probably be shown beyond any reasonable doubt that Miss Reid claims to possess occult powers, kept an alter in her home, and did various things with voodoo dolls that she carried on her possession. If the defense supeonas Barbara Reid to appear in court with her alter, it will probably be the first time an alter has become evidence in a court case since the Salem witch trials. It is preposterous, therefore, that Weisberg should attempt to fob off Miss Reid, in his letter to Open City, as "a writer and TV producer". Besides the fact that she is an old time friend of Garrison and key members of his staff who are responsible for the Thornley investigation, what is most important in this case is her credentials as an accurate observer of reality.

3) Weisberg also charges that the word "alleged" in front of "practitioner of witchcraft" is a "literary technique...right from Goebbals". No so.

Until Barbara Reid is proven to be a witch in court, she is an "alleged practitioner of witchcraft". The same goes for accused and alleged assassins, something Harold apparently forgot when he wrote "Oswald in New Orleans". In that book, and in his haste to claim credit for various ideas, Harold Weisberg did violence to Clay Shaw's civil rights, and a presumption of innocence that is supposed to be operative in matters pending before a court, by flatly declaring that Shaw is Bertrand; that he, Weisberg first exposed Shaw in Whitewash I where he appears using the alias "Bertrand". Whether Shaw is Bertrand will be resolved at a trial. Weisberg's incriminating assertions, however freely he pens them, are no substitute for evidence.

4) Harold sneers at my claim that Kerry went to New Orleans "voluntarily" to testify, and sarcastically cites the court order requesting his appearance. (Open City; Issue #60) As Harold well knows, Thornley had the right to appear in court and "show cause" why he should not be required to go to New Orleans and testify. As Harold

also well knows, almost every witness who has fought extradition in Garrison's various cases has found a very sympathetic judiciary ready and willing to let them off the hook. In order to show that he had nothing to hide, Kerry has waived extradition on both occasions when he was ordered to go to New Orleans: the first time to testify, the second time to arraigned, even after he was charged with perjury.

This behavior is unprecedented in any of Garrison's cases. One of Garrison's supporters has attempted to explain Thornley's actions by postulating that he is simply "pretending to be innocent". Thus, by this logic, there are two types of guilty people in Garrison's probe: those who are "guilty" by virtue of their fighting extradition, and those who are "pretending to be innocent" and who therefore waive extradition. And what would a truly innocent man do? Why this outlook just happens to preclude the existence of such a creature!!

5) Harold has raised matters in his letters that have absolutely no relevance to Thornley, but they deserve a reply. This concerns Wesley J. Liebeler. As a former grad student at UCLA, I made the acquaintance of Liebeler, a former attorney on the Warren Commission's staff who is now a professor in the Law School. During the school year 1966-1967, Professor Liebeler held a seminar on the Warren Report which he invited me to attend, specifically so that the other side of various questions would not be ignored, and would always be presented. This I did, despite vicious attempts on the part of several LA critics to spread a rumor that I was writing a book, with Liebeler, attacking various works of Harold Weisberg. As a measure of Weisberg's honesty, note his charge that I am trying to defend either Liebeler or the Warren Report, and then read "The Case for Three Assassins", a 25 page article which I co-authored in the Jan. 1967 issue of Ramparts Magazine.

Given Weisberg's personality, I should perhaps not be shocked at his low-brow attempt to employ the tactics of "guilt by association" in order to turn my dialogue with a member of the opposition into a vice. His implications that I am either in agreement with Liebeler's position on the Report, or the Report's conclusions on the assassination are as false as they are absurd.

6) Weisberg makes claims about a debate, and about my involvement. There is no polite way to say it: his statements in this area are simply a pack of outright lies. Here are the facts, backed up by the correspondence from Weisberg's own typewriter.

Last Christmas, a group at Reseda's Cleveland High School enlisted my aid in arranging for a debate between Wesley Liebeler and Harold Weisberg. Since Liebeler's area of work on the Commission was New Orleans, and since Harold Weisberg had published a book that analyzes this particular area in great detail, a Liebeler/Weisberg debate would have been an event of considerable importance.

