

PROBE

Vol. 4, No. 4 May-June, 1997

The Newsletter of CTKA
Citizens for Truth about the
Kennedy Assassination

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Martin Luther King's Son Says: James Earl Ray didn't kill MLK!

By Lisa Pease

On Thursday, March 27, nearly 29 years after his father's death, Dexter King met with James Earl Ray in a small room at the Lois DeBerry Special Needs Facility, Ray's current home. Dexter faced Ray, and after several awkward minutes of small talk came to the question to which so many want the answer: "I just want to ask you for the record, did you kill my father?"

"No I didn't," came Ray's reply. And in a display of the grace and compassion for which his family has long been known, Dexter King replied, "I just want you to know that I believe you, and my family believes you, and we are going to do everything in our power to try and make sure that justice will prevail."

True to his word, Dexter, recently supported by his older brother Martin Luther King III, has continued to talk to the media at every turn, calling for a trial to answer the questions long buried in this case.

The week after this historic meeting, Dexter King appeared opposite David Garrow on NBC's *Today* show. Garrow is the author of the book *The FBI and Martin Luther King*. He was also one of the ARRB's guests at the "Experts Conference" held in 1995. At that appearance, Garrow was pushing the ARRB to investigate the FBI's possible role in the assassination of President Kennedy.

On NBC, Garrow and King were clearly at cross purposes. King was calling for a new trial, and Garrow was there to convince all that Ray's guilt was beyond question. Garrow made an astonishing, insulting attack on the King family by saying:

I think it's very sad that the King family and the King children are so uninformed of the history that they could be open to believing that Mr. Ray was not involved in Dr. King's assassination...

Unfortunately, the King family has not looked at the

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Part Two of our look at the medical/autopsy evidence in the JFK assassination

record that the House Assassination committee [HSCA] compiled 19 years ago. There's really no dispute among people that know this history well about Mr. Ray's guilt."

King, besides wondering aloud how anyone could object to the family's wanting to know who killed their loved one, pointed out:

The House Committee did not have all the information. If it was such an open-and-shut case, why today are we asking this question?

Just a few days after this exchange, King and Garrow met again on CNN's *Crossfire*. On that show, King openly accused Garrow of being a spook:

Mr. Garrow, I've been told—and I am now more than ever convinced—is an agent for the national security and intelligence forces to distort the truth in this case.

Garrow responded by saying it was "very sad and very embarrassing for the King family to be in a position where it's saying things like that." But indeed, it is Garrow who should be embarrassed. Anyone who knows the history of the King assassination knows full well

that the evidence shows conspiracy, and that Ray was most likely not the assassin.

Likewise, this would not be the first time someone accused media people of covering up for the government in this case. During the HSCA, Walter Fauntroy, one of the members studying the King assassination, charged that reporters covering the HSCA were linked to the CIA and suggested the HSCA might investigate them. A few days later, for reasons about which we can readily speculate, Fauntroy backed down, saying the HSCA had "no plans now or in the future" to seek testimony of journalists regarding their possible ties to the intelligence community.¹

Fauntroy was most likely correct in his charge, if the history of this case means anything. One of the earliest books written on the James Earl

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Volume 4 Subscriptions
(6 issues):
\$30 USA, \$35 Canada,
\$39 Other International
Back Issues Volume 3: \$4

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From the Chairman's Desk:

Dexter King and Bill Pepper are progressing nicely in their struggle to get the Martin Luther King case reopened. Now they have been given permission to test the alleged rifle used by supposed assassin James Earl Ray. If this happens and the tests come back negative, its onward and upward. In other words, Ray may finally get a real trial. Lisa Pease overviews that case and shows you some of the points that will be brought up if there is one. Dexter and his family are to be congratulated and honored for their support in this painful struggle. We only wish the Kennedy family would do the same.

The Review Board has issued a quite creditable report for their efforts in the year 1996. *Probe* examines that report in detail for you and gives you the highlights of the Board's assessment of its progress so far. Thankfully, they have asked for a renewal of one year to complete their task. We instruct you in our Action Alert on how to support that effort.

We pride ourselves in giving our subscribers the best in new research based on the file releases by the Board. We continue in that vein here. Gary Aguilar and Kathy Cunningham complete their two part article profiling how all three examinations of the medical ended up wrong. Along the way they expose some shocking nuggets declassified by the Board, especially from the HSCA. Milicent Cranor adds some sharp and interesting observations on a book by the master of the HSCA medical panel, Michael Baden.

Another major file release has been the collection donated to the Board by Cynthia Wegmann, daughter of Clay Shaw's civil attorney Ed Wegmann. I have spent the last two months going over these papers and now some light can be shed on what really went into Shaw's defense. Although its truthful, it ain't pretty. Also, J. Lee Rankin's phone contact with the HSCA has also just been declassified. It seems Rankin had some second thoughts about a lot of what the Commission did and advised as to what paths to follow for a new investigation. Finally, Travis Kelly offers another funny panel, this time on Dan Rather.

Jim

What is CTKA?

Citizens for Truth about the Kennedy Assassination was organized as a result of the April 1993 Chicago Midwest Symposium on Assassinations. At the end of that conference, it was generally decided that the time had come to create a political action group, which would urge the executive branch of our government to reopen the unsolved assassinations of the 1960s—i.e., the murders of President John F. Kennedy, Senator Robert F. Kennedy, and Dr. Martin Luther King. CTKA endeavors to ensure that the Review Board fulfill its mandate to release *all the remaining records* pertaining to the JFK assassination; to amend the current Freedom of Information Act to render future covert actions more difficult to hide; and to urge the American people to discover the truth about their history.

If you are not already a member of CTKA, please consider supporting our efforts with a subscription to *PROBE* or a donation to help cover the hidden costs of running a not-for-profit organization.

Thanks to all of you who are already CTKA supporters. Let's continue to work together to get the truth out about our collective past.

Review Board Seeks Renewal

...and issues a frank and candid assessment of where they've been and where they're going

By Jim DiEugenio

As a congressionally mandated agency, the Assassination Records Review Board must constitute an annual report. The report for fiscal year 1996 is crucial in a few ways, the first and foremost being that the Review Board is requesting an extension of its life to complete its task. Thankfully, the Board is upfront and forthright about this request. But besides that, this is an important, and praiseworthy report for several other reasons.

Before we get to an analysis of the good and important points in it, let us quickly tick off the few points where we find disappointment and/or disagreement. First, although we are quite pleased with the request for the extension, we were a bit deflated in the request for only one year. Most informed observers thought the Board should have requested either an 18 month or 2 year extension. The Board is forceful about the request:

A premature termination of the Review Board would surely generate intensified doubts within the general public about the commitment of Congress to release all information that relates to the assassination of President Kennedy, as well as renewed speculation about the conduct of our government and its institutions and personnel. If appropriate closure is not reached now, the identical issues will have to be addressed again in the future—at even greater cost.

So far, so good. One could hardly have asked for more. But then the next sentence is: "The recommended additional year will allow for a confident conclusion of this important task." How do they know that just one year will allow for such a "confident conclusion"? What if they meet new obstructions? What if agencies appeal to President Clinton and he does what he has been doing all along—sits on a decision? What if new leads are uncovered and witnesses need to be deposed at the last minute? One year is just too short a time to speak of in such absolute terms. Also, by using such strong language, the Board will be hard-pressed to explain why this estimate falls short, if one more year is not enough time.

Another point alluded to above is that although this report is quite frank in its criticisms of government agencies for lack of

cooperation and compliance, the one person who receives no critique is Clinton himself. Yet he is the one who made the Board a low priority, delayed in making appointments, and did not get involved in any of the many FBI appeals.

Related to this, there is another dubious quote towards the end of the report (p. 43) that bears mentioning. When the authors are getting down to the reasons why the ARRB has not been able to complete its assigned task, the report reads:

The Review Board does not believe, however, that any additional yearly fiscal appropriations to the Review Board would have had a substantial impact on its ability to complete its work.

This is a curious point. It seems to be illogical to say that if the Board would have had more staff people, they could not have gotten through more documents at an increased rate of speed. Also, one of the reasons for the Board's request for more time is the giant 300,000 page CIA Sequestered Collection (Probe Vol. 4 #3, p. 33). Even if the Board gets an extension, this will not be reviewed on a page by page basis. As Jeremy Gunn noted in his comments at the August 6, 1996 open hearing, some of it is being deemed irrelevant and so is not subject to review. The report notes a similar problem with the FBI. In fact, our sources in Washington tell us that the Bureau looks like they are trying to wait out the Board in this regard. These sources say that the Agency has given up much more of value, import, and interest than has the Bureau so far. Also, to use a parallel example, when the Dick Sprague-Bob Tanenbaum-led HSCA was forced to pare back its initial budget request, Sprague openly stated that by necessity this would lengthen the time it would take to complete his task. Of course, the Board's job is not the same, but many of the problems they have had are quite similar. Finally, we know from one source that the Board chose not to include a very interesting private collection of papers because the copying costs "were not in the budget".

On a small but significant note, although the early part of the report records the history of the JFK Act, there is no mention of the *causis belli* of the Board, namely Oliver Stone's

film *JFK*. This is even more odd since the Board invited Stone to testify at its Los Angeles hearing on 9/17/96. A scheduling conflict ensued and so Eric Hamburg consented to appear and made quite a creditable presentation and a few constructive suggestions with which the Board seems to have agreed, such as the request for an extension and a contemplated trip to Cuba.

The above seem to me to be political qualifiers that are understandable in the contemporary context. With a Republican congress that is squeezing the budget dry on everything except military and intelligence matters, it makes sense to appear to do more for less. There are people in the White House and at the Justice Department who have done some legal work for the Board (such as in the Harry Connick case), so there was no point in criticizing Clinton. And while Stone did appear before a Democratic Capitol Hill, so did Gerald Posner. And in 1997 the calculus favors rightwing Republicans, so presumably its safer not to mention the too often caricatured "conspiracy theorist" movie director.

These seem to me to be understandable qualifiers, especially since the Board is attempting to finish up a file collection task, whereas Sprague and Tanenbaum were trying to launch a homicide investigation. Within the above boundaries and context this a good report, especially comparing it to other reports in the field. In its specific criticisms, moral intent, and urgency to get the job completed, it is rocket miles above predecessors like the report by Waggoner Carr's aborted panel, the abominable *Warren Report*, and the equally, but more insidiously, disingenuous House Select Committee report. Although the ARRB does not approach, in function nor in scope, the task of the Church Committee, this report, in tone and candor, is closer to that effort than it is to that of the former groups.

The Structure of the Report

The report leads off with a brief, two page flyer right behind the cover. This basically makes a concise case for extension, highlights the achievements of the Board, explains what needs to be done, and notes that the Board has been quite cost-efficient in its actions i.e.

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ARRB Report

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there has been a big return for a small outlay. This precis seems to be a little cram sheet for congressmen and staffers who don't consider this a high priority and don't wish to read the entire report and appendices.

The next section is entitled "Introduction", it explains to whom and why the report is being submitted. The two committees the Board is responsible to are the Senate Governmental Affairs Committee and the House Government Reform and Oversight Committee. A brief history of the legislation and Clinton's final appointment of the Board follows. In the third paragraph of this section, the Board then identifies the clauses which allow it to request an extension i.e. Section 9 (f) which allows the Board to identify "any special problems", and proposes "requests to Congress for additional legislative authority needs." The Board then makes its formal request for a one-year extension.

From here the Board lists some of what it feels are its more impressive achievements: the release of Oswald's 201 file, the nearly uncensored Mexico City Report of the HSCA, the deposition of John Scelso (pseudonym), CIA officer involved in their investigation of the assassination, Marine Corps personnel file of Oswald, the papers of Jim Garrison from his family, the Wegmann files (see related story, page 7), the papers of Warren Commission counsel J. Lee Rankin, "thousands of records" from the FBI, and "thousands of once-secret records" from the HSCA. The Board then mentions photographic and film evidence, and depositions into the medical and forensics evidence as achievements.

The report then lays out the background of the history of the JFK case and why the Board had such a formidable and necessary task to fulfill. Parts of this are worth quoting verbatim:

Although many pledges were made, as early as 1963, that the government would reveal all of its evidence related to the assassination, more than 30 years have gone by with only portions of the record and the story being revealed. . . . Although records continued to be released pursuant to declassification and to FOIA suits, the public was still not privy to much of the evidence that had been available to the [Warren] Commissioners.

Two paragraphs later, the ARRB writes:

Many FOIA requests had been filed in order to obtain access to the records resulting in continuing (and expensive) litigation brought by private citizens who sought to learn what their government knew about the Kennedy assassination but was unwilling to tell the American people.

This is good, but from here, and even better, the report goes on to restate criticisms about the limitations of the Freedom of Information Act (FOIA) on grounds that it has prevented timely disclosure of assassination records especially in regard to the identification of intelligence sources and methods which form the core of yet to be declassified records.

The report next lists the extraordinary powers of the Board in relation to FOIA to show what a groundbreaking piece of legislation the JFK Act actually was. For example, the Board was granted power to:

- Direct government offices to provide additional information, records, or testimony from individuals which the Review Board has reason to believe is required.
- Request the Attorney General to subpoena private persons to compel testimony, records, and other relevant information.
- Conduct hearings, administer oaths, and subpoena witnesses and documents.

The report then recounts the early delays in their work. The first being the 18 month lag between the passage of the act and the appointment of the Board. This was bad because "some government agencies proceeded with independent reviews of their files in the absence of Review Board guidance. Unfortunately, these agencies had to revise a significant amount of work once the necessary Review Board guidance was available." Two other delays mentioned are the location and construction of suitable office space for classified records, and the clearance of employees to review Top Secret material.

The Review Process Outlined

The next major section of this report is entitled "Activities of the Review Board". The report here goes through the actual review process first. The report notes the long, laborious ordeal which the agencies had in recognizing the new standards they had to achieve in declassification of records. As the process is now, "the ARRB staff notifies an agency that its proposed postponements are not likely to be approved by the Review Board and the agency thereupon voluntarily consents to the release of the information."

On page 9 of the report, the actual figures for amount of material declassified are given. Through October 1996, the Board transferred 8,972 documents to the Archives in College Park, Maryland. The major breakdown is 3,624 FBI documents, 2,852 CIA documents, and

2,496 HSCA documents. This collection totaled 1,290 cubic feet, or 3,300,000 pages of documents.

A subsection follows which chronicles the Review Board meetings from 12/13/95 to 9/27/96. This includes both private and public hearings. In the former case, the actions of the Board in voting on which records to release are listed, although the actual tally of the votes is not. Some instances here are worth noting. For example, at a long meeting held February 29-March 1, 1996 the Board listened to a classified briefing by both the National Security Agency (NSA) and the CIA. As John Newman has noted, this may have been the big plea for secrecy that all of these investigations get: "In the interests of our country's security, we cannot divulge certain sources and methods" etc. This is interesting, because at the next meeting, this chronicle notes, "The Review Board voted to use substitute language" in certain CIA documents. This involved the identity of the originator of a cable. We should note here that the Board was within its rights to do this, since it is part of the JFK Act legislation. We should also note that this has not happened often in the process, and the Board has fought this issue with the FBI.

Another interesting item is that the Secret Service seems to have located documents on Richard Case Nagell and the Board voted these as assassinations records and will be recommending them for inclusion in the Archives. This happened in May of 1996. In June, the Board voted to release the so-called "Mexico City Chronology", which is a 133 page record of CIA communications related to Oswald's trip to Mexico City. The last meeting listed here is dated 9/27/96. This last meeting is worth noting in three aspects. First, it includes the largest batch of records released to date, 1,393 CIA, FBI, HSCA and Secret Service documents. Secondly, some of the records relate to some very interesting figures in the puzzle i.e. Clay Shaw, Ruth and Michael Paine, and Orest Pena, owner of the Habana Bar, a hangout for denizens from Guy Banister's office. Finally, and incredibly, the Board was still voting on declassification of a Warren Commission document at that time.

From here, the Board then notes its two public hearings. The first was in Washington and centered on the CIA records produced for the HSCA but never fully investigated by them or released to the public until passage of the JFK Act. In fact, as *Probe* noted in its last issue (p.33), this huge collection has been sitting in the National Archives since 1993. Some of the information contained there is quite striking, yet much of it is redacted in whole or in part. This is where we disagree with the Board

on the point of whether or not more money to hire staff would have helped. Consider the following quote:

The Review Board and ARRB staff undertook an effort to establish an approach to the handling of these records that was fully consistent with its mandate and responsibilities, and, at the same time, reflected a reasonable and appropriate investment of . . . resources. Separating the "wheat from the chaff", and devoting the Review Board's time to a detailed review of postponements in the "wheat," was essential to completing the most important parts of the Review Board's mission on time.

