

As of the time of this writing, it has been 40 months since the murder and 30 months ~~the~~ since issuance of the Report. In the more recent of these months there has been a vocal, subsidized, determined and unscrupulous and uninformed clique systematically deceiving the public by misrepresenting what the Report did and did not say and by distorting the criticism of the Report. This is a ~~remunerative~~ remunerative business. It is especially worthwhile for correspondents, like Charles Roberts of "Newsweek", who thus ingratiates himself at the White House, his "best". It is rewarding to Louis Nizer, who has a law practise to serve clients who might need counsel and a book to sell.

There has also been the almost solid journalistic phalanx that has, in defiance of the Jeffersonian injunction and the glorious early tradition of the American press, cast aside its essential function as critic of government to become its apologist, more an army of the government than any department and more effective in its ~~and~~ role because of it. In assuming this role, the press is not holier than the Pope; it is more evil than the devil.

History will, I am confident, provide many scholarly treatises on the abdication of the press as well as that of the intellectuals and the bar at the time our society needed them most, at the time of the assassination. Why this has happened we may thus leave for the future. But the reality of its effect cannot be ignored in the present. Many people are confused or misinformed on the basic, simple conclusions of the Commission, the elements of the "solution" to the assassination of President Kennedy.

A brief statement of theme is necessary to understanding of any writing, critical or in support of the Report.

The Commission's Report was handed to the President September 24, 1963 and made public three days later. It is said to embody the knowledge gained from 552

The testimony was published. Not simultaneously with it, when the Report could have been evaluated against the alleged source of its information and the basis of its conclusions, but two months later. At that time it was released with a shameful bit of the cheapest press-agentry set forth in WHITEWASH: THE REPORT ON THE WARREN REPORT, by means of a shabby stunt, the "leak" of shtuff that had the intended effect of removing the time restriction that was pretended to ~~be~~ provide a period (a much too-brief five day ~~peri~~ interval for the analysis and digesting of millions of words). Drew Pearson was fed Mrs. Johnson's smalz comments, having nothing at all to do with the assassination, and thereafter it was a race to see who could ~~fi~~ get into

print with excerpts from the testimony. The result is that not a single newspaper or news agency in the country had the remotest idea of what this testimony really said. They vied with each other in praise of the exhaustiveness of the investigation, reprinted lengthy excerpts from it, pendering to curiosity but providing neither information nor understanding. The testimony made a sensation, an endorsement of the investigation and a re-endorsement of the report, ~~and~~ The whole ~~operation~~ public operation, dignified as the promotion of a girlie show, made of the printing of the evidence a one-day wonder. The story died almost overnight and the press turned to other interests and obligations.

The published evidence is in two parts. The first eleven volumes are of testimony. Almost, but not quite all of it. Some was censored, some was off the record. The transcripts are still classified "Top Secret". The exhibits are published in eleven even larger volumes, with no organization, index or guide of any kind. More than the testimony, it is a verbal quagmire, wasting the time, misdirecting the researcher and often misinforming him.

people called "witnesses" for lack of a better designation, from whom "testimony" in a sense nothing like that of court testimony, was taken in proceedings called "hearings" although to a large degree they were not in any sense.

Included among those termed "witnesses" are a number who gave ex parte sworn statements or affidavits and several who merely, in effect, wrote letters. None of the "testimony" or "evidence" was to the slightest degree passed through that marvelous machine for the establishment of fact, cross examination. Most of it was incompetent in the legal sense as well as the literal one. Much was, in the apt phrase of New Orleans Criminal Court Judges, hearsay four and five times removed.

The proceedings of the Commission were rarely blessed by the appearance of a single member of the Commission. About a sixth only had as few as a single one of the seven members in attendance. Those few at which members were present ~~xxxxxxxx~~ were largely or entirely conducted by the staff. *IMBRY*

My far the largest percentage of "hearings" were in what I have come to call "back rooms", almost star chambers, with but a Commission lawyer, a stenographer and a reluctant witness present. Not a single one was entirely open to the press and only one -with no advance notice to the press - was open even in part.

Most of the investigation was done by the FBI. Not a single investigator was hired by or responsible to the Commission. Other investigative services were provided by other investigative and local-police agencies, particularly the Secret Service. The FBI filed about 15,000 reports. These biased, untested and widely disputed, one-sided accounting of interviews, were ~~accepted as the~~ regarded by the Commission as the equivalent of sworn, tested testimony. Complaints about the inaccuracy and twisted perspective of these FBI ~~were~~ reports were prevalent, members of the Secret Service being conspicuously among those disputing them.

The main thrust of the investigation and the report was what the Commission called a biography of Oswald. It is a remarkably partisan accumulation of mixed fact, speculation and venom. Material of this character prevails in the report. From it the Commission concluded that he was a "loner".

an alienated man who could not get along with people and with life, who found no place in the world and did find frustrations, who was violent and prone to violence, and who had the capacity to murder, having murdered the President and failed in an attempt to kill that darling of the radical right, General Edwin A. Walker.