I helped Harvey Levin, President of "Boys League", the High School's sponsoring organization for the debate, draft letters to both men in an attempt to arrange this debate on mutually satisfactory terms. Neither man knew of my involvement.

It would be nice to be able to report that the debate did not come off because a Warren Commission attorney got cold feet when confronted by the prospect of debating an informed critic, Harold Weisberg, and could not afford a public showdown and the attendant embarrassment. Nothing of this type occurred. The debate did not come off because of sheer dishonesty, involving debate arrangements and matters of money, on the part of Harold Weisberg in his dealings with the high school group involved. The events left a bad taste in the mouth of the students arranging the debate, who learned to their chagrin that Harold Weisberg was an individual who simply could not be trusted. The events unfolded as follows.

The main financial burden of the entire affair was airline fare that would have been necessary to get Welsberg from the East coast to California. To possibly avoid this major expense, Levin initiated his debate preparations by calling Welsberg long distance, telling him about the debate, and asking if he could possibly fit the debate into his next California trip. Welsberg assured Levin that he was without funds, and could do no such thing. He could not get out to California, he assured them, unless they paid his way. All right, said Levin. But it would cost \$250 for a round trip ticket for Welsberg to visit the coast. If they paid Welsberg his entire airplane fare, would he forego an honorarium? In this first conversation, Welsberg made it quite plain that he wanted both round trip airline fare and an honorarium. He put it this way: "I'll take whatever Liebler gets; if he speaks for nothing, I'll speak for nothing. If Liebler gets a nickel, I want a nickel." To Welsberg, who was pushing the sale of 4 books at the time, a free trip to California was, apparently, "speaking for noth'g." (for 3/22/68)

The debate arrangements were successfully culminated, and the tickets were about to be sold at a price which would raise enough money so that each man could be paid an honorarium, and Welsberg would get his airline fare paid. At that time, a series of letters arrived from Harold Welsberg which were somewhat troubling. (1/68, 2/68) First, Harold wanted to sell his books at the door. In another letter, he seemed to imply that he just might not be able to attend the debate, after all. He also wanted the school to please pay for his cab fare from his Maryland farm to the Washington airport. As one high school student working of the project put it, they expected Welsberg's next letter to request "5¢ for gum".

(in the beginning of February '68)  
Then, a letter sailed in from Harold saying: "Beginning the middle of next week, I will be away for about 18 days... should you write me, I will be in touch with my wife just about daily and I will get any messages promptly. I hope the rest of our preparations go smoothly."

Where was Harold going for the next 18 days? The mystery was not long in being resolved. To the astonishment and outrage of the high school students, who were bending over backwards to raise money for Harold Welsberg's forthcoming airline fare so that he could come to California, Harold's visage was appearing on Southern California TV screens, and his voice was on various local talk programs. Harold was "going away for 18 days" to Southern California!

This blatant act of deceit and dishonesty was too much for those sponsoring the debate. At issue was whether one could trust anything Welsberg said, any commitment he made. The debate was called off.

Letters were then sent to both Welsberg and Liebler apologizing for the cancellation, and a truthful technicality was invoked as the reason that the school would no longer sponsor the debate. Also, at my specific request, into each man's letter of cancellation was put a sentence specifically assuring him that his opponent had not withdrawn. Welsberg's letter stated: "Let me assure you that the other participant in the debate and myself were not responsible for this unfortunate situation."

Promptly upon receiving his letter, Welsberg started spreading the rumor, here in Southern California, that Liebler had withdrawn, and that he, Welsberg, had "evidence" of this. I phoned Harold while he was here in Southern California. At that time, he had absolutely no idea that I had played any role in the debate preparations whatsoever. Why, I asked him, was he saying that Liebler had withdrawn from the debate? Harold replied that he "knew" this to be the case, that he had evidence.