It seems to us that in an ideal situation, the Board would be able to go through all of these documents without having to separate "wheat from chaff". If they were deemed important enough to be requested by the HSCA, they should all be assassination related. They should all then be reviewed and let the research community decide what is relevant and irrelevant. The money and time constraints of the Board seem to be in effect here.

The Board then summarizes its 9/17/96 Board hearing in Los Angeles. This meeting was covered in *Probe*, Vol. 3 #6 and Vol. 4 #1.

The Board's "Special Projects"

One of the more interesting sections of the report follows. This is entitled "Special Projects". The Board here lists its trip to the former Soviet Union to secure records from both Minsk and Moscow (*Probe* Vol. 4 #3 p. 33). It also lists other foreign countries they have made overtures to secure records: France, England, Japan, Germany, Mexico, Canada, and, in process, Cuba. Another project listed is the attaining of the tapes and transcripts of the famous Brilab tapes, the undercover recordings of Carlos Marcello and other racketeers involving the bribing of certain labor representatives for elections. There have been allegations, by Robert Blakey and others, that the JFK matter came up in these recordings. The Board is still trying to attain these records. Other projects that have been completed are the securing of films taken on 11/22/63 in Dallas.

But perhaps the most interesting aspect of this section, containing information not yet revealed, is the inquiry into the medical evidence. The Board makes it clear that it considers this area to be of integral importance. In language that both Sprague and Tanenbaum would appreciate, it announces:

As with any homicide, the medical records are among the most important pieces of evidence. As part of its attempts to ensure that the medical records are as complete as possible, the ARRB staff deposed the three principal pathologists involved in President Kennedy's autopsy: Drs.

James Humes, "J" Thornton Boswell, and Pierre Finck, as well as the autopsy photographer, John Stringer.

In the next paragraph, the Board revealed a set of interviews that had not been public knowledge yet. Also interviewed were Dr. Robert Karnei a staff resident at Bethesda; Joe Hagan, Tom Robinson, and John Van Hoesen, morticians at Gawler's Funeral Home who prepared JFK's body for burial; unnamed persons at the Naval Photographic Center; and Carl Belcher of the Justice Department who participated in the 1966 inventory of autopsy-related material for the Ramsey Clark panel review of the medical evidence, later released on the eve of the Clay Shaw trial. These interviews will be made public when the medical investigation ceases or when the Board completes its work.

A chronicle of the Review Board dispute with New Orleans DA Harry Connick follows. There is some news on this front which will be discussed later in this article. But all the other essentials have been described in *Probe* in numerous previous editions. In this section it is also revealed, that the ARRB staff established a "cooperative working relationship with the MCC [Metropolitan Crime Commission] and arranged to obtain many MCC records for the JFK Collection." This is the privately funded group that is supposed to keep an eye on organized crime and public corruption in New Orleans. Funded by most of the reactionary power elite in New Orleans e.g. Alton Ochsner, H. Eustis Reilly, under Director Aaron Kohn, they were a strong foe of Garrison. During the HSCA, they funneled much in their files to Robert Blakey about Louisiana organized crime figures, especially Marcello. Many of the footnotes in the HSCA volumes are attributed to "files of the Metropolitan Crime Commission". This section also notes new contributions to the ARRB by David Lifton (taped interviews with medical personnel), James Hosty, and Mafia lawyer Frank Ragano.

Degrees of Compliance

The heart of the report then follows. There is a large section entitled "Agency Compliance With the Requirements of the JFK Act". This section is prefaced with an overview which is worth quoting in part: "The JFK Act is an innovative approach to how the Federal government can and should disclose classified information to its citizens." We especially like the two words "and should". This, coupled with the Board's previous qualifications about present FOIA law, strongly implies that the Board feels that this new process is the way the government should be operating about all disclosures of classified information to its citi-

zens. This is made explicit in the next paragraph:

Although the Freedom of Information Act provided a significant mechanism for the release of government information, it has not been an effective means for the release of classified information. Very few judges in FOIA litigation have been willing to order Federal agencies to release classified information that the agencies have argued should be closed. The JFK Act was the first attempt to place the effective power of declassifying government records outside of the originating agencies. . . . the Review Board has become the first body with the significant authority to require agencies to justify redactions in their records.

In this overview section, the Board also states that "the development of this new program in uncharted terrain was more time-consuming than had been anticipated." And later, "This rethinking and reevaluation has been a difficult and time consuming process for the agencies involved, particularly the FBI and CIA." Again, this implies the weaknesses of current FOIA law.

From here, the report goes into an agency by agency review of performance by each body in compliance with the JFK Act. Here, the Board is bound to give certain agencies praise when it is merited, but also it is not afraid to issue stinging rebukes where they feel they have been obstructed. The following are some samplings from this section.

About the FBI:

...the FBI sought protection of its informants as a class, rather than provide evidence regarding individual informants. The Review Board voted to open these postponements and the FBI exercised its right to appeal to the President. . . . Nevertheless, a period of ten months and a labor-intensive appeal had been required to establish the type of evidence needed to support continued postponement.

...although the FBI has devoted substantial resources to implementing the JFK Act, more than 200,000 pages of assassination records still remain unprocessed. At the current rate, the FBI will not have completed its processing of these records until after the scheduled termination of the Review Board's mandate at the end of Fiscal Year 1997.

About the CIA:

It appears to the Review Board that the declassification process has produced more internal agency difficulties for the CIA than for any other Federal agency. The identification, discussion, and resolution of issues pertaining to classified information has imposed a significant challenge on the CIA. . . . The Review Board has initiated a number of requests to the CIA for additional information and records. Although the CIA has repeatedly stated its intention to fulfill these requests, many have been long outstanding.

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About the Secret Service:

In March of 1995, the Secret Service reported to the Review Board that it believed it had effectively satisfied its responsibilities under the JFK Act. Although the Review Board has no reason to question the sincerity of this early representation, it is now clear that the Secret Service was far from finished. . . . In response to the first eight requests for additional information from the Review Board, the Secret Service has submitted more than 1,500 pages of material.

About the Treasury Dept.:

Prior to being contacted by the Review Board, "Main Treasury" had identified no assassination records under the JFK Act. ARRB staff members requested access to specified Treasury records and, last fiscal year, identified assassination records among Treasury files held at the Federal Records Center at Suitland, Maryland.

On the Immigration and Naturalization Service:

More than any other Federal agency, the INS has thus far failed to meet its obligations under the JFK Act. . . . all other similarly situated agencies have made much greater efforts to comply with the spirit and letter of the law.

About the State Department:

The Review Board experienced unusual and unacceptable delays in the transmission and transfer of cable communications to and from U.S. embassies abroad. These delays, in some cases, may have significantly compromised the Review Board's ability to obtain assassination records held by foreign governments.

On the Senate Select Committee on Intelligence:

. . . many documents referenced in the Church Committee report on the Kennedy assassination were not included in the submitted material. The SSCI staff, citing the complexities in dealing with other unrelated congressional issues, has not yet completed its response to the Review Board's request to submit the missing documents for review.

There are more derogatory comments that I have not pulled. But one can get a good feel for this section of the report from the above. For a government body, the Review Board has been quite honest it seems about the lack of cooperation it has received from other government agencies.

Perhaps the most important part of this section from a researcher's point of view, is the part dealing with the Department of Defense. The key revelations here are in the ac-

tual storing of military records and where they are situated e.g. "Military records are distributed among a wide variety of entities, and their records are scattered among numerous repositories." The reason for this, the report adds, is because the Pentagon is such a huge focal point for so many different agencies. Besides the military branches, the Joint Staff, the National Security Agency, and the Defense Intelligence Agency all store records in various Pentagon repositories. Further:

The records of each service or agency are organized separately; each sets its own standards for which records will be retained . . . and each stores its records in one or more archival repositories which often lack any centralized index or catalogue As a consequence, a major problem in the search for military records involves simply finding assassination-relevant materials within so many large, separately managed records collections.

The report goes on to say that since the Defense Department did not play a role in the investigation of the assassination, the related records are not clearly marked as such. And the report duly notes:

An important component of the ARRB's work with DOD has been to broaden the search for files to other related topics to see if they will yield information that will broaden our understanding of the assassination and its historical context.

Another problem noted with the Defense Department records has been the failure of the Pentagon to search the giant federal repository located at Suitland, Maryland for files. This is the 25 acre underground vault that serves as a resting place for presumably outdated files for various federal agencies. The report scores the Pentagon for this shortcoming: "This initial failure to search Suitland records was a serious omission inasmuch as many records from the early 1960s are located there." Many researchers have complained about the lack of response to FOIA requests by the military. The Board may have now revealed why this is so. Which is not to say there have been no successes. The report notes that many Top Secret documents related to Cuba policy from 1962-64 have been located. Also, the log book from Andrews Air Force Base, describing the flight of Air Force One has been located. The Board has located Navy and Marine personnel and medical records on Oswald. And in late '96, the Board began declassifying the first NSA documents related to the assassination.

The final part of the report proper is entitled "The Job Ahead". Here the Board notes why it needs the one-year extension. Although

the ARRB feels it has made significant progress and can complete most of its function, it does not feel it can complete work on the FBI and CIA files generated during the HSCA investigation. These two collections contain approximately 580,000 pages of materials. Another unfinished task is the search for foreign records. The Board has been frustrated by delays in the State Department relaying foreign cables.

In the last two pages of the report, the Board centers on three reasons why they will not be able to complete the task: First, the

inability of federal agencies to comply with the JFK Act and have all records ready for a proper review within 300 days from when the law went into effect. Secondly, the presidential delay in the appointment

and staffing of the ARRB. This contributed to the above failure by not having anyone on hand to guide the agencies along the process. And lastly, the Board has spent many hours listening to pleas from these agencies for postponements. The Board has treated these appeals with respect since some of them have been warranted. But it notes that it has been "very time consuming".

Washington, D.C. Rent

The report also features five appendices. Perhaps the most interesting are the expense report and a chart depicting the pace of review. Outside of salaries for employees, the largest fiscal outlay has been for "rent, communications, utilities". This outlay was a startling \$290,181. I had assumed that since this was a government agency, it would be housed in a vacant government building and have its overhead paid for by the government. When I called Director David Marwell, I was quickly corrected on this point. Their building is leased by the government and someone has to pay the bills. It's quite a sum.

Declassification Rate Rising

The chart depicting the pace of declassification is the last page of the report. It shows a fairly steady rise in the last two years in favor of an acceleration in the process. All of the highest rates were achieved in 1996. One last caveat must be noted. In the appendix listing a computer printout of all formal determinations on individual documents by the Board, the page prints only the barest details about the document. Many, including myself, wish a brief precis could have been available to researchers to provide some hint about what each document contains.

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Inside Clay Shaw's Defense Team:



The Wegmann Files

***What the defense knew,
and didn't share...***



...until 1995.

By Jim DiEugenio

In preparing his book *Case Closed*, Gerald Posner secured access to the files of the late Edward Wegmann. He gained access through Wegmann's daughter Cynthia, who now practices law in New Orleans. Wegmann, who died in 1989, was Clay Shaw's longtime friend and civil attorney. To my knowledge, Posner was the first author to access and use the Wegmann files for a book on the JFK case. Posner, who wrote about the New Orleans scene (Shaw, Jim Garrison, and Oswald), used these files to back up much of what he wrote regarding Jim Garrison's investigation. To no one's surprise, Posner did pretty much what the likes of James Phelan, Hugh Aynesworth, and Walter Sheridan did thirty years earlier. He voted the straight party line on New Orleans: Garrison was a deluded, partly corrupt megalomaniac; Shaw was the cultivated, upstanding gentleman victimized by the runaway DA. Concerning Oswald's activities there, the Crescent City amounted to a bunch of fascinating loose ends adding up to very little.

One wonders if he truly read and understood what was in the Wegmann files.

It wasn't until the summer of 1995 that the public was able to gain access to the Wegmann files. At the ARRB hearing in New Orleans on June 28th of that year, Cynthia Wegmann turned over the extant files to the Board. Ms. Wegmann's comments to the Board showed that she was in complete agreement with Posner on the issue of Garrison's case against Shaw. Among other things, she said she was outraged at the recent treatment of Shaw in Oliver Stone's *JFK*:

...Clay Shaw's name remains besmirched, he can be portrayed as a buffoon in films, the true nature of the man has been hidden and destroyed. I believe that anyone who takes a look at these records will realize how amorphous, how little evidence, if any, there was, and it's for this reason that my mother and I and my brothers would like to make this record available to the public.

These remarks are quite logical and expected considering who her father was and considering the fact that, according to a file letter dated 11/3/69, she spent vacation time horseback riding with Aynesworth.

As noted above, Posner's fingers are evident in these files. The ones he used are forever stamped with his identifying post-its, which, of course, raises the possibility that he may have taken the originals. What is a bit surprising though is how much Posner left out. This says much about the Wall Street lawyer, but it says even more about Shaw, his defense team, and indirectly, the value of Garrison's case. For even though Wegmann was—quite literally—looking for an Oswald-did-it solu-

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The Wegmann Files

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tion to the assassination, he kept on bumping into evidence of conspiracy.

Ed Wegmann had been Shaw's civil attorney for more than a decade at the time of Shaw's arrest. Shaw had become quite prosperous as a real estate speculator in the French Quarter area of New Orleans, and he chose

Wegmann to handle the legal side of these real estate transactions. Ed's partner was his brother William, who, to my knowledge, is still alive. Their associate was Sal Panzeca, who is still around and who, in 1994, worked across the street from Bill Wegmann. This trio became Shaw's instant defense team in March of 1967 when Garrison had him booked for conspiracy in the Kennedy murder. Not one of them was an experienced criminal trial attorney. Their first choice in this regard was

Guy Johnson, who had been quite close to the Wegmanns. In a matter of two weeks though, Johnson was dropped. When I questioned Panzeca on this point in 1994, he replied that although Johnson was a fine lawyer, he and Ed Wegmann did not get along. The implication was that there was a personality clash. As we shall see, the files suggest that there was more to it than that.

Up until the Board's acquisition of this collection, the standard view of the makeup of Shaw's defense was contained in James Kirkwood's book *American Grotesque*, which was originally published in 1970. As that book reveals, Kirkwood had extraordinary access to Shaw, his defense attorneys, and their allies. (This was confirmed to me in a 1993 interview with a former amour of Rosemary James, Lyle Bonge). Unfortunately, the picture painted by Kirkwood is so violently skewed that the power structure inside the defense team was obfuscated. From Kirkwood one could logically guess that Dymond and Panzeca were the battery energizing the team. Not so. As revealed in these files, the real driving force was the Wegmanns, especially Edward. Dymond comes off as a hired gun, an expensive, skilled criminal lawyer. Panzeca is the young attorney on the way up who is essentially a courier for the big boys.

Still, that sketch is only partial. The real heart and soul of Shaw's defense is embodied in the munificent help they were getting from a multitude of sources. This is something only hinted at in Kirkwood's lopsided tome. And even those hints rarely reveal how some of that help filtered in. Finally, as we shall see in the second part of this article, the clandestine aspect of much of this aid is revealed in *Probe* for the first time. This will be done with the help of newly released files discovered by Peter Vea and Bill Davy from the so-called CIA "Segregated Collection". It is hard to believe that Posner, and especially Kirkwood, knew nothing of this aspect.

The Wegmanns hired not one, but two top-notch private detective services to help them. These were not just picked randomly out of the phone book. One was the now infamous Wackenhut corporation. Once billed by *Spy* magazine as the "CIA's CIA", this company is made up of a large group of former federal agents—mostly FBI—that gave many, many reports and interviews to Shaw's defense.

The other company was called "Holloway Associates Inc.", a Texas company subtitled on its letterhead, "Former FBI Agents". These two agencies were filing reports for a period of at least two years, right up to and during Shaw's 1969 trial. Whoever paid them—and there are hints the Wegmanns did—it must have been a ducal sum. (Coincidentally, Wackenhut was the same company that did the re-

What Did the Wegmanns Know?

Attorneys are often accused these days of not really caring about the truth of their case. As was stated in the fine 1981 Paul Newman film *The Verdict*, "You don't get paid to do your best, you get paid to win." The Wegmanns were wedded to the defense of the Warren Report. But they kept on bumping into evidence of conspiracy. To counter Garrison's evidence, they seem to have resorted to tactics of smear and defamation. Note that Posner, who had access to these files, resorted to the same tactics as well. It is instructive to partially list what they—and Posner—knew, and were not interested in, as well as what really held their attention.