Replused

~~Rebuffed~~ by his wife, the Commission - not the wife- says, the alienated Oswald decided to earn his place in history, whatever that means, to even a twisted man (and everyone agreed that Oswald liked and respected the President he is said to have assassinated) by executing the "crime of the century". He did this, in the official accounting which comes from contrary evidence, with a junky, War-Surplus Italian Manlicher-Carcano rifle of 25 calibre that when new was an inordinately poor military weapon but which could fire bullets accurately if aimed accurately. Its specially-added telescopic sight was defective and could not be adjusted, but the Commission says this was a benefit, not a handicap.

He bought that rifle by mail-order, although it was readily available locally and for less. The Commission, in the absence of any evidence whatsoever, so that he owned, possessed and used it the day of the assassination. The best that can with generosity be said for its proof is that he bought it months earlier and that it was never - not once - placed in his possession by a single witness.

The morning of the crime, according to the Report, he took it from Irving Texas to his place of work at the Texas School Book Depository Building at Elm and Houston Streets, on the northeast corner of what is known as "Dealey Plaza", in Dallas. The Commission's evidence, if it proves anything, proves that Oswald could not and did not take a rifle to work that morning. The Commission simply concludes contrary to 100% of its evidence on this, its conclusion that he took it into the building, at best a presumption, is disproved by the only man who saw him enter the building. That man, Jack Dougherty, swore that Oswald carried nothing into the building

The Commission concludes that Oswald then carried it out to the sixth floor

and hid it.

producing not a single one of the three-score and more employees who saw him do this while ignoring the number who immediately, and not in pursuances of any Commission intent, placed him actively engaged in chores on the first floor.

Unseen by anyone, Oswald at a time not before 12:20 p.m. November 22, 1963, slunk into his "sniper's nest" near the easternmost of the sixth-floor windows and either then or earlier assembled the rifle the Commission alleges, again without a single witness or shred of evidence, he had disassembled to get into the building.

At 12:30 p.m., as the motorcade proceeded to the west, five minutes away from its destination, the Dallas Trade Mart (and five minutes late, a fact the Report assumes Oswald planned on), having just made the sharp turn from Houston Street into Elm. Oswald fired. He held his fire as the unobstructed car approached and did not take aim until a large tree obstructed his victim. In about five seconds beginning as soon as the tree no longer obscured the President, Oswald, the Report declares, fired three shots (which the rifle could not do with the requisite time for aiming and squeezing the trigger added). One missed the motorcade entirely. One inflicted seven non-fatal injuries on both the President and Governor John B. Connally, smashing bone and shedding fragments in three parts of the Governor's body and from the spectacular career emerging almost entirely intact and in close to perfect condition. The third shot exploded in the President's head, dissipating all its energy in the explosion.

Cool and unworried as he was unhurried, Oswald then got himself a coke before departing without anyone seeing him or a single one of the thousands of pictures showing his departure. He walked seven blocks in the wrong direction to get a bus heading back into the traffic jam he had just allegedly created, remained on the bus long enough to attract attention to himself, left it and walked to the Greyhound terminal where he took a cab to either five or seven blocks past his destination. He left the cab and walked back to his rooming house, leaving it almost immediately, and walked a distance it took the Commission in its time reconstruction

15 minutes and 45 seconds to traverse in less than 12 minutes. He thereupon shot and killed Dallas Policeman J.D. Tippit, said by the Commission to have stopped Oswald because he suspected Oswald was the assassin and did so without arming himself. While engaged in the friendly conversation described by one of the Commission's main eyewitnesses with the man Tippit though was the assassin, Tippit got himself murdered without firing a shot and without preparing to.

Oswald then fled a few blocks, arriving at a theater five or six minutes away after a half hour of running. He was disheveled and breathless. Here he was captured by the police.

Two days later, after he had been publicly and systematically denied all of his rights, including that of counsel of his own choice and after he had been repeatedly questioned despite his protests he would not talk until he had his lawyer (with no transcript of any kind, electrical or mechanical having been made of the interrogations) Oswald was killed by a single shot fired by a police character and joint-operator Jack Ruby, while he was being transferred to another jail, for which there was no requirement, and pursuant to the well-publicized announcement of transfer. Oswald's murder was possible only because the police made it possible. The existing photographic evidence shows the police arranged for him to be a sitting duck. The Commission exonerated the police.

This is a not unfair summary and characterization of that evidence the Commission did not shun, the same evidence from which, by obfuscation, misrepresentation and careful selection, it draws its opposite conclusions. The difference in conclusions comes from that the Commission reached these conclusions from contrary evidence is explained by its encumbrance with official propaganda.