\* for the 3/22/68 debate about a week later

What evidence, I demanded to know? Harold's answer illustrates exactly how his mind works. "Dave", he said, "I have a letter here in which it specifically states that Liebeler had not withdrawn from the debate. Now why would that statement be in there unless he had withdrawn?"

I then told Harold that I had specifically requested that it be put in there, and to specifically prevent the spreading of rumors such as he was now spreading, on the part of either man. Cornered, Harold's reply was short and unprintable, and the conversation was promptly terminated.

- 6) I have never stated that the assassination was committed from "papier-mache trees somehow, mysteriously, removed in the middle of the night, while thousands of unseeing looked on." Unlike his statements regarding the "debate", covered in point (5), these are at least not outright lies, merely dishonest distortions on my a "camouflage hypothesis" that I have advanced regarding the actual shooting in Dealey Plaza.
- 7) Clint Bolton, a friend of Kerry Thornly in New Orleans, wrote a column in which Welsberg's name is repeatedly spelled "Weisberger". The fact that "Mr. Weisberger" appeared numerous times, instead of "Mr. Welsberg" was an entirely innocent error on Clint's part. Welsberg used this as the basis for his charge in the first Open City letter that Clint's column was "anti-semitic".
- 8) Some concluding remarks.

Political theory and behavioral theory of the motives of the opposition have their place, but they are absolutely no substitute for evidence. Yet Welsberg's letters are ample evidence of the mind of a man who uses them in exactly that way. The syndrome goes as follows: because Garrison is opposed by the establishment, therefore he must "have something"; because Shaw is trying to avoid a trial, therefore he must be guilty; because Edgar Eugene Bradley is fighting extradition, therefore he must be guilty; because Kerry Thornley is not fighting extradition, he must be "pretending to be innocent" and is, therefore, guilty; because Clint Bolton spelled Welsberg's last name as Weisberger, he must be anti-semitic; because Welsberg received a letter saying Liebeler did not withdraw from the debate, therefore he must have withdrawn from the debate; and because Kerry Thornley, who is involved in "the plot", gave affidavits to Garrison, with David Lifton, last September (1967), then this must have been all part of a plot to mislead Garrison.

This paranoid style of thinking permits reckless speculation about people's behavior to parade under the guise of reasoned analysis and be treated as a substitute for evidence. As such, it obviates the necessity for judging Garrison's pronouncements on the basis of evidence, and becomes the tie that binds together many of Mr. Garrison's followers into a cheap and intellectually unbecoming courtroom cheering squad.

And what can be said of those Warren Report critics who should know better? For aren't these people radicals in the finest sense of the word? Didn't they, after the 26 volumes were available, objectively examine the Warren Commission's evidence, pronounce judgement on its conclusions, and fight those who blindly believed the Report merely because it was signed by Earl Warren? Perhaps the best that can be said for these true believers is that there is a certain type of radical, more interested in propaganda than in substance, who surrenders his mind to and becomes a docile pawn in the hands of the right type of demagogue.

May these people all worship Mr. Garrison at the foot of Barbara Reid's altar on their next pilgrimage to New Orleans.

Below is an excerpt from a communication that was sent me by Kerry Thornley shortly after the first Open City article appeared. It contains certain corrections to the May 31 article, as written by Kerry.

I have indicated, with an asterisk located in the left hand margin, those corrections which have already been penned in on the page itself, in those cases where the newspaper was mailed along with this errata sheet.

David Lifton  
10/17/68

On the front page:

- 1) "Thornley was about to leave with his unit for a tour of Japan..." would more correctly read: "Thornley was about to LEAVE HIS UNIT for a tour IN Japan..."
- 2) "Thornley found Oswald to be an interesting character, who professed beliefs quite the opposite of his own" -- as well as all statements in elaboration of this point -- is incorrect. At the time I knew Oswald I was a democratic socialist and by no means the "right winger" I sometimes term myself today in indication of my present philosophy of individualist libertarianism.