Evidence of Conspiracy:

✦ In a report to the Wegmanns by Wackenhut agents along with WDSU reporter Rick Townley (4/19/67), there are references to an interview of Sandra Anderson, secretary to attorney G. Wray Gill. In this report she said she had a photo depicting both Shaw and Ferlie.

✦ The handwritten notes of one of the earliest interviews Garrison's office had with Jack Martin shows up in Wegmann's files. In this interview, (12/14/66), Martin unloads some striking information. Consider: *Ferlie had introduced Martin to Oswald in Banister's office. With Ferlie at the time was Sergio Arcacha-Smith.* In an interview from the previous day, Martin states that Oswald had offices right next door to one Jimmy Hodges and that James Arthus, the custodian in the building had all of Oswald's paraphernalia.

✦ In a Wackenhut interview with Carlos Bringuler (5/9/67), Bringuler stated that Shaw's friend Alberto Fowler revealed that Garrison had "something big" and that "high persons" were involved in the assassination conspiracy. Fowler said Shaw felt confident because he knew that these "high persons" would have to defend him.

✦ In the same Wackenhut report quoted above, it is revealed that Gordon Novel was a CIA agent and that Shaw was in the "Intelligence Services" of the armed forces.

✦ In a Garrison memo of 6/21/67, one night Perry Russo and a friend were at Rick Townley's. The phone rang and Russo answered it. The caller was Gordon Novel. Novel asked Russo if he had joined their side yet. Russo replied, "No, not yet." The call seemed to be arranged for Russo's benefit at Townley's request.

✦ In a Wackenhut memo (4/7/67) of an interview with Novel lawyer Steve Plotkin, he reveals that a former employee of Banister, Vernon Gerdes, had seen Oswald and Ferlie together with his boss.

The above all seem to be ignored by the Wegmanns. What are some of the things that interest them? In their interview with Bill Gurvich the seem to be preoccupied with sex and scandal. Ed Wegmann asks if Garrison has any hold on Judge Haggerty. Gurvich replies that there are rumors of bad checks. When Ed Wegmann asks if Garrison is "checking on the homosexual angle", Gurvich replied that Garrison was an authority on it. Wegmann harps on a "personal vendetta" Garrison may have against Shaw. Failing this, Wegmann and Dymond accuse Garrison of being a wife beater. Dymond caps this exchange with "Very, very bad—bodily." Garrison is not the only target of a smear campaign. In an interview with an acquaintance of Perry Russo, one Wackenhut report (3/30/67) lists, "Mrs. Maguar had no information regarding any prostitution activities by Russo."

The smears did not even stop with Garrison and his witnesses. They extended to the original victim of the tragedy. Another Wackenhut report (4/18/67) states that JFK was in Houston with his mistress prior to the assassination. ♦

ports for Eastern Airlines in the dismissal proceedings against David Ferrie. The firm was then called Southern Research.)

But the evidence now shows that Shaw was the recipient of much more than the services of former FBI agents hiring themselves out as paid detectives. As noted earlier, the sheer number of friends and allies that came to Shaw's side was stunning. Consider a partial list: New Orleans Cuban exile leader Carlos Bringuier, intelligence asset cum journalist Aynesworth, Garrison defector Bill Gurvich, Dallas Deputy DA Bill Alexander, FBI and CIA associated writer Edward Epstein, CIA operative Gordon Novel, Congressman and former HUAC member Ed Hebert, former Hoover crony and Metropolitan Crime Commission chairman Aaron Kohn, Jack Ruby's sister Eva Grant, CIA asset and manager of INCA, Ed Butler, Shaw's old friend and Time-Life Bureau Chief Holland McCombs, former FBI, NSA, ONI agent Walter Sheridan, along with his local protegee Rick Townley, Townley's reputed CIA associated lawyer Steve Lemann, and finally, David Ferrie's pal Layton Martens.

The above does not include the networking of Shaw's lawyers with other suspects and defendants involved in Garrison's case. This includes attorneys for Jack Ruby (Alan Adelson), and Edgar Eugene Bradley (George Jensen and later Glen Duke). Interestingly, at times the legal representation for some suspects is the same. One of Gordon Novel's battery of attorneys was Elmer Gertz. Gertz was also an attorney for Jack Ruby.

Elmer Gertz and Gordon Novel

The Gertz case is interesting. According to attorney Jim Lesar, Gertz was a respected libel lawyer who actually argued a case before the Supreme Court. Novel's attorney while he was in New Orleans was Steve Plotkin. When he fled to Columbus, Ohio to escape Garrison's jurisdiction, his new attorney became Jerry Weiner. But after Garrison's powerful October, 1967 *Playboy* interview, Novel decided to sue the DA and the magazine for millions. Since this was a libel and defamation case, Gertz magically entered the picture as Novel's third lawyer. What makes this even more peculiar is the statements Novel brought suit over. Garrison stated in the interview that Plotkin admitted he was being paid by the CIA, and that Novel was a CIA operative. He then added that Novel and Plotkin later sued him for millions but withdrew the lawsuit when it was learned they would have to return to New Orleans to give depositions. This material had been uncovered by local *States-Item* reporters Ross Yockey and Hoke May who reported it in a series of stories appearing in April and May in that newspaper. Later in the interview, Garrison comments on the 1961 raid of a muni-

tions bunker in Houma, Louisiana which Novel was a part of. Novel actually related this story himself to the DA while working with Sheridan to infiltrate Garrison's office in early 1967. Garrison also went into Novel's experiences with Cuban exiles and his part in the preparations for the Bay of Pigs invasion.

Again, these details had been printed in the local New Orleans papers, this time in May, 1967. Everything else related by Garrison about Novel in the interview was a matter of public record and the DA quoted such sources as the Associated Press for some of the mate-

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Target: Mark Lane

Throughout the Wegmann files, their hatred of Garrison fairly overflows. Clearly he was their main target. But running a close second is Mark Lane. When Lane arrived in New Orleans to aid Garrison's investigation, the Wegmanns and their allies quickly moved to try and neutralize him through personal attacks on his character. The strategy was basically dual edged: smear him as a Red, and try and enmesh him in a sex scandal.

Concerning the former, Wegmann's investigators talked to Ed Butler at INCA headquarters in April of 1967. Butler outlined a line of attack as follows:

BUTLER advised that his organization is interested in presenting to the public the true background of LANE and his connection with the investigation of the assassination of President Kennedy. They have asked Congressman F. EDWARD HEBERT to supply them with information from the files of the House on Un-American Activities, which allegedly contained information about LANE. BUTLER advised Mr. ROBERT RAINOLD and Mr. ALTON OCHSNER are directors of his firm. BUTLER advised that he would advise his Board of Directors of our interest in obtaining background information on Lane.

Hebert, a longtime CIA-Pentagon enthusiast, sent a letter to Ed Wegmann on January 12, 1968. Wegmann had requested files on both Bill Turner and Lane. Hebert regretted the fact that HUAC could find no files disclosing any relation of Turner "with organizations or publications which have been cited as subversive by the Committee." But Hebert did come up with files on Lane. The list of organizations termed as "Communist Fronts" are sad reminders of a nightmarish side of the fifties: the National Lawyers Guild, New York Teachers Union, Emergency Civil Liberties

Committee, Citizens Committee for Constitutional Liberties, and most grievous of all, The New York Council To Abolish the House Un-American Activities Committee. His file also notes an instance in which Lane opposed anticommunist legislation, speaking out against the (atrocious) McCarran Act in 1962.

Upon receipt of these files, INCA and Ochsner went on the attack against Garrison, branding him a dupe of Mark Lane and others who, through his JFK probe, were trying to weaken American institutions. Lane was branded "an unscrupulous communist", and communists were manipulating the assassination to cause the U.S. to "crumble from within" through public distrust of government." Ochsner added that, "It is a shame he [Garrison] is playing into the hands of the Communists because he is being advised by Mark Lane..."

The ever-present Hugh Aynesworth figured in the other prong of the attack against Lane. Jock Whitney's *New York Herald Tribune* was furnishing material to the *Dallas Morning News* as early as 1964. It seems that the *Tribune* was out to thwart any political ambitions Lane harbored (Lane had served in the state assembly from 1960-62). The local DA put a tail on Lane because of his political fulminations against the excesses of the national security state. The surveillance led to a compromising photograph of Lane *en flagrante delicto* with a department store model. The *Tribune* forwarded the file on Lane to the *Morning News*, Aynesworth's employer, when Lane resurfaced on the national scene as a Warren Commission critic in 1964. Perry Russo first mentioned the compromising photo to me in 1993. He stated that Dymond showed it to him to deflate Lane's image as a hero. When I saw Dymond the following year, I related Russo's anecdote and asked him where he got the picture. He replied that Aynesworth had given it to him. ♦

The Wegmann Files

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rial. In other words, there is nothing included that could be remotely termed as libelous.

Judge Campbell agreed with the above assessment. In his decision on the case in 1971, he wrote, "In this case, as I shall illustrate in detail, plaintiff Novel has done absolutely nothing toward bearing his burden of coming forth with affirmative evidence." He went on

to note that he found "no evidence by which this plaintiff can sustain his heavy burden of proving actual malice against either of these defendants." The judge concluded with these two statements before dismissing the lawsuit, "...it appears that the substance of the statements now claimed to be libelous originated with plaintiff himself." And finally:

His so-called connections with the CIA also originated with his own voluntarily offered stories. The facts as stipulated also establish that, Novel enthusiastically jumped into the fray with Garrison, offering news media statements about the Garrison investigation.

The document below is an excerpt from a three page affidavit signed by Fred Leemans who owned a Turkish bath in New Orleans and came to Jim Garrison through assistant DA Robert Lee. Leemans told Lee that he had seen Shaw with Oswald at his establishment. He then reversed his story and became a witness for Walter Sheridan on his NBC special. The affidavit below shows why he did and illustrates the close cooperation between Sheridan, federal officials, and Shaw's lawyers.

STATE OF LOUISIANA

PARISH OF ORLEANS

AFFIDAVIT

...I would like to state the reasons for which I appeared on the NBC show and lied about my contacts with the District Attorney's office. First, I received numerous anonymous threatening phone calls relative to the information that I had given Mr. Garrison. The gist of these calls was to the effect that if I did not change my statement and state that I had been bribed by Jim Garrison's office, I and my family would be in physical danger.

In addition to the anonymous phone calls, I was visited by a man who exhibited a badge and stated that he was a government agent. This man informed me that the government was presently checking the bar owners in the Slidell area for possible income tax violations. This man then inquired whether I was the Mr. Leemans involved in the Clay Shaw case. When I informed him that I was, he said that it was not smart to be involved because a lot of people that had been got hurt and that people in powerful places would see to it that I was taken care of.

One of the anonymous callers suggested that I change my statement and state that I had been bribed by Garrison's office to give him the information about Clay Shaw. He suggested that I contact Mr. Irvin Dymond, Attorney for Clay L. Shaw, and tell him that I gave Mr. Garrison the statement about Shaw only after Mr. Lee offered me \$2,500. After consulting with Mr. Dymond by telephone and in person, I was introduced to Walter Sheridan, investigative reporter for NBC, who was then in the process of preparing the NBC show. Mr. Dymond and Mr. Sheridan suggested that I appear on the show and state what I had originally told Mr. Dymond about the bribe offer by the District Attorney's office.

I was informed by Mr. Dymond that should the District Attorney's office charge me with giving false information as a result of my repudiating the statement I had originally given them, he would see to it that I had an attorney and that a bond would be posted for me. In this connection Mr. Dymond gave me his home and office telephone numbers and advised me that I could contact him at any time of day or night should I be charged by Garrison's office as a result of my appearing on the NBC show.

My actual appearance on the show was taped in the office of Aaron Kohn, Managing Director of the Metropolitan Crime Commission, in the presence of Walter Sheridan and Irvin Dymond.

/S/ FRED H. LEEMANS, SR.

SWORN AND SUBSCRIBED BEFORE ME THIS 6th DAY OF JANUARY, 1969

/S/ BYRON F. LEGENDRE, Notary Public

In the face of certain defeat, Novel decided to sue, and Gertz went along with it. Someone as experienced as Gertz must have known there was no real foundation for a lawsuit. Which naturally leads to the question: Why did he take the case? Especially considering a client of Novel's checkered background. The answer seems to be that someone behind the scenes wanted a libel action against Garrison to be trumpeted in the papers, knowing full well that a Garrison victory would never be published anywhere. In fact, to my knowledge, Campbell's decision is published here for the first time.

Mr. Gertz also had another profession: book reviewer. When Warren Commission critic and Garrison aide Mark Lane published his memoir *A Citizens Dissent* in 1967, the *Chicago Sun-Times* had Gertz do their review of the volume. Of course, the review was less than objective, but the thoughtful Gertz sent Ed Wegmann a copy.

The episode with Novel is interesting in other respects. For these and other files reveal that when Novel went to McLean, Virginia to take his polygraph test denouncing Garrison, he was still closely associated with NBC and Walter Sheridan. It turns out that the technician operating the polygraph was Lloyd Furr. Furr was the partner of another private investigator named Leonard Harrelson. It was Harrelson, enlisted by Sheridan, who did the phony polygraph of Ed Partin which attempted to frame Jimmy Hoffa for conspiring to kill Bobby Kennedy. Harrelson was later investigated and prosecuted for fraud in polygraph testing in St. Louis. Neither Furr nor Harrelson were certified by the Academy for Scientific Investigation which sharply criticized Harrelson's work in the Partin case. These two associations—Gertz and Furr—raise more questions about the real roles of both Sheridan and Novel in both the Garrison inquest and the JFK case overall. As we shall see in part two of this article, the questions about Sheridan will loom even larger in Washington.

Wegmann, Gertz and Epstein

It is through the Gertz-Wegmann correspondence that the figure of Edward Epstein enters Shaw's defense. Almost simultaneously, Epstein seems to have contacted both attorneys. In a letter dated 4/5/67, Gertz writes:

I have just now obtained possession of an unpublished manuscript of Edward J. Epstein, the author of *Inquest*. ... The preparation of the article was financed by *The New Yorker* magazine, and according to Mr. Epstein, with whom I have spoken, is to be published in the immediate future. In due course, Mr. Epstein will enlarge the manuscript and publish it in book form.

The date of Gertz's letter is absolutely crucial in tracking Epstein's bona fides. For Epstein's article entitled "The Tangled Web" did not appear in *The New Yorker* until July 13th, three and a half months later. Even more revealing, in his preface to *The Assassination Chronicles* (1992, Carroll and Graf) Epstein writes that he began his investigation for this article in April of 1967. If this is so, what is the manuscript he is sending Gertz? Whatever really happened, it appears Epstein had his mind made up well in advance of the research for his article. If this is so, then it lends credence to those who had severe reservations about Epstein early on, i.e. Vince Salandria, Maggie Field, and Ray Marcus. It is also interesting to note, that at the inception of this project, before serious research had even begun, Epstein knew that the article would later become a book. Usually, the sequence is reversed. An already prepared book is excerpted as a magazine piece. The circumstances surrounding the article, and the eventual book, *Counterplot*, remain highly unusual.

Getting back to the correspondence, and unbeknownst to Mr. Gertz, on the same day he wrote the above letter, Wegmann sent him one that actually included excerpts from Epstein's upcoming *New Yorker* hit piece. The one Epstein had barely started researching.

How friendly and helpful was Epstein to Mr. Gertz? Consider this May, 1968 note from Gertz to Epstein:

Dear Mr. Epstein:

I greatly enjoyed talking with you today, and I look forward to seeing you. I think that we can be mutually helpful. At any rate, we will make the effort!

Good luck to you in your Ph. D. examinations.

Ed Wegmann's correspondence with Ruby's attorneys went on well into the '70's. For instance, Wegmann was communicating with Alan Adelson—who offered to help during Shaw's trial—about the ersatz tax charges and subsequent two trials of Garrison in 1977!

Wegmann also sent his advance copy of Epstein's article to George Jensen, one of Edgar E. Bradley's lawyers. Wegmann offered his "continued desire to cooperate and assist you in every way possible." Like the correspondence with Gertz and Adelson, these letters went out beyond the time of Shaw's acquittal. When Bradley filed a libel suit against Mark Lane and 15 other parties in July of 1969, copies of the filing were sent to Ed Wegmann upon his request. In return, on February 12, 1970, Wegmann sent Bradley materials from Garrison's files that were pilfered and given to him by Bill Gurvich. Apparently, Wegmann was sensitive about revealing the fact that Gurvich had stolen these materials from the DA. He added, "I deem it best not to advise

you at this point as to the source of these documents. However, I can assure you they are authentic."

