

5/10/70

Mr. John Madigan
WBEM-TV
630 N. McClurn Court
Chicago, Ill.

Dear Mr. Madigan,

After taping your show in January 1967, I was left with the impression you have a distaste for the subject of the assassination of John Kennedy or the vigor with which I pursue my beliefs plus the anger of which I am capable and usually display in the face of misrepresentation. Briefly, I feel the integrity of government and society are involved, making a frivolous attitude toward fact and what I usually encounter and yesterday did face, a willingness to improvise it both entirely inappropriate and a national disservice.

Prior to that show I had offered to help Elmer Certz in his defense of Ruby. This is not because I held Ruby in high esteem or considered him innocent but because I believe the law must be honored, that all defendants are equally entitled to its protection and because on this subject we very much require viable judicial determinations of fact. I had tried to press on Melvin Belli the use of proof of perjury by a major witness against Ruby. Belli had no interest, but you will find that when another lawyer pursued this on appeal, it is based on the use of the testimony of this officer who had perjured himself that the appeal was upheld. You may recall Ruby died before his new trial, had just been buried when we did that show.

There was no possibility of personal gain to me in doing your show. I did it because the invitation was to confront Albert Jenner, one of the Commission's senior counsel. Although I was to do three hours of late-night radio in Washington that night. This alone made a very long and emotionally-exhausting day of it. I flew through a blizzard to confront Jenner on your show. The trip back was by far the roughest I had ever had (with the best Chicken ~~Wings~~ I'd ever tasted, too). The taping was delayed. I spent this time with Elmer and his wife in your snack bar. We discussed the assassination. It was obvious he did not distinguish between fact and what he preferred to be fact. I cautioned him not to do this on camera, explaining that I could not uncontestedly permit so much misinformation to be presented as fact to so many people. Now it happens that other Commission counsel, and Jenner, had accepted TV appearances and, without exception, cancelled them for one spurious reason or another when they learned they were to confront me. It meant much to me to be able, finally, to confront one -any one. When Jenner felt he had to, he told you and, whether or not you believe it, you told your audience he had suddenly remembered a Christmas party he had to attend! The second week of January!

If you think I in any way misrepresent this, you can invite Mr. Jenner to face me now, when he certainly has no Christmas party.

Perhaps this short account can help you understand how I felt when we taped that show.

But the purpose of this letter is not a belated explanation. It is to seek an appearance now, for a special, non-profit purpose important to me and, I think, the people of the country, especially Chicago. Sherman Skolnick has done a thoroughly reprehensible thing that has already done much harm and threatens still more. I want to expose this and him. If I had the fare to Chicago, this would be no problem, for there are shows on which I am welcome. But these shows have no budget for guests' costs.

I am aware, in frail memory does not deceive me, that at the time of the Koerner decision, you were among those who, in one way or another, found it possible to defend him. I suggest nothing wrong in this, do not know enough about the fact to have an opinion. I am aware that he has done fine public service. I am also aware that Mussolini began political life as a socialist.

In recent years I have completed four books I have not been able to get printed. They exist in limited, xerox editions. They are also the toughest books on this subject yet. You will find one of them currently of considerable significance. It was, within the past week (in confidence) used as the basis of the newest appeal for James Earl Ray. It is an over-large book, in part because with the unpublishability of this subject I have had to recast myself into the writer who must make the record, not meet standards of commercial acceptability. Although I do not deceive myself into believing it will happen, this book has enough to warrant a trial for Ray (he has never had one) and to cause the disbarment of every lawyer involved to the time he copped a plea. Aside from a lengthy appendix of once-suppressed evidence, cut to 100 pages, this book has more than a third of a million words of text. It is called COUP D'ETAT. Although copyrighted, the title has been taken by others once and is about to be borrowed again. It includes two Chicago stories, one of which was, in part, well known. The other was entirely unknown.

Whether it was the day I taped your show or the next time I was in your building, to do a show with Jerry Williams, I do not now recall. But on one of the occasions your receptionist handed me a letter from someone still unknown to me, with a tip on the arrest of Thomas Vallee. Since then, with some difficulty, I have pursued a successful investigation, bringing out of that literary quicksand in the National Archives what the Commission and the FBI sought to hide. A young former reporter, then living in Chicago, followed up for me some of the material I developed. In order to make it possible for him to do this for me, I had to provide him with copies of the withheld evidence. He is a friend of a faculty colleague of Skolnick. In fact, at that time he worked in the building housing Columbia College. When Skolnick, not yet having read the Warren Report, not even knowing the literature in the field, decided this was an area in which he might get himself more publicity, this man introduced my helper and Skolnick, on February 7 of this year. After the appearance of the Chicago Journalism Review for March, with its forecast of indictments against Chicago police in the Black Panther matter - and with Sgt. Daniel Groth the key man in the Vallee cover-up - Skolnick found the fierce pleasure too hasty to stay. He got my material from this young man by subterfuge and misrepresentation. First, with utter irresponsibility, he aired it on WRSV (having first, without success, made a play for your station). Then he persuaded WOFL to associate themselves with him. For several weeks he had a reported named Pahn with him. Knowing nothing about the

subject and overwhelmed with my stolen documents, Palm and the station were impressed. But to this day, incredible as it may seem, no single Chicago reporter has checked Skolnick out or, if one has, no part of the media has presented the truth. The result of the ECFL collaboration was a spurious and defamatory "suit". It is utterly and completely without originality, save when it presents invention as fact, has no legal standing, and is legally incompetent beyond my capacity to describe to you in meaningful terms. It is this suit, which is bound to be thrown out of court, that presently holds great danger to the cause of truth. When a case allegedly against the government, in which suppression is falsely alleged, is thrown out of court, there will be national headlines proclaiming the verity of the Warren Report and heralding that there is no suppression of evidence in the President's murder.

