

July 21, 1967

Mr. Alan E. Helseth
Executive Director
American Civil Liberties Union
1911 Terpsichore Street
New Orleans, Louisiana 70113

Dear Mr. Helseth:

In our previous correspondence I inferred that the net effect of your public statements was not to serve their stated purpose, commendable as that is, but to make you a partisan.

Since that time certain things have transpired in New Orleans and are a matter of public record on which I would think, with these stated purposes, you might before this have seen fit to comment.

Carlos Bringuier, one of the few men who might, in all seriousness, call Robert Welch a pro-Communist, has filed several completely frivolous suits. First, he filed a suit against Saga magazine and me over an article in Saga that was actually chapter 11 of my book, WHITEWASH. Then he added the Dell Publishing Company. As I am certain you know, testimony before the Warren Commission, which is what I quoted and he alleges to be the basis of his suit, is totally privileged.

Now he has filed a suit against his neighbor, Oreste Pena, who has written nothing but who, under compulsion, was a witness before that Commission. I have not seen the papers, but I gather from Mr. Pena he is being sued for his sworn testimony.

I have now published the third part of my analysis of the Warren Commission's work and the assassination. I am seeking to have it distributed in the New Orleans area, and I find that Mr. Roufa, of the Louisiana News Company, refuses to handle the book, for which there seems to be a promising market in your area, simply because he is afraid that an additional suit will be filed against him.

Now, this new book does not refer to Mr. Bringuier, but I suggest to you that the purposes of filing a frivolous suit that can have no standing are immediately served by the achieving of two objectives: the suppression of my writing, which denies me and your citizens each our rights, and the intimidation of witnesses, for Mr. Pena has already been counseled that he had best keep his mouth closed and say nothing. It is my personal knowledge that he agreed to testify before the grand jury.

I find your silence on this matter disturbing, especially because you have refused to withdraw those allegations you now know to be untrue that you made against me. I wonder if they, too, are not part of Mr. Roufa's thinking and apprehension.

Sincerely,

Harold Weisberg

7/21/67

Dear Ross,

Following my appearance in New Orleans, incorrect charges were made in the name of the American Civil Liberties Union. Aside from the personal damage and the wrong record they made, I was disturbed for this was part of what to me has been a departure from the traditional position of the ACLU.

I had an exchange of correspondence with the executive director. By this I mean I wrote him and his letter in answer was not responsive. I wrote him again and he has been silent. In my letters I challenged him to consult the press who interviewed me and the tape recording Sam made. He apparently has not. If he has withdrawn his public error, it has not come to my attention.

I now find that I am being suppressed in New Orleans by a mechanism that is exactly the sort of thing the ACLU has traditionally fought. I also find the Louisiana ACLU branch and executive director are silent on this. It is explained in the enclosed letter.

Bringuiet's suit is frivolous. The use of his testimony before the Warren Commission is totally privileged, as it must be or the proceedings could not be reported. In addition, what I wrote is correct. Bringuiet does not alleged & erred. What he does is more ridiculous than anything I can remember: he says that I damaged him by correctly quoting his own testimony and that he is damaged to the extent of \$50,000 because there are people who will buy from him if they think he is merely a salesman in a store who will shun that store if they think he owns it! If, as I believe impossible but as he alleges, he has been defamed, who, indeed, has defamed him?

There are indications of other interests in Bringuiet's suit.

Now I understand from ~~xxx~~ Orest Pena that Bringuiet has filed suit against him because he honored the requirement that he testify before the Warren Commission. If Bringuiet alleges Pena perjured himself, which I do not for one minute believe he did, I have not heard it. Now when does Bringuiet file suit against Pena? More than three years elapse after this testimony. After Pena agreed to appear before the grand jury, after I introduced what I believe will be essential testimony to Jim Garrison's office and take Bill Martin to hear what I have learned from Pena, and after Pena says he will appear before the grand jury, Bringuiet files a suit that is dignified by calling it insane. It costs Pena money and trouble and has the effect of intimidating him, thus a potential grand-jury witness.

If it interests you, I have no objection to your using this and the enclosed after you check with Mr. William Lucas, Nat. Bnl. of Commerce Bldg., who represents me and others. There is an extra copy enclosed. Please let Sam and Duke know about this.

Sincerely,

Harold Weisberg