Edgar E. Bradley and Bill Boxley

Bradley's following letter to Wegmann is interesting. One of the people named in Bradley's civil suit was William Wood a.k.a. Bill Boxley. Boxley was the "former" CIA agent who turned up one day to help Garrison further his case against his former employer. Boxley did a lot of work investigating Bradley. In a note, Wegmann is advised that Bradley had located Boxley/Wood in Austin, Texas and:

He is a scared _____ and is really hiding out. . . I understand that Boxley tried to convince J. G. that I had murdered someone in 1962. I think it was a man named Perrin. J. G. checked to find out I was in Europe at the time.

Regarding Wood, a recently declassified CIA file shows that a "William Wood" was actually a CIA recruiter in New Orleans in 1963. Once Wood was found out by Garrison, Walter Holloway of the Wegmann's Holloway Associates Inc., tried to recruit him to their cause. Reportedly, Wood refused.

Gurvich: Unwanted Witness

Such was not the case with Gurvich. The files contain the stenographic record of a marathon interview between him and all four of Shaw's attorneys, dated August 29, 1967. Gurvich left Garrison's office in late June of 1967. He then went on a whirlwind nationwide press tour in July and August which was at least partly arranged by Sheridan. He then returned to New Orleans and worked for the Wegmanns until Shaw's trial and beyond. During this August interview, Gurvich made some revealing statements about his place in Garrison's investigation. The DA trusted him so much that, said Gurvich,

Garrison and I shared the same office, the same desk—I had his car—he never used it—the Oldsmobile—I had a full set of keys to his office and everything.

Later on, Gurvich admits that he took things off Garrison's desk and Xeroxed them, things that were not part of the "master file" he stole.

Although Gurvich volunteered to be a witness for the defense, he was never called at Shaw's trial. His seriousness and reliability as such can be measured by his comments about Garrison's knowledge of Guy Banister made during the above referenced interview:

Q: To what extent was Banister involved in this, do you know?

A: He was simply involved because Ferrie had once worked for him.

No mention of Banister's CIA or ONI links.

No mention of the presence of Sergio Arcacha Smith or Oswald at Banister's office. Later, Gurvich tops himself:

Q: Does he [Garrison] have any proof that Banister was a CIA or any federal agent.

A: I don't believe he has any proof that Banister ever existed.

With answers like this, its no wonder Gurvich was never called as a trial witness or that the grand jury didn't take his charges against Garrison very seriously.

As *Probe* previously noted (Vol. 3 #4 p. 3), when the Wegmann files were released to the public by the ARRB, this very interview was featured in the press. A section of Gurvich's comments were construed as the DA offering "bribes" to witnesses Darrell Garner and Clyde Johnson. Apparently, no reporter read past the first few pages of the transcript. On page 18 of the second session, the following exchange occurs:

Q: The only persons you have seen him give money are characters such as Garner—

A: No, not Garner. I have never seen Garner.

Q:—Johnson.

A: Johnson.

Q: All he'll put out is maybe a \$10.00 bill or a twenty?

A: That's what I was told that's what they gave him. I actually didn't see the money. . .

Q: Who told you that?

A:—er—Alcock. [Emphasis added.]

In other words, Gurvich was told by assistant DA Jim Alcock about small amounts of expense money, which as *Probe* reported, came out of Garrison's own pocket. Gurvich had to have known this since he goes on to say that Alcock then put up Johnson at the Monteleone Hotel. So the stories pushed in the media by the likes of *New Orleans Times Picayune* writer Dave Snyder were completely unsound.

Hugh Aynesworth: CIA Applicant

From the Wegmann files, it is clear that a major contributor to their effort was *Newsweek* reporter Hugh Aynesworth. The evidence indicates that Aynesworth was with Ed Wegmann almost from his arrival in New Orleans to a point well past Shaw's trial. There is a note from Aynesworth on *Newsweek* letterhead to Wegmann dated 9/18/71, about 18 months past Shaw's acquittal.

The entire series of reports Aynesworth cabled to *Newsweek*—most of it unpublished—is part of this file. Generally, the reports fall into three categories: attacks on Garrison, profiles of David Ferrie, and hagiographies of Shaw. On some days, the prolific Aynesworth

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would type up more than one report; sometimes he would do as many as three. The series on Ferrie strongly suggests that Aynesworth had access to government files. They contain too many details, especially from Ferrie's early life, that could not have been attained from Aynesworth's New Orleans vantage point. The fact the information was shared with Wegmann suggests that Aynesworth was a "cutout" for either the FBI or CIA into Shaw's defense. Aynesworth's FBI ties were exposed long ago. With the new release of the CIA's "segregated collection", his tie to the Agency can now also be revealed in print for the first time.

Concerning Aynesworth's deep involvement with assassination-related matters, it seems apt to quote from another recently declassified document, this one from the FBI. This one reveals Aynesworth's involvement with Marina Oswald. It has long been a mystery as to how Aynesworth got hold of Oswald's "diary", which he then made a killing off of by selling it to *The Dallas Morning News*, and then *U. S. News and World Report*. Some had thought that Deputy DA Bill Alexander had stolen it from the property room of the Dallas Police Department. But in 1993 this issue was clouded even more. The FBI declassified a July 1, 1964 report that states an informant had told them that "Oswald's diary had been obtained by Aynesworth from Marina Oswald at no cost." When *Life* also bought rights to it, Marina was paid \$20,000 for the copyright. Further, the informant stated that "he had heard that Aynesworth stated he had an affair with Marina Oswald when he interviewed her some time ago." (Interestingly, the report goes on to say that the philandering Aynesworth had lost his former reporting job for the *Denver Post* because he had been caught "en flagrante delicto" with an ex-convict's wife.) Because the informant in this report would not reveal his name, the above information must be judged tentatively. But, Aynesworth's use of Marina is not. Aynesworth's local newspaper pal Holmes Alexander wrote about it in July of 1964. He revealed that it was Aynesworth that was putting pressure on both the Warren

Commission and the FBI to paint Oswald as a deranged leftist assassin.

Marina, Aynesworth and Nixon

One of Marina's most dubious stories has always been that Oswald had threatened to kill Richard Nixon. The FBI looked at this possibility in February of '64 and found it difficult to certify since Nixon was not in Dallas-Forth Worth when Oswald threatened him

tensibly on the *Newsweek* staff, he was also being paid by Time-Life and also Ed Wegmann, for whom he would do occasional special assignments. (This, of course, discounts any monies he may have received from the Bureau or the Agency). Aynesworth brought into Wegmann's orbit his old friend and Dallas cohort who had worked with him on the aforementioned "diary" caper and with whom he had split the fee. Bill Alexander was used to keep Garrison's assistants from questioning Sergio Arcacha Smith in Dallas. Aynesworth was particularly worried, with good reason, that Arcacha might fall into the DA's hands.

Aynesworth's initial reports to *Newsweek* are quite revealing. His checks from Time-Life seem to stem from the fact that he was a part of their research team on *Life's* aborted reinvestigation of the case in 1966. This investigation resulted in the November 25, 1966 cover story entitled "A Matter of Reasonable Doubt". This "investigation" was quickly squelched by Editor-in-Chief Hedley Donovan. But the presence of Aynesworth in the crew prompts the question as to how serious that inquest was in the first place. The question is even more pertinent because according to these files, other members include Dick Billings (HSCA cover-up), *Life* stringer David Chandler (major obstructor of Jim Garrison), and Holland McCombs (old and warm friend of Clay Shaw). Consider this excerpt from Aynesworth's 2/22/67 report:

Billings made at least two trips to New Orleans to confer with Chandler and some Cubans, and in particular, David William Ferrie, the onetime pilot who was arrested shortly after the assassination. ...

This is extraordinary. From this and other information (surfaced by Wallace Milam through the Holland McCombs' file) we can surmise that:

1. Aynesworth and *Life* were onto the same leads as Garrison either independently or in tandem.

2. David Chandler knew about Ferrie's importance prior to the public exposure of Garrison's investigation. Chandler also knew Oswald and associated with him more than once in New Orleans in 1963.

3. The presence of McCombs, Chandler, and Aynesworth doomed the investigation which, according to Milam, dated back to 1965!

10 Oct 63

CONFIDENTIAL

FROM: Chief, Contact Division (LA Branch)

VIA: Chief, Houston Office
Resident Agent, Dallas

Possibility of Hugh Grant Aynesworth Making Trip to Cuba

1. Hugh Grant Aynesworth, Science-Aviation reporter for the *Dallas Morning News*, told me that he had applied for a visa for Cuba approximately a year ago. He heard nothing for some 11 months and then in early September of 1963 he received a call from the Czech Embassy in Washington D. C., asking him if he was still interested in going. He replied that he was and asked if his application was going to receive favorable consideration. The Czech Embassy representative would only state that it was being considered.

2. Aynesworth has had some 15 years experience as a reporter and since February 1960 has been the Science-Aviation reporter for the *Dallas Morning News*. He has offered his services to us if it develops that he receives a visa. I am submitting a name check request for Aynesworth and will keep you advised of developments.

J. WALTON MOORE

Note in the above document that Aynesworth's contact at CIA is the same man who was supposedly the handler of George DeMohrenschildt, and the man who kept an eye on any revival of interest in Garrison in the mid 70's, J. Walton Moore. Also, the date—the month before the assassination—is very suggestive and the mission to Cuba, at this time, would obviously be of great interest to the CIA. Aynesworth, shortly thereafter, wrote several of the early news articles about the Kennedy assassination.

(supposedly in April, 1964). But even though the Bureau and the Commission tried to talk her out of this, she insisted on it. It turns out that Holmes Alexander quotes Aynesworth as saying that he had an exclusive interview with Marina afterwards and she was still insisting on the veracity of this story. Aynesworth naturally tries to tie the attempt to Nixon's calling for a decision to force Castro's regime out of Cuba, a story which had run in the local press before the incident. Alexander's article implies that the FBI may be downplaying this story because of their failure to spot Oswald as a possible assassin before the fact.

Whatever his covert ties in 1963-1964, by 1967 Aynesworth was on three payrolls. Os-

The Mystery Deepens: Charles Spiesel

The Wegmann files contain many newspaper clippings on Garrison's infamous witness Charles Spiesel. The reader will recall that Spiesel was the New York City accountant who stated that he had met up with Shaw and Ferrie in New Orleans in 1963. While there, they had talked to him about assassinating President Kennedy. On cross-examination, Dymond brought out the fact that Spiesel had filed a lawsuit in New York alleging that he had been hypnotized dozens of times by various public authorities and private interests. Spiesel's apparent neurosis and the DA's lack of knowledge of it was a disaster for the prosecution and perhaps the crucial event at the trial. There has been a long debate ever since over whether Spiesel's appearance was an act of negligence by assistant DA Jim Alcock and Garrison or whether he was a deliberate plant and therefore an act of sabotage.

Although the Wegmann files offer (for reasons to be stated) no definitive answer on this point, they do offer some interesting and illuminating sidelights on the matter. First, many of the clippings in the files were those in the *New York Times*. These were written by Martin Waldron, their special correspondent for the trial. Like Jack Nelson's coverage for the *Los Angeles Times*, Waldron's bias for Shaw and against Garrison is manifest. Like Nelson, Waldron injected information into his stories that could only have come from Shaw's lawyers, as it was not mentioned at the trial. But a close reading of the stories sheds some light on Spiesel. First, it was Spiesel who called Garrison about his knowledge of Shaw and Ferrie. Garrison's probe did not lead him to Spiesel. Secondly, on the stand, Spiesel revealed that his father had been an undercover agent for the FBI, and Waldron wrote that Spiesel Sr. was fully aware of his son's role in Garrison's investigation and would know what he would say on the stand.

This is intriguing since Wackenhut was getting a lot of cooperation from the Bureau for Shaw's defense. In an undated summary of prospective witnesses around the time of the trial, it appears that Wackenhut was being aided by the Bureau's Identification Division. This is how they (and probably Aynesworth) were getting records on past arrests, and names of family members of possible witnesses.

The conventional wisdom, originally established by James Kirkwood in *American Grotesque*, was that Shaw's defense found out about Spiesel's past while Dymond was first questioning him on the stand. Panzeca was supposed to have gotten a phone call from a man named Bill Storm who had worked with Spiesel before and had heard about his lawsuit. The Wegmann files raise some questions about this rendition. For instance, Aynesworth was raising questions about Spiesel ten days before he took the stand and at that time stated that the defense had "tried to contact him" previously. This is the first mention of this that I have seen. Two days before Spiesel's appearance, Wackenhut had tracked down both his daughter, Barbara, and her husband, Dr. Bruce Turner. After Spiesel had testified, on February 17, 1969, the Wegmanns' other detective service, Holloway Associates, concluded a confidential report plus legal attachments for Ed Wegmann. The report was prepared by another detective outfit called International Security Bureau of New York. In the file turned over by Cynthia Wegmann available at the National Archives, only the cover sheet of this two part report exists. The confidential report and the legal file are missing or were vacuumed by the Wegmanns before their files were turned over to the Board. ✚

To return to Aynesworth's intelligence ties, there are strong suggestions in his reports to *Newsweek*, as to just how far they go. In a 2/24/67 report on Ferrie, Aynesworth describes his ordination into the Old Catholic Church of North America. He then adds parenthetically, "We're trying to protect our own in this group and would appreciate your not using the church's name." This clearly denotes that Aynesworth knew this strange religious sect was being used by the CIA as a front organization, as other sources, like Thomas Beckham, have confirmed. Also note the use of the possessive pronoun "our own". In another report dated 3/3/67, Aynesworth writes that the CIA attempted to get former Nazi intelligence officer turned CIA mercenary Otto Skorzeny in on a Castro kidnapping plot in 1963. The fact that this gem has never been revealed, even in the 1967 Inspector General Report, shows just how connected Aynesworth was.

As an intelligence operative, one of Aynesworth's prime functions was to garner information from inside Garrison's camp (probably from moles like Gurvich), find out who prospective witnesses were, and get to them before Garrison did. Therefore, the Wegmann files contain a long interview between Aynesworth and Cuban exile Julian Buznedo. Buznedo was an associate of both Ferrie and Arcacha-Smith. Aynesworth got hold of him before Garrison and had a long talk with him on 3/18/67 attempting to find out what he had of value to the DA and who he had talked to so far. In another case, when Dealey Plaza witness Jim Hicks was being interviewed by Garrison's staff as a prospective witness, Ed Wegmann wrote to Aynesworth in January of 1968:

At your convenience, it would be helpful if you would have your secretary listen to the tape of your telephone conversation with Hicks and take therefrom the gist of the tape and any statements which might be helpful.

Three days later, Aynesworth wrote back to Wegmann "... I will try to dig out the Hicks tape and get the important points from it." (It is interesting to note that at the same time Aynesworth is researching Hicks, he was attacked and beaten up in his hotel room while preparing to testify before the grand jury). Even more revealing as to Aynesworth's operations, when Garrison was checking out Dallas policemen like Roger Craig and Buddy Walthers, Aynesworth wrote to Wegmann, "I am having a friend check Buddy Walthers' position, because of his mention in the Norden papers." Eric Norden was a leftist writer and scholar who conducted the extraordinary interview with Garrison in *Playboy's* October, 1967 issue. The implication here is that Aynesworth had not just the interview, but Norden's notes for the interview. If so, one can only speculate as to how he got them. Aynesworth was so plugged into the New Orleans scene that he was on to witnesses whose names and testimony are still murky today. In October of

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The Wegmann Files

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1967, Aynesworth begins a letter to Wegmann, "Received your letter about Cedric von Rolleston. I had already begun a systematic checkout on him, since I was aware of his call to the *States-Item* earlier in the week." Since both Rosemary James and Chandler worked at that paper, this is how Aynesworth probably knew about the call. He concludes the letter with, "Meanwhile, don't worry about Cedric. He's in the bag."