There is, of course. Rather than face the suits they know I am preparing to file--and preparation, unlike Skolnick's contrivance, is a time-consuming, painstaking task - I am forcing the delivery of some. In confidence, not at all for present airing (for I do not seek sensation and I believe when such data is presented, it should be as complete as possible and in proper context), I am prepared to show you what requires nonexpertize to recognize as the total destruction of the official fiction about the assassination, among the most shocking official documents in our history. Again in confidence, I tell you that, after holding back, lying and deceiving to the moment of ultimate truth, court appearance in a suit I filed, the government has just promised to deliver what you would not believe it would dare suppress, the official records of a public trial! Although I had the official proof they had confiscated this record, the Justice Department insisted they did not owe it. So, there is suppression and, with care and the investment of considerable time, I am doing something about it, in a reasonable way.

What Skolnick claims the Archives "released" they did not. They make no releases. The Valle files were never withheld/ They were merely hidden. I got them. What he claims they are still suppressing, from the Secret Service, they do not have and never did have. I could go on indefinitely, but I give you a simple, comprehensible test you can make for yourself. This fiction called a suit, the sole purpose of which is to publicize Skolnick at whatever cost, alleges the records of the purchase of the alleged assassination weapon could not be found in Chicago. And he talks of a mysterious late-night telephone call to Klein's, which sold the weapon (and lifted from my second book, where the Secret Service report appears in facsimile). The truth is this record of purchase is central to the Warren Report, was found before the next day dawned, in the middle of a roll of microfilm, and is printed in facsimile in the Warren Report itself (page 120). The chapter titled "The Assassin" begins with it! You can read his "suit", look at the Warren Report or, what may be easier, phone Seymour Waldman, at Klein's.

In short, save for invention, there is no real fact in Skolnick's suit that he didn't steal from me. He was not content to steal, he had to embroider. I do not say "steal" as a figure of speech. He never asked the Archives for anything-ever. Yet he charges they suppress? how could he know, without asking? he did not even do what would be no less dishonest, ask for his own copies of what I had turned up. He used my copies, which have added and readily-identifiable markings added for special purposes. I think the airing of the originals, with these added markings, and their faithful reproduction by Skolnick, the only thing faithful in all he has done, would be dramatic.

Here is the man who claims the honorable purpose of cleansing the courts, of upholding the law. Yet he prostitutes both for personal purposes.

He goes so far as to ask that the Freedom of Information Law be declared unconstitutional, and the press is silent. The law prescribes, properly, certain steps that must be taken before it can be invoked. If it did not, self-seekers like Skolnick would drive the government crazy. Beginning with even a simple request for the material, he was not taken a single one of these steps. Yet this is the "legal researcher", the man you station and every other one described as an investigator into the fact of the assassination. I suggest the abuse of both law and courts by a man claiming the opposite, claiming dishonesty and evil purpose in others, is more reprehensible than what he has alleged against others.

Do not lose sight of the fact that in all this he has defamed those who cannot respond. He has charged Chicago Secret Service agents as being part of the assassination conspiracy.

Although my second book attributes a coverup to the Secret Service in its title, and proved it, I have defended the agents against such charges before, notably when Manchester's book appeared. So, Skolnick casts me in the role of defender of both the Secret Service and the National Archives, while I am also their severest legitimate critic. This, I hope you can see, also shows that those of us doing serious research and writing seek the truth, not sensationalism. But it is a switch. I have a file inches thick of suits I am preparing against the Archives. The law gives them the capability of stalling, and they use and abuse it. My latest appeal, which the law requires be responded to promptly, has had no response in several months. But for a suit to succeed, for it not to be tossed out, as Skolnick's will be on noxious grounds, all these administrative remedies must be sought.

Since the extensive publicity on Skolnick's career of personal publicity, I have sought means of getting to Chicago for two purposes: to file a counter-suit and to expose him. Aside from the interest closest to me, I would hope there remain media people interested enough in honest courts and honest committees on cleansing them to tell the people of Chicago what is done in this name. I have found that apparently I can file such a suit by mail, and I have. I have sent Skolnick a copy, I have sent the U.S. Marshal a copy to serve. I have notified AP, which gave him so big a story, and there has been a silence that to me is shameful. This suit seeks an injunction against any other improper use of the material and the dismissal with prejudice of his frivolity. Especially because there has been no coverage, however, do I believe it is important to expose Skolnick, to disassociate his contrivance from any legitimate criticism of the government's conduct in investigating the assassination and, above all, from legitimate charges of real suppression.

Thus I ask you a chance to air the documentary proof of the foregoing, as Skolnick has had such an unimpeded chance to do. Thereafter I would welcome a chance to confront him. I predict you will find that if I do get a chance to air this, he will have no stémsch for confrontation.

If you think there is the possibility of personal gain in this for me, try and buy one of my books in Chicago.

I apologize for this lengthy intrusion into your busy day. I regard it as important enough, however, to have spent an early Sunday morning writing it. I do hope you will find it possible to enable me to do this. If you do, without some cur nipping at my heels, you will get a carefully-understated presentation of evidence that can be admitted in court, and overwhelming case, complete with covering letters -even the one Skolnick is flashing from which I eliminated the name of the addressee. Sincerely, Harold Weisberg