On page fourteen:

- 1) "Shortly after his release from the Marines, Thornley studied at USC for a while, then decided to leave school and finish the book he started" -- is incorrect. I went to USC for a year BEFORE going in the Marines.

- 2) The second full paragraph in the first column should have run as the fourth full paragraph in the fourth column in place of "At the end of the book Johnny Shellburn defects to Russia" -- which should run as the second full paragraph in the first column.

- 3) "Thornley retitled his book "Oswald," and completely rewrote it" -- is not the case. "Oswald" and my pre-assassination novel entitled "The Idle Warriors" were two entirely separate books, though brief excerpts from the latter appeared in the former.

- 4) The sentence in the final column reading: "Thus, Garrison had a theory, provided by me, about Thornley's involvement in the assassination" should have read "about Heindell's involvement..."

Two paragraphs above this typographical error is another -- Mr.

Garrison's full statement to Mr. Lifton was: "After the fact there

IS no truth; there is ONLY what the jury decides." It is thought-

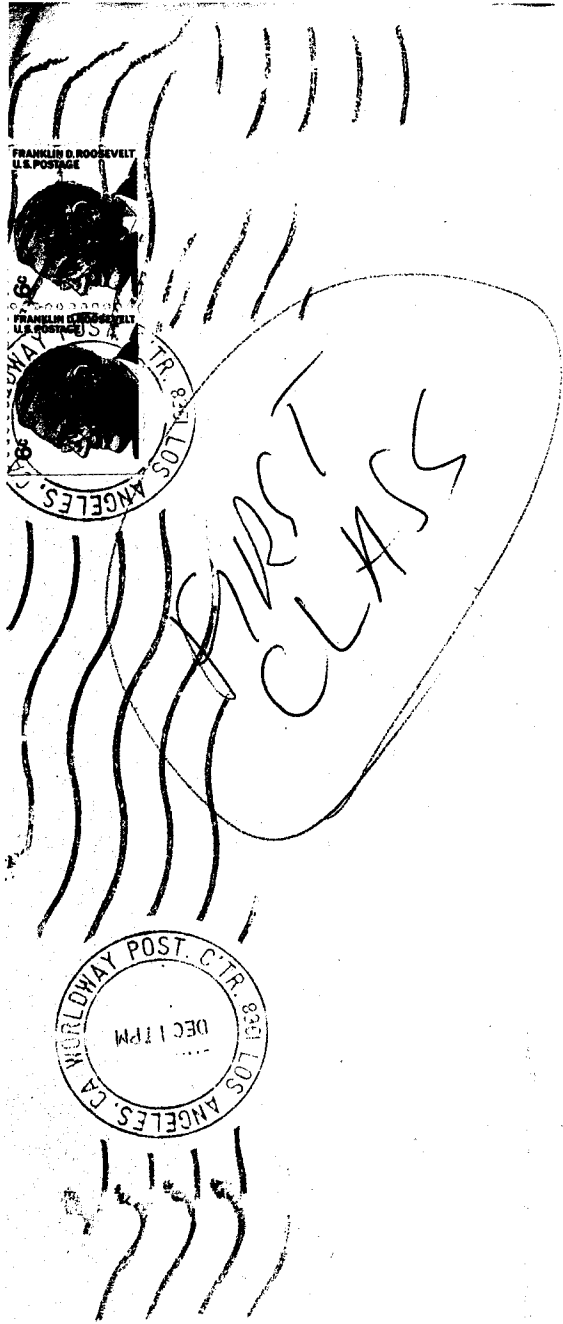
provoking that a man who in public pounds on George Orwell's 1984

as if it were his Bible, should express such a Big Brotherly opinion

in private. Unfortunately, it is not for Mr. Garrison unusual,

though. He has also said: "An advocate cannot afford to be objective."

15702  
11818 1/2 Dorothy  
L.A. Calif. 90049



Harold Weisberg  
Route 7  
Frederick  
Md.  
21701