Aynesworth also appears to be a central conduit for burglar John Cancler. Cancler was one of the New Orleans Parish prison witnesses used by Walter Sheridan in his hour long NBC polemic against Garrison broadcast June 19, 1967. Aynesworth visited Cancler with Sal Panzeca in May. In this original interview, Cancler levels charges against the DA even wilder than the ones in Sheridan's broadcast. He states that the DA's office is accepting kickbacks from lottery operations, is in on a prostitution ring, and that Cancler is setting up fellow burglars on the outside so that Garrison can look good in the papers for an upcoming election. Amazingly, Cancler, through prison worker Nina Sulzer, was still in contact with Aynesworth in March, 1969, after Shaw's acquittal. Cancler was still holding out promises of more "dirt" on Garrison.

Ruth Paine II: Nina Sulzer

As mentioned above, these interviews were initially arranged through Nina Sulzer, a good friend of Clay Shaw's who was closely associated with a Quaker group in New Orleans. Through co-worker Jane Lemann, Sulzer also connects with the local law firm of Monroe & Lemann, which according to a Garrison memo, was a conduit of funds to Sheridan which helped pay off "witnesses" for his special. As Bill Davy pointed out in his fine monograph on Clay Shaw, Sulzer also helped harass witnesses dangerous to Shaw, e.g. Vernon Bundy, while he was under her watch in prison. How close was Sulzer to the defense? In a letter from Dymond to the Wegmanns dated 8/29/67, it is revealed that Sulzer had accompanied defense investigators to Dallas and was transcribing notes she took during the trip. On another occasion, April 13, 1967, a meeting took place in her office with Panzeca, Wackenhut agent Bob Wilson and inmate Donald Jordan. The point was to dig up dirt on Perry Russo of a sexual and neurotic nature.

Sulzer figures prominently in Kirkwood's aforementioned lengthy polemic. As Bill Davy notes in *Through the Looking Glass*, Kirkwood's

index sources her nearly twenty times. Towards the end she is acknowledged with "warm phrases of camaraderie and gratitude" (p. 659). Right above this quote, Kirkwood singles out Clay Shaw for his friendship and cooperation on his book. At the beginning of the tome, Kirkwood dedicates his book to James Leo Herlihy (p. 7) and addresses him in his preface as "Jim" (in the text he refers to the defendant as "Clay"). Herlihy, Kirkwood and Shaw visited Lyle Bonge, according to my interview of Bonge. Bonge related that this trio had visited him and gotten drunk at his place together. From all this, it is natural to presume that Kirkwood would be privy to much of what was going on behind the scenes in Shaw's camp. If so, there is much that he left out. As I mentioned above, Davy notes in his monograph that Sulzer, on numerous occasions, tried to dissuade Bundy from his story. Davy also notes that:

A physical surveillance placed on Mrs. Sulzer after she had attempted to dissuade Bundy's testimony disclosed that on at least one occasion she visited a residence where Shaw was staying and spent approximately three hours with him.

In all likelihood, Sulzer was informing to Shaw about her progress with various prisoners at the Parish Prison in weakening Garrison's case. Kirkwood must have known about this. But Kirkwood does something even worse. Early in the book, Kirkwood has Shaw relate a story about Garrison at a New Orleans restaurant with his wife where, as a public official in a public place, Garrison then allegedly threw a drink in her face. Shaw then added that some had speculated that his own observation of the incident may have been a reason for his prosecution. (When the Wegmanns asked Gurvich about this incident, he replied, "I never heard that.") Kirkwood left out Shaw's accompanying story about Brennan's bistro. In the long Gurvich interview Ed Wegmann reveals that with both Shaw and Garrison sitting at nearby tables Garrison stated to someone who is not named, "I'm going to get that sonofabitch", meaning Shaw. Again, when questioned on this point, Gurvich responded "I have never heard that."

Garrison was not Shaw's only defamation target. And Sulzer was not his only informant. In various memos to Ed Wegmann, Shaw refers to "informants" supplying him with ammunition against the DA. In fact, Shaw seems preoccupied with the task of discrediting potential witnesses with the use of sex, alcohol, and/or drugs. Perry Russo and Clyde Johnson (see *Probe* Vol. 3 #6 p. 18) receive much attention from Shaw in this regard, probably because they directly connect him to a conspiracy. For instance, Shaw wrote an undated memo stating that Johnson injected

himself into the case when he and a friend got drunk one night in a bar and "thought it would be fun to call up ole Garrison and tell him he knew all about the plot." There is no source given for the information in Shaw's memo. But the implication is that it came from Shaw's cousin by marriage, Archie Wall.

In this article, for the most part, we have been concerned with goings on at the local level, i. e. in New Orleans. There have been hints of higher level involvement, especially in certain "experts" volunteering their services (see the sidebar at right). Also, Aynesworth's CIA and FBI connections clearly suggest that he is a back channel for upper level forces. But there is another instance, touched on previously, that is probably even more significant in this regard and goes a long way in clarifying who in fact the Wegmanns were and why Shaw may have been drawn to them originally.

Banister and Guy Johnson

In the third transcribed reel of Gurvich's long 8/29/67 interview with Shaw's defense (mentioned earlier), the subject of Guy Banister's intelligence ties surfaced. Ed Wegmann was curious as to what Garrison knew about Banister in this respect. Gurvich pooh-poohed this with his nonsensical comment that he believed Garrison had no proof of Banister's existence (see p. 11). After this exchange about Banister's government ties and Garrison's knowledge of them, Bill Wegmann made a most telling comment: "This was a bone of contention between Guy Johnson and myself..." There are two implications in this statement. First, that there was dissension on the defense between at least one of the Wegmanns and Shaw's first choice for lead attorney. This makes Panzeca's previously mentioned comment about a "personality clash" suspect, or at least not the entire truth. The other implication is that Guy Johnson disagreed with Gurvich's assessment. In other words, Johnson thought that Banister did have intelligence ties and that Garrison either knew about them or would discover them.

In light of this, it is fair to garner that it was this dispute that led to the replacement of Johnson with Dymond. This is quite justified in view of the eventual trial strategy of the Wegmanns, which was to completely deny any intelligence tie between Shaw and the government and any relationship between Shaw, Banister and Ferrie. We know this to be completely false today. And even though many felt Shaw was lying, this strategy proved fairly successful at the trial.

But why would Johnson assess the situation differently at such an early stage, in the fortnight following Shaw's arrest on March 3, 1967? And why would this lead to, using

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The Wegmann "Experts"

With all the furor of late over the use of quite questionable findings by FBI lab "experts", it is interesting to note that the Wegmanns also seem to be the beneficiaries of much technical help from questionable experts. In the Wegmann files is a report from the *Washington Post* of 3/27/67. After it became known that Garrison was using sodium pentothal to test the veracity of his witnesses, the *Post*, ran an article based on the comments of one Edwin Weinstein M.D. Weinstein stated that Russo's examiner, Dr. Chetta, was:

... grossly distorting the medical facts. Under the influence of sodium pentothal, subjects may give highly fictional accounts of past events and describe incidents that never happened. . . . Russo's "memory" of Oswald may well be a personification of his own problems, which could include his relationships with New Orleans authorities.

Wackenhut agent Charles Carson appended to this report that on 4/10/67 he "was advised by a confidential source in the Tulane Medical School, Psychiatric Section, that Dr. Weinstein is an outstanding authority in his field." Since Tulane Medical School was highly influenced by Dr. Alton Ochsner, a strong ally of the Wegmanns, this endorsement is quite suspect. Tulane was also the site of many CIA mind control experiments.

Another expert attracted to the Wegmann's cause is a Dr. C. D. Dwyer. Evidently, Dwyer was a friend of Percy Foreman, the attorney who dubiously coerced James Earl Ray into pleading guilty in the King case. In turn, Foreman was a friend of Irvin Dymond. Ed Wegmann's description of Dwyer is telling:

He is and has been for some time past the Consulting Psychiatrist for Harris County, Texas. Is and has been for sometime (sic) past been the Consulting Psychiatrist for the FBI and the Secret Service. . . . He is well connected politically and has many contacts.

Dwyer was apparently recruited for the same purpose as Weinstein: to belittle the use of sodium pentothal. But what the overt experts don't admit to is what the covert side of government agencies do all the time. As recently

revealed in long secret Army Intelligence files on covert action in Nicaragua, sodium pentothal, "could be used under certain extenuating circumstances. . . . It could be intravenously injected and would have results of a truth serum." (*The Consortium* 3/31/97 p. 5). But disregarding this, Wegmann's memo on Dwyer is worth quoting:

According to Dr. Dwyer, there is no mechanical or chemical device in existence or in use today by which anyone, regardless of his skill, can ascertain with certainty whether the subject is telling the truth or a lie. In his opinion the best chemical for ascertaining the truth from an individual is alcohol. The second ranking item is barbiturates. . .

Later in the memo, Wegmann writes:

I find some more notes and find that he stated that for courtroom purposes all homosexuals are psychotic and in his opinion should not be allowed to testify without corroboration.

Incredibly, and in spite of Shaw's sexual proclivities, Wegmann notes in his memo that Dwyer "would make an excellent witness for the defense, and I do believe that we should ascertain further just what it will take to get him here." Apparently, cooler heads prevailed in the Shaw camp, since Dwyer did not testify at trial.

As noted above, Wegmann wrote that Dwyer was politically connected and had many contacts. That is borne out by this excerpt from the 8/8/67 memo:

Further in connection with Dr. Dwyer, he tells me that an attorney in Houston—one Leon Jaworski, in the Fulbright office—is Johnson's personal attorney. That nothing went on in the Warren Commission investigation i.e., that is anything of importance, without Jaworski's approval. He believes that Jaworski can be of help to us and suggests that I contact him.

Dwyer's estimate of Jaworski's importance to the Commission seems exaggerated. Commission documents reveal no such awesome import by Jaworski who was originally detailed to the aborted Waggoner Carr, Texas inquiry. But it is interesting that Dwyer felt that the politically connected Jaworski—involved in both the JFK and Watergate whitewashes—could help Weg-

mann.

One other expert, who did testify at Shaw's trial bears mentioning. This is FBI handwriting expert Charles Appel. Appel is the expert who testified that it was not Shaw's handwriting, signing the name Clay Bertrand, on the Eastern Airlines VIP Lounge sheet. As readers will recall, *Probe* co-editor Lisa Pease has dug up some interesting facts about Mr. Appel (*Probe* Vol. 3 #2 and #5). Appel was a longtime FBI employee, 24 years to be exact. He was called in for the famous Charles Lindbergh kidnapping case. About that case, Appel stated that "The chances against anyone but Hauptmann having written the ransom notes were one in a hundred million million." Today, most authorities agree that Appel helped send an innocent man, Bruno Hauptmann, to the electric chair. Later, Appel testified for CIA ally Sen. Thomas Dodd when he got in trouble on ethics charges. Even though his staff members testified that they saw him sign certain checks, Appel stated that it really was not Dodd's signature on them.

What is odd about Appel's appearance at Shaw's trial is that he was not the first handwriting expert announced in court by Dymond. Early in the proceedings, on 2/7/69, Dymond announced one Gilbert Fortier, a local expert as his analyst. When I asked Dymond about the switch, he stated that Appel had called him and volunteered his services for free. Dymond's implication—that Appel materialized out of nowhere—is not entirely true.

As Bill Davy found, Appel had been secretly contacted by Shaw's cohort at the International Trade Mart, Lloyd Cobb, who he had worked for before. In this regard, it is interesting to note that Cobb also had a CIA security clearance for a "cleared attorneys panel". Appel had also testified for longtime CIA operative Bob Maheu in his lawsuit against Howard Hughes. Although Appel was ostensibly retired, he appears to have been "on call". ♦

The Wegmann Files

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Panzeca's adjective, the "excellent" attorney's departure?

One reason is that Johnson knew the truth about Banister and was more honest about it than the Wegmanns were. Consider the following. In a 1976 obituary in the *Times-Picayune*, it is revealed that Johnson served in the Navy in World War II. In a 1955 newspaper article, it is noted that he would address members of the Sertoma Club. His talk was entitled "Trouble in the Formosa Straits." The article then notes that "Johnson recently served in the Formosa area with the Naval Intelligence department." (Emphasis added). From this, one would deduce that when the war was over Johnson's navy career continued. As Jim Garrison noted in *On the Trail of the Assassins*, Guy Banister was also ONI. In the film *JFK*, when Garrison takes out two assistants to visit 544 Camp St., one of them mentions an old intelligence adage, "Once ONI, always ONI." In a 1960 news article in the *New Orleans States-Item*, a movement was started to root out "subversive influences in the state." Two of the men

wishing to serve as investigators for this new committee were Guy Banister and "Atty. Guy Johnson of New Orleans."

But the association between Johnson and Banister is even closer than the above would suggest. Among the recently declassified documents that Garrison had turned over to the HSCA were pages from Ferrie's treatise on cancer. Garrison noted to the HSCA that, when copying this work, another letter of Ferrie's was "accidentally stuck in the photostat machine". This caused an unintentional notation to be left at the bottom of one of the pages of the treatise. It read in part: "Some of B's microfilm were sent to Atlanta right-wingers—many of original files are at Guy Johnson's."

Johnson was also in a position to know about Banister's association with Clay Shaw. As Davy notes, one of the most tantalizing facets of Shaw's career was his high level security clearance coded QKENCHANT. In recently declassified CIA files, either Johnson or his son Guy Jr. also has a high level CIA clearance. In a December 1981 interview, Bud Fensterwald talked to a former associate of

Banister's in New Orleans named Tommy Baumler. Garrison also knew of Baumler at the time of his investigation, but he was understandably tight-lipped with the DA. Years later, with little to worry about, he was more candid. In Fensterwald's handwritten notes of the interview one line reads: "Shaw, Banister and Guy Johnson—intelligence apparatus for N. Orleans". Further in the interview notes, Fensterwald writes that Baumler was very clear that "Oswald worked for Bannister." (sic) Right below this, figuring even more into

Mouledoux. There is a recently declassified file which contains a letter by Guy Banister to Johnson at this law firm, proving Baumler's assertions. The date of the letter is January 5, 1959. In it, Banister is proposing for infiltration purposes into the National Students Association one Wilfred A. Bergeron. Banister states that while talking to Bergeron, he told him that "he had served in the Air Force and had just gotten out and entered school. He said he served in the security section and has atomic clearance."

At the close of this letter, Banister states "If it is satisfactory and you can determine this individual's reliability, I will set him up to begin work with me and pass on to you any information he produces." In the March 1967 issue of *Ramparts*, writer Sol Stern exposed the longtime CIA infiltration of the National Students Association (NSA), which Johnson and Banister seem to have had a hand in. That Johnson was performing these "anti-subversive" activities while partners in this law firm with at least one of the Wegmanns is illuminating.

But there is something even more telling involved. In another recently declassified CIA file, it is noted that the articles of incorporation for Banister's so-called detective agency were notarized on 1/21/58 by none other than William J. Weg-

Baumler was very clear that "Oswald worked for Bannister." Baumler also stated that Banister was able to give letters of marque i.e. a license to clear one with law enforcement officers, so that "if you are caught as a communist, the letter will clear you of communist leanings."

Oswald's New Orleans profile, Baumler stated that Banister was able to give letters of marque i.e. a license to clear one with law enforcement officers, so that "if you are caught as a communist, the letter will clear you of communist leanings."

So, by all indications, Johnson was quite aware of the reality of what was going on at Guy Banister's office in the summer of 1963. But another question arises as we delve deeper into Johnson's departure from Shaw's defense. Did the Wegmanns know also? Or were they just unaware of such a connection and how that could compromise their client, Clay Shaw? In the aforementioned 1976 obituary for Johnson, it is revealed that he worked for two New Orleans DA's. Before his ONI service Johnson was an assistant under DA J. Bernard Cocke. The article then notes that, "After serving in the Navy in World War II, Mr. Johnson returned to become an assistant DA under Herve Racivitch."

This is quite interesting. When Racivitch stepped down from public office, he formed a private law firm in New Orleans. The name of this firm was Racivitch, Johnson, Wegmann and

mann. This seems to be at the time of course, when he was associated with Johnson at the above firm. Could it truly be possible that the Wegmanns would not be cognizant of what Banister was really up to at 544 Camp Street, or at his previous location in the Balter Building? This strains credulity. If so, Wegmann's comment to Gurvich is refracted as if in a prism. It is most likely that the Wegmanns did know of Banister's federal connections and were now intent on stopping Garrison, not so much from finding out about them, but being able to present witnesses to testify about it and the Shaw-Banister-Johnson nexus. With this trial strategy, Johnson was too close to the fire to sit at the defense table.

