

Harold Weisberg
Hyattstown, Md. 20734
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Editor, The Observer
London, England

Dear Sir,

Lacking an address for Lord Devlin, I am writing you in the hope you will forward this letter to him. I wish I had the time for a longer comment, but I am busy with something the press has not indicated might be forthcoming, the first of the second wave of books about the Warren Commission. My book, WHITEWASH: THE REPORT ON THE WARREN REPORT, was the first of the first wave. It was completed in mid-February 1965, published in a limited edition that summer, and when I finally abandoned hope of normal publication, went into general distribution May 9 of this year. Despite its severe handicaps, it has sold more than 13,000 copies, with no advertising and but improvised distribution. It, I think I can fairly claim, is the book that broke the ice of the frozen taboo. Because of its success, which is really greater than the extraordinary sales figures reflect, I tentatively call the sequel WHITEWASH II: WHO DID IT. Here, again with only the official documentation, I think I make clear how such eminent and responsible men as those who were members of the Commission, could have put their names to such a document.

Because of the anticipated unwillingness of people, especially the responsible press, to consider the great error that the Report is, I restricted myself in the first book also to the official evidence. It is the only book to have done this. It includes everything of importance those later books fortunate enough to attract the commercial publishers have, and about twice as much content as all together have. You can learn this is not an author's immodesty by reading the book yourself. It has not been published in England, but in May I left a copy for your owner with Mr. Anthony Howard in advance of his planned visit to the United States. I have an agent in England, Mr. Gordon Harbord, 53 St. Martin's Lane, and I am confident he will make a copy available to you or Lord Devlin. The explicit conclusion of the book, that the job has not been done and must be, entirely in public and preferably by Congress, required either the destruction or the serious disputing of each of the Report's major conclusions. This I believe I accomplished. You can judge for yourself.

Today's New York Times quotes Lord Devlin as saying in your edition of yesterday "the known evidence on the firing times left the possibility open (of a second assassin), but as he saw it, only a possibility, with no trace of affirmative evidence to support it." I think the answer is that Lord Devlin might not know all the evidence. I would also suggest that the question of firing time alone is not what bears on this question. I hope he'll have time to read all of my book, but failing that, perhaps he can read the related chapters, "The Number of Shots" and "The Doctors and the Autopsy".

May I also suggest a remarkable political immaturity characterizes much of the writing and criticism in this field. No one, and especially not Epstein, has addressed himself to the political realities of modern life and that of the busiest public servants. I had hoped my few comments on how such bodies function, in the Introduction would be sufficient for intelligent people. I fear I misjudged here. Epstein became the creature of one faction of the Commission's staff seeking self-justification. If he was unaware of this pitfall, his mentor, an experienced historian, should not have been. Lane even edits all the quotations from testimony to render the staff, save for its chief, with whom he had quarrelled, faceless. The importance of the staff in such bodies has been ignored by my competitors and our critics.

Sincerely yours,

Harold Weisberg

British Critics Revive Debate on Warren Report

By ANTHONY LEWIS

Special to The New York Times

LONDON, Sept. 25 — The Warren Commission report on the assassination of President Kennedy is undergoing another round of scrutiny in Britain. Critics and defenders seem about equally divided.

The occasion for the revival of interest is the publication of two critical books already on the market in the United States—"Inquest" by Edward Jay Epstein and "Rush to Judgment" by Mark Lane.

Mr. Epstein's complaint that the commission headed by Chief Justice Earl Warren did a hasty, inadequate job has won more support than any conspiracy theories—either his or the more fanciful ones or Mr. Lane.

Mr. Epstein, a Harvard doctoral candidate, undertook his study of the Warren Commission report as a master's thesis at Cornell. Mr. Lane is a lawyer and former Democratic Assemblyman from New York City.

Tonight, The Times of London called on the Warren Commission to reopen its inquiry and deal with the various points of criticism raised. The comment was in an editorial for tomorrow's editions.

"All things considered the Warren Commission did a remarkable job of work in difficult circumstances and extreme pressure," The Times said.

However, it continued, "it is now clear" that the commission "did cut some corners."

Issues Raised in Books by Epstein and Lane Prompt New Round of Scrutiny

Lord Devlin, one of the most respected legal figures in England, said in The Observer today that, in light of the Epstein book, the commission "was not as potent an instrument for discovering the truth as externally it appeared to be."

On the other hand, Lord Devlin said Mr. Epstein had not sustained his intimated charge that the commission had "brought itself to shirk the truth because of its own fear of the political consequences."

Evidence Held Lacking

Mr. Epstein agreed with the commission that Lee Harvey Oswald had fired at the President but thought there might well have been a second assassin. Lord Devlin thought the known evidence on firing times left the possibility open, but he saw it as only a possibility, with no trace of affirmative evidence to support it.

Prof. Arthur I. Goodhart, another eminent lawyer, writing in The Sunday Telegraph, ridiculed both the Lane and Epstein books as worthless, especially Mr. Lane's.

He recalled that Mr. Lane's own testimony before the commission was evasive and devoid of direct relevance. He described as "utter nonsense" a statement by Mr. Lane that Os-

wald would have had posthumous counsel before an English royal commission.

The only favorable review in the serious Sunday papers was by Cyril Connolly, the literary critic.

He said in the Sunday Times that he was now convinced that the authorities investigating the assassination were unduly committed to the view that Oswald had committed the slaying alone. He called for another investigation by "some completely unprejudiced and fearless body."

Alistair Cooke, the long-time American correspondent of The Guardian, also was critical of the Warren report. He said that it had "signally failed" to ascertain the truth, and that "this President or the next should convene another commission."

Another call for a further independent study was made by the anonymous reviewer in The Economist. Without it, he said, the judgment will "never be satisfying or conclusive."

Bernard Levin, an often acerbic columnist in The Daily Mail, found both Mr. Epstein and Mr. Lane "shifty" in their handling of the evidence. He said they merely served those who refused to believe the report's conclusion "because the truth is unbearable to them."

"The truth is," Mr. Levin wrote, "that Lee Harvey Oswald killed President Kennedy though nobody told him to; and that the world is indeed subject to chance, accident and impulse, and is by no means the rational, ordered, predictable place that we long for it to be."

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