The above outlines and hints at who and what was involved in the defense of Clay Shaw against Jim Garrison. The reader will note that the trail seems to lead above New Orleans and into the higher echelons of power in Washington D. C. The next part of this article will use declassified files to show with precision the Wegmann connection to Washington. ♦

Michael Baden's Deceptions

By Millicent Cranor

How far would Michael Baden go to deceive the public on the matter of the Kennedy assassination? As you can see from the samples I've taken from his book, *Unnatural Death: Confessions of a Medical Examiner* (Random House, 1989), Baden — formerly Head of the House Select Committee on Assassinations Medical Panel — went far beyond making the usual misleading statements. He must have had great faith in Allen Dulles's comment: "But nobody reads. Don't believe people read in this country. There will be a few professors that will read the record...the public will read very little." To those involved in what the CIA calls "perception management," reality seems to be just a rough draft.

If people like Baden feel free to lie about what is on public record, imagine the reliability of "information" they provide that can't be verified.

The Harper Fragment

"The fourth [fragment]... was found a few days after the autopsy by a premed student... He took it home to his father, a doctor, who knew what it was and had it photographed. At a party, the photographer couldn't resist talking about it, and the story got back to the FBI. Agents swooped down on the premed student, who was saving the fragment as a souvenir." [P.17]

(1) According to FBI documents found by Dr. Josiah Thompson, the Harpers behaved quite responsibly. Billy Harper took the fragment to his uncle, Dr. Jack Harper who quickly took it to Methodist Hospital where it was examined by the chief pathologist, A.B. Cairns, and photographed. On the following Monday, 11/25/64, Dr. Harper turned the fragment over to the FBI. [7 HSCA 24] The FBI retrieved photos of the bone from Mrs. Harper 7/10/64. [7 HSCA 122]

(2) In Dallas, the bone was identified as occipital (back of head) but, as noted by author David Lifton, photos of the bone (the bone itself is missing) were said by the HSCA to show parietal bone (front of head). As first noted by Thompson, a blown-out fragment from the back of the head suggests a shot from the front.

Why would Baden want to discredit the Harpers? Have the archived photos of this fragment ever been authenticated by anyone who actually saw the bone fragment itself?

Kennedy's Head Wound

"Perhaps the most egregious error was the four-inch miscalculation. The head is only five

inches long from crown to neck, but Humes was confused by a little piece of brain tissue that had adhered to the scalp. He placed the head wound four inches lower than it actually was, near the neck instead of the cowlick." [p16]

(1) Baden neglects to mention that Humes told him, "the wound on the SKULL precisely coincided with" the piece of tissue adhering to the scalp. [7 HSCA 251]

(2) Baden implies the autopsists never lifted up the scalp to examine the bone beneath, an absurdity comparable to not removing a victim's clothing during an autopsy.

(3) Baden implies that only one pathologist was involved, instead of three: Humes, Boswell and Finck.

(4) Baden implies that a calculation (more opportunity for error) instead of a simple direct measurement resulted in this monumental discrepancy.

(5) Baden neglects to mention how the location was based on an easy-to-see fixed reference point, the external occipital protuberance.

(5) Baden implies that Humes did not know the top of the head from the bottom.

Four inches is quite a chunk of real estate on the human head. Property disputes have been based on less. No matter how inexperienced the autopsists were, it is hard to believe they could make such a mistake. It is easier to believe the wound was revised because, on hindsight, it seemed inconsistent with a shot from the sixth floor of the Depository building.

When the Army "duplicated" the assassination by shooting at reconstructed skulls, the bullet entered where Humes said it did, but it did not exit where it was supposed to according to the FINAL autopsy report, the top right side of the head. The bullet came out of the right eye, where it was supposed to — apparently according to a different autopsy report.

There may have been an earlier plan to solve the problem of the trajectory by revising the EXIT wound. Dr. Alfred Olivier who supervised the Army experiments testified before the Warren Commission that "according to the autopsy the bullet emerged through the superorbital process." [5 WCH 89] He was referring to the bony ridge beneath one's brow.

By this time, people knew that Kennedy's face was outwardly intact. (The bone beneath the right brow was fractured.) No bullet could have exited from anywhere near his eye. Possibly this is why a different location for an exit was decided upon.

Incredibly, Arlen Specter did not ask, What autopsy report was that? Nor did he show the least concern about Olivier's photo of the experimental skull with the right side of the face missing, even though this obviously did not resemble Kennedy's wounds. (It's very interesting that, because of over-penetration, Kennedy's A-P x-ray seems to show the same area missing.) Specter changed the subject to the entrance wound. There may or may not be a connection but, four years later, Kennedy got a new entrance wound in his head.

Front Seat Fragments

"The Kennedy head bullet was found on the floor of Kennedy's car in front. It had struck the windshield strut and broken in two." [p13]

(1) This contradicts what Baden says on page 14 of HSCA Volume 1: "This bullet fragmented after entering the cranium, one major piece of it passing forward and laterally to produce an explosive fracture of the right side of the skull as it emerged from the head."

(2) The Army experiments did not include placing something behind the skulls to duplicate the windshield strut. The bullets supposedly broke on the skulls themselves.

(3) Baden neglects to mention how, in 1968, a 6.5mm metal fragment magically appeared imbedded in the new location of the entrance wound (in x-rays), or how it supposedly got there: when the bullet broke upon entering the skull. But then he would have to explain how the autopsists and radiologists who saw fine, dustlike particles on unenhanced x-rays could miss a big 6.5mm fragment in the back of the head.

Something seems to be seriously wrong with the story of these fragments, but what is it? The nose portion was a torn copper jacket containing lead; the tail, a piece of empty jacket. But Dr. John Lattimer, who often claimed it was easy to separate the lead core from the jacket of a Carcano bullet, reported the fragments to be a hunk of lead without a jacket, and an empty jacket, which was what his own experiments produced, and what he claimed (with no reference) the Army's experiments produced. [Resid Staff Phys 1972;18:34; Surg. Gynecol. Obstet 1976; 42:246] I found no detailed description of those Army experiment fragments but, judging from photos, only one seems jacketed.

Should a Carcano bullet fragment under the presumed circumstances into two jacketed fragments? Was the small, neat entrance wound consistent with the sort of violent interaction

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How Three Investigations of the Medical/Autopsy Evidence got it Wrong: Part Two

By Gary L. Aguilar, MD and Kathleen A. Cunningham



In the first part of this discussion on the investigations into JFK's medical/autopsy evidence, we noted that despite "Wound Ballistics Experiments" the Warren Commission claimed to have performed,¹ no Commission ballistics authority noted what is obvious today to even the untrained: there is an obvious discrepancy between the fatal skull wound of the autopsy report and what Oswald could possibly have inflicted from his alleged firing position.

As Howard Donahue observed, "The bullet's trajectory made no sense. A slug coming in at a 6-degree angle from right to left [Donahue's findings; right-to-left angle not specified by the Warren Commission], and down at 16 degrees (the Commission's claim) should have exited through the President's face - somewhere in the area of the right eye, forehead, or nose ... the President's head was nodding forward perhaps 10 or 11 degrees (a determination accepted by the HSCA, see, Menninger, p. 45) and turned, at most, 15 degrees to the left. This position would have necessarily raised the exit wound and shifted it to the right. But not nearly far enough ... to cause the wound Kennedy suffered."² The autopsy diagrams prepared by Rydberg for the Warren Commission under Humes' direction had grossly exaggerated the chin-downward position of JFK's skull to approximately 60-degrees to allow the accepted 16-degree declination of the fatal shot to match JFK's skull wounds - bullet entering near the base of the skull at the external occipital protuberance and exiting, as per Rydberg's diagram, above the right ear.³

The autopsy report claimed JFK suffered a right-sided "parietotemporoccipital" skull wound, that is, one involving the right-rear portion of the skull. This description is consistent with the description Parkland neurosurgery professor, Kemp Clark, MD gave for it on the day of the assassination: "a large wound beginning in the right occiput extending into the parietal region.... Much of the skull appeared gone at the brief examination..."⁴ John Ebersole, MD, Assistant Chief of Radiology at Bethesda, and the attendant radiologist during JFK's autopsy, said, "When the body was removed from the casket there was a very obvious horrible gaping wound to the back of the head,"⁵ and, "The front

of the body, except for a very slight bruise above the right eye on the forehead, was absolutely intact. *It was the back of the head that was blown off.*"⁶ [Emphasis added.] Besides the autopsy report's description of a right-rearward skull defect, and Drs. Clark's and Ebersole's statements, over 40 other witnesses from both Parkland Hospital and the Bethesda morgue described JFK's skull wound's location as right rearward.⁷ Correlating the Zapruder images, some of which were published by the Commission, with the autopsy report, and autopsy photographs and X-rays was elemental. A memo suppressed by both the Commission and the HSCA reveals that the importance of doing so was not lost on Arlen Specter.

On May 12, 1964 Specter wrote:

The characteristics of the wound on the President's back and on the back of his head should be examined closely in the photographs and X-rays to determine for certain whether they are characteristic of entrance wounds under the criteria advanced by Doctors Finck, Humes, Boswell, Gregory, Shaw, Perry and Carrico. The films and X-rays should be viewed in conjunction with Commission Exhibit 389 (a photograph of the frame of the Zapruder film immediately before the frame showing the head wound) [sic] and Commission Exhibit 390 (the frame of the Zapruder film showing the head wound) [sic] to determine for certain whether the angle of declination is accurately depicted in Commission Exhibit 388.⁸

That the Commission did not view the autopsy photographs and X-rays, ignoring Specter's recommendations, gives weight to the contention the medical/forensic aspects of the Commission's investigation were superficial. But even without autopsy photographs and X-rays, the Zapruder evidence that was published by the Commission refuted both the autopsy report's conclusions, as well as the misleading autopsy diagram (CE 388⁹) prepared by the artist H. A. Rydberg under Humes' direction. Rydberg depicted JFK's skull in a far greater "chin-downward" position in CE 388 than his true position at the moment of bullet impact in Zapruder frame 312. Given the eagerness of the Commission to embrace preordained conclusions, its failure to note this obvious discrepancy is not all that surprising. But the artist, Rydberg, who was taking direction from Humes, drew the diagram in the misleading manner because Humes may have realized that unless JFK's

head position was indeed very far chin-downward, the wound descriptions in his autopsy report would be invalidated. Given that Humes and the Commissioners had viewed the Zapruder film, it is hard to accept that neither Humes nor any Warren Commissioner would have failed to recognize the obvious difference in head position between the filmed evidence and Humes' diagram. Thus the Commission, which apparently did not examine the autopsy photographs, left the implication it was also oblivious to the fact that the filmed evidence of the murder, which it published, undermined the autopsy findings it endorsed.

The investigations of the Clark Panel and the HSCA later determined that JFK's autopsists were in error claiming JFK's fatal bullet had entered the skull low. Rather, they argued, the photographs and X-rays proved that the fatal bullet had entered 10 centimeters higher than described in the autopsy report. If the wound was indeed that much higher, the ballistics might work, and the Zapruder and autopsy images showing no rearward skull defect vindicated. But in this case, other problems arise: how did three "professor pathologists," all of whom held high positions and taught resident physicians, manage to make a 10-cm error? And how did over 40 witnesses similarly manage to mistake the wounds they described? These paradoxes aside, the Commission's haste to confirm the lone-assassin thesis was also evident in other ways.

The Commission downplayed, if it did not misrepresent, another key aspect of JFK's wounding to bolster the single bullet theory, the sine qua non of its sole assassin thesis. It wrote: "Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat also caused Governor Connally's wounds."¹⁰ This is untrue. It was not merely that "very persuasive evidence from experts" supported that a single bullet struck both men. If Connally had not been struck by the second shot - the same one that struck JFK - the Commission's case would have collapsed. Three spent shells were found in "Oswald's perch." One had clearly struck JFK's head. Because of an intervening tree, the Warren

Commission argued that no shot was possible until Z-210, and Kennedy is uninjured when last seen disappearing behind the Stemmons freeway sign at Z-207. JFK is seen reacting at Z-224 as he emerged from behind the sign, and Connally reacts no later than Z-236. (After viewing the Zapruder film, Connally testified he was hit between 231 and 234.¹¹) If the shot that hit Kennedy's back had not also hit Connally, then a shot from a different assassin than JFK's is required to explain Connally's wound, for Oswald's alleged weapon could not have been fired twice in the 1.4 seconds that elapsed between the first possible shot at Z-210, and when Connally is wounded at no later than Z-236. The Commission's misstatement is all the more peculiar because the Warren Report itself describes the Zapruder-based limitations described above.¹²

The Next Investigation

In a recently declassified 11/25/66 memo the head of the U.S. Justice Department, Attorney General Ramsey Clark, directed that, "We should carefully examine all the criticisms, hypotheses and suggestions contained in the existing body of literature concerning the President's assassination and the work of the Warren Commission. The purpose is to inventory the contentions so we can evaluate their validity. I would like the task described above to be undertaken by a small group of lawyers within the (Justice) Department on an unpublicized basis...."¹³ Clark was likely responding to his subordinate, David Slawson's, memo of three days earlier regarding the possible outcome of recent books and articles critical of the Warren Commission, including its handling of the medical-autopsy evidence. The then new book by Edward J. Epstein, *Inquest*, which implied the Commission had changed the autopsy evidence, had gone into a second printing within a month of its initial release.¹⁴ The declassified record to date reveals that the Justice Department which had, through the FBI, conducted the Commission's investigation, arranged for JFK's pathologists to conduct at least two "unpublicized" probes into the medical autopsy evidence prior to Clark's 11/25/66 memo, and prior to Clark's call for an independent review of the medical evidence by non-government physicians, the so-called "Clark Panel." The Justice Department's sudden, renewed interest in JFK's medical evidence, however, may have been prompted not only by a slew of criticisms of the Warren Commission,¹⁵ but also by a wish to mute calls for a wider reinvestigation into the entire case.

On 11/22/66 former Warren Commission Assistant Counsel, David Slawson, then working for the Justice Department, wrote Ram-

sey Clark to respond to both Warren Commission counsel Wesley Liebeler's internal memo questioning the autopsy findings, as well as to bemoan the fact that the *New York Times'* Harrison Salisbury told Liebeler he wanted the *Times* to call for a reopening of the JFK investigation. Salisbury wanted non-government pathologists to review the never seen autopsy photographs and X-rays, a request Slawson claims the Kennedy attorney, Burke Marshall, had refused. Salisbury's ultimate preference, Slawson feared, was to have the *Times* endorse a wide-ranging reinvestigation.¹⁶

Slawson expressed hope that, "There is still a reasonable chance of spiking this thing by a re-investigation limited to aspects of the autopsy, but if public opinion continues to develop as it has over the past few months we may soon be faced with a politically unstoppable demand for a free-wheeling re-investigation of all aspects."

Although clearly alarmed, Slawson expressed hope that, "There is still a reasonable chance of *spiking this thing* by a re-investigation limited to aspects of the autopsy, but if public opinion continues to develop as it has over the past few months we may soon be faced with a politically unstoppable demand for a free-wheeling re-investigation of all aspects."¹⁷ [Emphasis added.] In fact, a Justice Department-organized medical "reinvestigation" had preceded Slawson's letter, but one which was performed by the same individuals who were involved in JFK's 1963 autopsy. The results were predictable: their study of the autopsy photographs for the first time, and their re-review of autopsy X-rays, proved that they had been right the first time. The Clark Panel's investigation seems to have been necessary, as Slawson suggested, to address concerns that only government pathologists had ever been allowed access to autopsy materials.

Despite the behind-the-scenes maneuvering, the *New York Times* reported that the Clark Panel was established in response to a request of one of JFK's pathologists, J. Thornton Boswell, MD.¹⁸ On January 26, 1968, Boswell wrote Ramsey Clark, "As you are aware, the

autopsy findings in the case of the late President John F. Kennedy, including X-rays and photographs, have been the subject of continuing controversy and speculation. Dr. Humes and I ... have felt for some time that an impartial board of experts including pathologists and radiologists should examine the available material."¹⁹ Researcher, Harold Weisberg, noted significant peculiarities in Boswell's letter. He wrote, "Strangely, for a man with an office and a profession, it [Boswell's letter] is typed and signed but on no letterhead, with no return address and, even more intriguing, on government-size paper, which is a half-inch smaller than standard." Weisberg suspected Boswell's letter was not his own idea: "I am suggesting that Boswell's letter was both inspired and prepared by the federal government."²⁰ If anyone but Boswell instigated the letter, the Justice Department is the likely candidate, and appears to have been considerate enough to have supplied Boswell the writing materials. Whether self-inspired or not, as Weisberg noted, exactly one month after the date on "Boswell's" letter, the Clark Panel convened.²¹ (In addition to the images which JFK's pathologists had studied, the Clark Panel also examined JFK's shirt, suitcoat and tie.)

Whether bad press was the actual prod that led to the Justice Department's initial autopsy reinvestigation—which began before Liebeler, Slawson and Clark wrote their memoranda—is not yet clear from document releases. Nevertheless before any of the memos appeared, Justice had apparently arranged for a review of the autopsy evidence. On November 1, 1966 JFK's pathologists James Humes, MD and J. Thornton Boswell, as well as the attending autopsy radiologist, John H. Ebersole, MD, and the autopsy photographer, John Stringer, reviewed the autopsy photographs and X-rays. (Pierre Finck, MD, who was out of the country during the November 1, 1966 review, was ordered back from Vietnam to examine the same materials. He saw them for the first time on January 20, 1967.) The examination led to the creation of a formal inventory, the so called "Report of Inspection by Naval Medical Staff on November 1, 1966 at National Archives of X-Rays and Photographs of Autopsy of President John F. Kennedy", which was signed and dated on November 10, 1966.²² The signed inventory, curiously, is not the only inventory with Humes', Boswell's, Ebersole's and Stringer's names affixed to the bottom. Another *unsigned* inventory was released which, in addition to significant differences compared to the signed version (too numerous to detail in the present discussion), also contains three names (in addition to the pathologists'), de-

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leted from the signed version: "James B. Rhodes, Deputy Archivist of the United States, Marion Jenkins, and Carl Belcher, U. S. Department of Justice."²³ The existence of two non-identical inventories is not the only peculiarity about the document.

Perhaps the most glaring anomaly in the "Report of Inspection" is the concluding sentence, absent in the unsigned inventory, which reads: "The X-rays and photographs described and listed above include all the X-rays and photographs taken by us during the autopsy, and we have no reason to believe that any other photographs or X-rays were made during the autopsy."²⁴ While it is peculiar that these men would sign an affidavit claiming certainty that the images they had taken 3 years before, but had never seen, was the full and complete set of images, it is likely that this statement is neither theirs, nor is it true. As will be shown, James Humes, J. Thornton Boswell, and autopsy photographer, John Stringer, as well as Pierre Finck later gave sworn testimony that photographic images they took on the night of the autopsy were not in the inventory they examined in 1966. As will also be shown, their signatures establish that they either signed a false declaration on November 10, 1966 vowing that the photographic inventory was complete, or they gave inaccurate testimony later that it wasn't complete.

That the Justice Department was behind this initial investigation is made clear in a recently declassified Justice Department memo. On November 22, 1966, Carl W. Belcher, described in the document as "Chief of the General Crimes Section, Criminal Division of the Department of Justice," wrote a memo to file in which he stated, "... On the afternoon of November 10, 1966, I took the original and one carbon copy of the document entitled 'Report of Inspection by Naval Medical Staff on November 1, 1966 at National Archives of X-Rays and Photographs of Autopsy of President John F. Kennedy' to the Naval Medical Center, Bethesda, Maryland, where it was read and signed by Captain Humes, Dr. Boswell, Captain Ebersole and Mr. John Stringer. Certain ink corrections were made in the document before they signed it and each of these individuals initialed each correction...."²⁵ Thus it appears that the Justice Department prepared the statement, as presumably it did the unsigned version, which the autopsy witnesses corrected and signed. (The authors are unaware of any Justice Department memos verifying who prepared the two known affidavits,

and who prepared the inventories for the autopsy personnel to sign, though it is an important question.) The statement, however, does not address the matter of whether their autopsy findings are supported by the images they reviewed. That question was soon to be addressed. But from declassified documents, the Justice Department only asked the autopsists to examine the photos and X-rays again after concerns were raised about public criticism of the official conclusions in the Liebler, Slawson and Clark memoranda. As with the statement of the completeness of the photo and X-ray inventory, the Justice Department would also prepare a statement for the pathologists to sign affirming that their review proved their original autopsy conclusions of two shots from the rear.

On January 26, 1967, Humes, Boswell and Finck signed this second affidavit declaring, inter alia, "The undersigned physicians have been requested by the Department of Justice to examine the x-rays and the photographs for the purpose of determining whether they are consistent with the autopsy report."²⁶ Their examination took 5 hours on the evening of January 20, 1967, two months after they had signed the Justice Department's inventory - the "Report of Inspection." Again, the Justice Department seemed in control, for in a memo written by Pierre Finck entitled, "PRIVILEGED COMMUNICATION" [sic], Finck described the signing of the January 26, 1967 statement, declaring "The statement had been prepared by Justice Dept. We signed the statement."²⁷ [Emphasis added.] "The statement" they signed included the declaration, "The photographs and x-rays corroborate our visual observations during the autopsy and conclusively support our medical opinion as set forth in the summary of our autopsy report. It was then and is now our opinion that the two missiles which struck the President causing the neck wound and the head wound were fired from a point behind and somewhat above the level of the deceased."²⁸ Grossly understated, though admitted, in 'the statement' was what was to become the Achilles' heel of the autopsy report - an incomprehensibly huge error in the autopsy report's placement of JFK's fatal skull wound, an error which is suggested by the autopsy photographs.

The autopsy report had described the wound as located "to the right and slightly above" the external occipital protuberance (EOP) - the midline bony prominence at the base of the skull. The January 26, 1967 affidavit reported, "Due to the fractures of the underlying bone and the elevation of the scalp by manual lifting [done to permit the wound to be photographed] the photographs show the wound to be slightly higher than its actu-

ally measured site." Also attested to was that, "The x-ray films established that there were small metallic fragments in the head."²⁹ But rather than the skull wound appearing "slightly higher" in the photographs, an apparent (and the only) wound that is visible is much higher in the rear of JFK's skull - 4 & 1/2 inches higher than the EOP! (This higher wound position was accepted as the entrance wound by the Clark Panel and HSCA.) No recognition of the huge disparity is evident in the pathologists' review. Moreover, on the question of the fragments in the X-ray, the pathologists failed to mention that the antero-posterior trail of fragments in the lateral X-ray, which are along the top of the skull, are in an entirely different location than reported in the autopsy report. The autopsy report describes it as, "along a line corresponding with a line joining the above described small occipital wound and the right supra-orbital ridge - very near the bottom of the skull."³⁰ The autopsy X-rays, which were examined by author Aguilar, radiologist Randall Robertson, coroner Cyril Wecht, and physician-physicist David Mantik at the National Archives, reveal that the trail of fragments is at least 12-cm higher than the line described in the autopsy report. In fact, the trail is even significantly above the 4 & 1/2 inch higher location accepted by the Clark Panel and HSCA as the site of the entrance wound. This peculiarity was never addressed.

There was another significant and unmentioned—perhaps even unrecognized—discrepancy in the pathologists' review: the X-rays and photographs reveal the skull damage extended well into the frontal bone, a bone not described as damaged in the autopsy report, which described JFK's skull and scalp defect as "a large irregular defect of chiefly the parietal bone but extending somewhat into the temporal and occipital regions. In this region there is an actual absence of scalp and bone...."³¹ Nevertheless, careful correlation between the wounds described in the autopsy report, and the X-rays and photographic evidence, was not the Justice Department's apparent goal. The Attorney General had gotten Humes, Boswell, Finck to "sign up" to the "fact" their autopsy findings were proven by the X-rays and photographs.

On January 26, 1967 in a document entitled, "President Johnson's Notes on Conversation with Acting Attorney General Ramsey Clark - January 26, 1967 - 6:29pm", we read, "... Mr. Clark further added: ... 'On the other matter, I think we have the three pathologists and the photographer signed up now on the autopsy review and their conclusion is that the autopsy photos and x-rays conclusively support the autopsy report rendered by them

to the Warren Commission though we were not able to tie down the question of the missing photo entirely but we feel much better about it and we have three of the four sign to an affidavit that says these are all the photos that they took and they do not believe anybody else took any others³² [Emphasis added.] The report suggests the Justice Department was less interested in the autopsists being critical of their original work than it was in reaffirming the original conclusions. Though Clark had indeed gotten Humes, Boswell and Stringer "signed up", LBJ's memo hinted at a problem to come during the investigation of the HSCA: Finck, who had not "signed up", belligerently maintained to the HSCA that photos he took of the internal and external aspects of JFK's skull wound were missing. hilariously, Humes, Boswell and Stringer, who had "signed up" to the Justice Department's affidavit declaring the photographic inventory was complete, would later join Finck to announce, under oath, it was not.

The Clark Panel

The government-appointed Clark Panel, whose four members were indeed accomplished and respected,³³ reviewed the autopsy evidence and wrote a report predictably endorsing the Warren Commission's conclusions, though taking exceptions to some of the autopsy report's findings. The Panel's major contribution to the autopsy controversy was that they placed the fatal wound not 'just above' the EOP, as in the autopsy report, but 4 & 1/2 inches higher, a location that was later embraced by the HSCA's forensic panel. If they wished to appear dispassionate and independent, acting with, as they put it, "complete and unbiased independence free of preconceived views as to the correctness of the medical conclusions reached in the 1963 Autopsy Report", they would have done well to have couched their report in language less suited to a prosecutor's brief.

They would also have done well not to have made the grievous error of claiming that both lateral X-rays were "left lateral", because one is left lateral, and the other is right lateral. In referring to X-ray evidence that "the right fronto-parietal region of the skull," in which "the traumatic damage is particularly severe", they failed to observe that the autopsy report described no such frontal bone damage, but limited the skull's damage to the parietal, temporal and occipital areas. Thus the autopsy report described occipital damage, but no frontal damage, and the Clark Panel concluded there was frontal damage, but no occipital damage. These are hardly minor discrepancies, though they were apparently too minor to have merited mention by the Clark Panel.

They claimed that all of the fragments on the lateral skull X-ray were above "a horizontal plane through the floor of the anterior fossa of the skull"—a horizontal line that is parallel with the EOP and consistent with the autopsy report's description of "along a line corresponding with a line joining the above described small occipital wound and the right supra-orbital ridge". But they failed to mention that in fact the obvious "trail" of fragments is at least 12-cm above any such line, and thus 12-cm above the location given for it in the autopsy report. Moreover, the Panel misstated the trail's true position, claiming "on lateral film #2 this formation[s] long axis if extended posteriorly passes through the above-mentioned [new entrance] hole."³⁴ In fact, the fragment trail is well above even the higher location they selected for the bullet's entrance, and was described as such by HSCA radiology consultant, David O. Davis, MD. Davis said the trail extended, "anteriorly from the inner table of the skull at a point approximately 6cm antero-superiorly from the previously described imbedded metallic fragment,"³⁵ which is 1-cm below the supposed higher "hole" of entrance.

The Panel stated:

The absence of metallic fragments in the left cerebral hemisphere or below the level of the frontal fossa on the right side together with the absence of any holes in the skull to the left of the midline or in its base and the absence of any penetrating injury of the left hemisphere eliminate with reasonable certainty the possibility of a projectile having passed through the head in any direction other than from back to front as described in preceding sections of this report.

This suggests that no consideration at all was given to any reasonable possibility other than the official version's. For example, a shot from the right front entering JFK's skull at approximately the position of the ear and delivering a 'glancing' blow to the skull as it emerged from the right rear, would be fully compatible with the X-ray evidence, and might better explain the peculiar trail of fragments they misdescribed.

While the present compilation of the Clark Panel's shortcomings is incomplete, these authors wish that the Panel would have proffered a plausible explanation for how JFK's three pathologists could have made so many astounding errors as their review corrected. A few obvious ones come to mind: How was it that they "missed" the correct location for JFK's skull wound by 10-cm? How had they missed mentioning in their autopsy report the "fact" there was frontal bone damage? How did they find occipital bone damage that was not there? Why did they fail to properly photograph the evidence proving the nature and direction of the wounding - the internal and

external aspects of JFK's fatal skull wound? Such images would have been a minimal requirement in photographing any autopsy, to say nothing of an assassinated President's. Why, one almost hesitates to ask, did not the Clark Panel, if not the Justice Department, suggest calling in JFK's pathologists to explain how they had made such incredible errors?

Finally, the Panel apparently gave no consideration to the possibility the photographic and X-ray inventory was either incomplete, or that it had been tampered with, a possibility that might have suggested itself given the almost inconceivable mistakes the photographs 'proved' had been made by the pathologists. But given those enormous 'errors', perhaps one can better comprehend the reluctance the Justice Department exhibited to releasing the Clark Panel's report. It was not released when completed, but was suppressed for over a year, and only then released when Jim Garrison unsuccessfully petitioned to have the restricted autopsy materials produced for Clay Shaw's trial.³⁶ Instead, the Clark Panel's report was submitted as a substitute, and Garrison was denied the autopsy images. When the report was released, however, the *New York Times* only emphasized that the Clark Panel had 'upheld' the Warren Report. It made no mention of JFK's autopsists' remarkable failings detailed in the report.

The "Last" Investigation

While a book-length discussion of the HSCA's handling of the JFK medical/autopsy evidence could easily be written, the focus of the present discussion will be to highlight failings that, in the authors' opinions, most eloquently illustrate the reasons the HSCA's analysis is occasionally cited in support of Oswald's guilt. After all, as noted, the HSCA's own medical/autopsy counsel, D. Andy Purdy, JD, claimed that an honest effort had failed to find any medical evidence for conspiracy.

Contemporaneous Parkland Hospital and Bethesda Naval Hospital autopsy documents, as well as the autopsy report and Warren Commission testimony from both Parkland witnesses and autopsy witnesses, described JFK's fatal wound as a right-rearward skull defect. This alone should have alerted the Commission to the fact that JFK's wounds were incompatible with an assassin firing from above and behind. Oddly, no Commission report identified the problem. Only with the Clark Panel's discovery of the huge discrepancy between the photographs and autopsy report, a finding hotly denied by the autopsists under oath to the HSCA, did a crack begin to appear in the medical case for Oswald's sole guilt. The Clark Panel simply dismissed the

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autopsists' claims about the low location of the fatal wound as an "error". They avoided dealing with the peculiarity that if it was indeed an error, it was a huge one made by three well-respected pathologists, and it was the kind of error for which a guilty first year resident physician would have been seriously faulted, to say nothing of the 'professor pathologists' who were alleged to have made the error.

The HSCA, manned with a panel of experienced and widely respected forensic pathologists, was in perhaps the best position ever to lay the medical/autopsy questions to rest for all time. That it failed to do so was perhaps more attributable to how the forensic panel was 'handled' by the HSCA staff, than to its own missteps. Had the forensic panel been in possession of all relevant medical information, it would have been forced to attempt to address and reconcile the overwhelmingly corroborated witness accounts of wounds that are not visible in extant autopsy photographs. But the panel never got a fair chance. The HSCA staff kept them in the dark about a lot of it, and the effect was that the forensic panel basically endorsed the findings of their esteemed colleagues on the Clark Panel. Despite good reason to do so, the forensic panel never gave deserved consideration of what, in so many words, their own key witnesses told them: autopsy images were missing.

Parkland witnesses to JFK's skull wound virtually unanimously described a defect in the right rear of JFK's skull. For example, neurosurgery professor, Kemp Clark, MD, closely examined JFK's skull and wrote on 11/22/63, "There was a large wound beginning in the right occiput extending into the parietal region....Much of the skull appeared gone at the brief examination...."³⁷ [Emphasis added.] Dr. Clark's claim of a rearward skull defect was also repeated by Parkland witnesses Drs. Marion Thomas Jenkins, Malcolm Perry, Robert McClelland, Charles Carrico, Ronald Coy Jones, Gene Aiken, Paul Peters, Charles Rufus Baxter, Robert Grossman, Richard Brooks Dulaney, Fouad Bashour, and others. While such a defect is not inconsistent with the autopsy report's description of a 'parietal-temporal-occipital' skull defect, it is inconsistent with the autopsy photographs. These show an "anterolateral" defect, in other words, a defect on the right side toward the front, with no defect visible behind the ear.

Regarding this dilemma, the HSCA wrote, "Critics of the Warren Commission's medical evidence findings have found [sic] on the ob-

servations recorded by the Parkland Hospital doctors. They believe it is unlikely that trained medical personnel could be so consistently in error regarding the nature of the wound, even though their recollections were not based on careful examinations of the wounds ... In disagreement with the observations of the Parkland doctors are the 26 people present at the autopsy. All of those interviewed who attended the autopsy corroborated the general location of the wounds as depicted in the photographs; none had differing accounts...it appears more probable that the observations of the Parkland doctors are incorrect."³⁸ [Emphasis added.] This statement is supported by reference to "Staff interviews with persons present at the autopsy." But none of those interviews were released with the release of the report despite, as with so many suppressions, their nonsensitive nature.

Recently released documents reveal for the first time that the HSCA misrepresented both the Warren Commission statements of the Bethesda witnesses, as well as its own "staff interviews" concerning the location of JFK's skull defect. Rather than contradicting Parkland witnesses regarding the rear defect in JFK's skull, the suppressed interviews reveal that the Bethesda witnesses corroborated them. Bethesda witnesses not only described a rear defect to the HSCA, they also drew diagrams that overwhelmingly showed a defect at the rear, or right rear of JFK's skull. By falsely representing the data, including its own interviews, HSCA writers inaccurately portrayed Bethesda witnesses as contesting the observations of Parkland witnesses who in fact they supported. They apparently also sought to quell the controversy regarding the autopsy images which show no defect where Parkland, and now incontestably Bethesda, witnesses saw it. Public access to these inconvenient interviews and diagrams, which were of no national security value whatsoever, was to have been restricted for 50 years.

In preparing its report, the HSCA failed to acknowledge the Warren Commission testimonies of credible Bethesda witnesses who described a rear defect. Secret Service agent, Clinton Hill reported a wound on "the right rear portion of the skull."³⁹ (Emphasis added). Secret Service agent, Roy Kellerman, told the Warren Commission's Arlen Specter, that JFK's skull defect was "To the left of the [right] ear, sir, and a little high; yes..." [Indicating the rear portion of the head."] was absent when I saw him."⁴⁰ [Emphasis added.] After Secret Service agent William Greer manually demonstrated the defect's location to the Commission, Arlen Specter asked, "Upper right side, going toward the rear, and what was the condition of the skull at that point?" Greer: "The skull was completely—this part was completely gone."⁴¹

[Emphasis added.] Moreover, Bethesda witnesses interviewed by authors David Lifton, Harrison Livingstone and Robert Groden, as well as others, also described a rear defect in the skull much like the descriptions given the Warren Commission and the HSCA by its Bethesda witnesses.

The suppressed HSCA interviews demonstrated a remarkable consistency between the Bethesda witnesses' claims to the Warren Commission, to authors, and to the HSCA—as well as to the recollections of Parkland witnesses. James Curtis Jenkins, in a Pathology Ph.D. program at the time of the autopsy, was a laboratory technologist who worked with the autopsy team on JFK. The HSCA's Jim Kelly and Andy Purdy reported that Jenkins "said he saw a head wound in the '...middle temporal region back to the occipital;'"⁴² [Emphasis added.] Jenkins prepared a diagram for the HSCA that was only recently released. It confirms his verbal description of a defect in the right rear of the skull.

FBI agent James Sibert was interviewed by the HSCA's Jim Kelly and Andy Purdy who reported, "Regarding the head wound, Sibert said it was in the '...Upper back of the head.'" [sic] In an affidavit prepared for the HSCA Sibert claimed, "The head wound was in the upper back of the head.", and "...a large head wound in the upper back of the head with a section of the skull [sic] bone missing..."⁴³ [Emphasis added.] Sibert sketched a drawing of the skull wound and traced a small wound square in the central rear portion of the skull, slightly above the level depicted for the ears but well below the level depicted for the top of the skull.

Tom Robinson was the mortician who prepared John Kennedy's remains for his coffin. Robinson assisted with the preparations for an open casket funeral, so preparation of the skull was especially meticulous. Robertson described the skull wound in a 1/12/77 HSCA interview with Andy Purdy and Jim Conzelman:

Purdy asked Robinson:

"Approximately where was this wound [the skull wound] located?"

Robinson: "Directly behind the back of his head."

Purdy: "Approximately between the ears or higher up?"

Robinson, "No, I would say pretty much between them."⁴⁴ [Emphasis added.]

Jan Gail Rudnicki was Dr. Boswell's lab assistant on the night of the autopsy. Rudnicki was interviewed by HSCA's Mark Flanagan on 5/2/78. Flanagan reported Rudnicki said, the "back-right quadrant of the head was missing."⁴⁵ [Emphasis added.]

John Ebersole, MD was the attending radiologist at JFK's autopsy. In HSCA testimony

recently released, Ebersole claimed, "The back of the head was missing..."⁴⁶ When shown the autopsy photograph with the back of the scalp intact, Ebersole commented, "You know, my recollection is more of a gaping occipital wound than this but I can certainly not state that this is the way it looked. Again we are relying on a 15 year old recollection. But had you asked me without seeing these or seeing the pictures, you know, I would have put the wound here rather than more forward."⁴⁷ Yet Ebersole claimed that "I had the opportunity [to examine the back of JFK's head while positioning the head for X-rays]."⁴⁸ Later Ebersole said, "...perhaps about 12:30 [a.m.] a large fragment of the occipital bone was received from Dallas and at Dr. Finck's request I X-rayed these [sic]..." If an occipital bone fragment did arrive late for the autopsy, the defect must indeed have been posterior. The occipital bone is at the base of the rear of the skull. (The authors are unaware of any diagram he might have prepared for the HSCA.)

Philip C. Wehle—then Commanding officer of the military District of Washington, D. C.—described the head wound to the HSCA's Andy Purdy on 8-19-77, who reported, "[Wehle] noticed a slight bruise over the right temple of the President but did not see any significant damage to any other part of the head. He noted that the wound was in the back of the head so he would not see it because the President was lying face up; he also said he did not see any damage to the top of the head, but said the President had a lot of hair which could have hidden that..."⁴⁹ [Emphasis added.] The authors are unaware of any diagram Wehle might have prepared for the HSCA. If the photographs depicting a skull defect anterolaterally are accurate, it is hard to imagine how such a defect would have been invisible to Wehle with JFK lying face up.

Chester H. Boyers "was stationed at Bethesda naval hospital and was the chief Petty Officer in charge of the Pathology Department in November 1963." From a phone contact on 4/25/78, Mark Flanagan reported, "In regard to the wounds Boyers recalls an entrance wound in the rear of the head to the right of the external occipital protuberance which exited along the top, right side of the head towards the rear and just above the right eyebrow."⁵⁰ [Emphasis added.]

FBI agent Francis X. O'Neill prepared a diagram for the HSCA showing a defect in the right rear quadrant of JFK's skull. The authors are unaware of a report of an interview with O'Neill among the files released by the HSCA.

The only statement the authors found in HSCA interviews that was not incompatible with the photographic images, which only imperfectly suggest an anterolateral defect, was one attributed to Captain John Stover,

then Commanding Officer of the National Naval Medical School. The HSCA's Mark Flanagan reported, "Stover observed...a wound on the top of the head..." Stover's description is so ambiguous to be of no use to either side of the debate.

Whether over forty witnesses at both Parkland and Bethesda miraculously made the identical error in describing a right-rear defect, rather than an antero-lateral defect, is problematic to say the least. Whatever the truth, the HSCA apparently misrepresented Warren Commission testimony, as well as its own witnesses' descriptions, to give the public false assurances that the question was

Knudsen claimed that he had developed autopsy negatives, and that he had examined them while they were drying. Purdy provided Knudsen with the then extant autopsy images and asked if there were any other images he recalled having ever seen. Betraying no doubt, Knudsen repeatedly insisted, despite Purdy's repeated discouragement, that the day after the assassination he had seen an image of JFK's body sitting up with metal probes entering the back. He also claimed the probes demonstrated that the throat wound was higher than the back wound.

nonconspiratorially laid to rest. When shown these statements, most of which bore his own signature on the bottom, before a public audience at the Coalition on Political Assassinations (COPA) October, 1995 conference, Purdy admitted he was "unhappy" with the way the report had summarized the witnesses' statements, but claimed he did not know who wrote it. More enlightening, however, were the comments of HSCA forensic consultants, Michael Baden, MD and Cyril Wecht, MD, JD who were also present at COPA. As the HSCA's medical consultants whose job it was to consider this relevant evidence, neither Baden nor Wecht had ever seen it. Nor had its existence, relevance or significance ever been made known to them at any time. But the Bethesda witnesses' statements were not the only evidence suppressed from the public, allowing Purdy to deny the HSCA had uncovered medical/autopsy evidence of conspiracy.

There was also evidence impugning the integrity of the autopsy photographs.

Integrity of the Autopsy Photos

To refute chronic doubts about the autopsy photographs, the HSCA claimed its consultants had "authenticated" the images, that is, proved them untampered with. While those assurances have not stilled all doubts about the extant images, the HSCA never addressed the problem that had smoldered since LBJ made note of Attorney General Clark's concern about the "question of the missing [autopsy] photo." (See p. 21.)

All of JFK's pathologists and photographers, as well as Bethesda pathologist-witness, Robert Karnei, MD, recalled the taking of photographs that do not now exist. As discussed, the major argument that the photographic file is inviolate, and presumably dependable, is the 11/10/66 statement regarding the X-ray and photographic inventory which was signed by Humes, Boswell, Ebersole, and Stringer after they examined the materials. It read, "The X-rays and photographs described and listed above include all the X-rays and photographs taken by us during the autopsy, and we have no reason to believe that any other photographs or X-rays were made during the autopsy."⁵¹

Much evidence exists—although most of it has only recently been declassified—that indicates autopsy photographs are missing. Finck, for example, was certain he never saw the photos of the skull (not scalp) wound, internal and external aspects, whose taking he'd directed. In addition to noting the absence in his own notes, Finck had the following exchange before the HSCA's forensic panel:

Charles Petty, MD: If I understand you correctly, Dr. Finck, you wanted particularly to have a photograph made of the external aspect of the skull from the back to show that there was no cratering to the outside of the skull.

Finck: Absolutely.

Petty: Did you ever see such a photograph?

Finck: I don't think so and I brought with me memorandum referring to the examination of photographs in 1967...and as I can recall I never saw pictures of the outer aspect of the wound of entry in the back of the head and inner aspect in the skull in order to show a crater although I was there asking for these photographs. I don't remember seeing those photographs.⁵²

Purdy himself reported that, "STRINGER said it was his recollection that all the photographs he had taken were not present in 1966 [when he first saw the photographs]."⁵³ No photographs now exist of the interior of JFK's chest, but it was unanimous that such photographs were taken. (Finck was apparently

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Medical Evidence

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never asked about interior chest photos.) As Purdy conducted many of these interviews, and should have known the content of all of them, he apparently never explored this important controversy. The records speak for themselves:

"STRINGER remembers taking 'at least two exposures of the body cavity'"⁵⁴

HUMES: "...specifically recall[ed] photographs...were taken of the President's chest...[these photographs] do not exist."⁵⁵

BOSWELL: "...he [Boswell] thought they photographed '...the exposed thoracic cavity and lung...' but doesn't remember ever seeing those photographs."⁵⁶

ROBERT F. KARNEI, MD, "He [Karnei] recalls them putting the probe in and taking pictures (the body was on the side at the time) [sic]."⁵⁷

FLOYD REIBE: "he thought he took about six pictures - 'I think it was three film packs' - of internal portions of the body."⁵⁸

Those who defend the government's (however changing) version of events will ask why no one who has seen the "original" autopsy photographs has come forward to admit seeing images missing from the inventory? But in fact, such a person has come forward: White House photographer Robert Knudsen. He made his revelations known to the HSCA's Purdy. However, the HSCA felt it prudent to devote not a word to Knudsen's revelations anywhere in its twelve volumes. It also elected to suppress, as usual, the contradictory, non-sensitive interviews from the public.

Knudsen claimed that he had developed autopsy negatives, and that he had examined them while they were drying. Purdy provided Knudsen with the then extant autopsy images and asked if there were any other images he recalled having ever seen. Betraying no doubt, Knudsen repeatedly insisted, despite Purdy's repeated discouragement, that the day after the assassination he had seen an image of JFK's body sitting up with metal probes entering the back.⁵⁹ He also claimed the probes demonstrated that the throat wound was higher than the back wound. Knudsen's recollection bore a strong resemblance to the recently declassified claims of another autopsy witness - pathologist Robert Karnei, MD. The HSCA reported, "He [Karnei] recalls them putting the probe in and taking pictures (the body was on the side at the time) [sic]."⁶⁰

While one is loath to ascribe dishonorable motives to the HSCA's investigation, it is difficult to comprehend why so much medically-relevant evidence was withheld from the only consultants the HSCA engaged capable of comprehending it: the forensic panel. But the fact remains that much was withheld, and on the inadequate database it had, the forensic panel drew its conclusions that, at least as

pertains to JFK's known wounds, Oswald could have been responsible.

Sifting through the endless piles of released documents for the relatively few that bear on the ultimate conclusions in the case is both a labor of love, and an exercise in frustration. For while the discovery of stunning documents like those discussed is in a peculiar way "re-

warding", it is also enormously frustrating. For it becomes annoyingly clear that in the medical area or, as in other areas, John Kennedy's murder has yet to be honestly investigated. "Authorities," with preconceived notions of what the "right" conclusions ought to be, have been given free reign to suppress non-sensitive evidence at odds with the interpretations they wish to push on the public. The medical/autopsy case for Oswald's sole guilt, like the other aspects of the case, is thus an argument from authority: trust the conclusions of the authorities whom our government has allowed to see the evidence. The public, however, is not allowed to see the evidence. The situation would not seem so tragic were it not for the fact the "authorities" have repeatedly proven their unworthiness. With the enactment of Congress' JFK Records Collection Act, and the formation of the Assassinations Records Review Board, hope has sprung yet again that *this time, it will be different*. This time, the public can make up its own mind about what the evidence shows. But even if there were full disclosure of all suppressed documents, it is unlikely there would ever be true "closure." For we will probably never know the full extent of what the document releases have already shown: the significant amount of evidence tampering that has been performed in the Kennedy case. ♦

Notes

1. The Warren Report (WR hereafter), p. 533, ff.
2. Bonar Meninger. *Mortal Error: The Shot That Killed Kennedy* (New York: St. Martin's Press, 1992), p.44.

3. *Ibid*, p. 45.

4. Exhibit #392: WC V17:9-10

5. David S. Lifton. *Best Evidence: Disguise and Deception in the Assassination of John F. Kennedy* (New York: Carroll & Graf, 1988), p.543.

6. *Ibid*, p. 546.

7. Noted with citations in presentations by author GLA made at the Coalition on Political Assassinations, October, 1994 and October, 1995.

8. HSCA rec. #180-10108-10333. Agency file #002961. Memo from Arlen Specter to J. Lee Rankin, 5/24/64.

9. Lifton, Photo #24, between p. 234 and 235.

10. WR, p. 36. (Found on p. 19 in St. Martin's Press edition.)

11. WR, p. 106

12. WR, p. 101-105. (Found on pp. 98-107 in St. Martin's Press edition.)

13. Obtained by Kathy Cunningham. Memo from AG Ramsey Clark to "Vinson, Sanders and Rogovin," dated Nov. 25, 1966. Titled: "Warren Commission - Re-evaluation of evidence". Obtained at the LBJ Library by Randy Robertson.

14. Epstein, Edward J. *Inquest*. New York: Viking Press, first edition 6/66, second printing 7/66, Condensation in *True Magazine*, Oct-Nov, 1966. Five additional printings by Bantam Books.

15. For a good compilation of Warren-critical books and articles from the period in question, see David Lifton's *Best Evidence*, p. 712, 716-717.

16. Although the "Liebeler memorandum" has not been published, author David Lifton discusses the memo in detail in *Best Evidence*. While Slawson refers to the memo's having been dated 11/16/66, Lifton claims it was written on 11/8/66.

17. US Govt. Document: Agency: "DOJCOVIL" Record # 182-10001-10013. From DOJ - David Slawson - to Ramsey Clark

18. *New York Times*, January 17, 1969, p. 17.

19. US Govt. Document: Agency: "DOJCIVIL", Record # 182-10001-10002. From J. Thornton Boswell, MD To: Ramsey Clark, Attorney General. In: *Post Mortem*. Published by Harold Weisberg in 1972, Frederick Maryland, p 574

20. Weisberg, *Post Mortem*, p. 139.

21. *Ibid*, p.139-140.

22. *Report of Inspection by Naval Medical Staff on November 1, 1966 at National Archives of X-Rays and Photographs of Autopsy of President John F. Kennedy*. In: Weisberg, Harold, *Post Mortem*, p. 565.

23. Inventory retrieved by Kathy Cunningham from National Archives. No identifying information accompanies the inventory, other than the following statement which is on a sheet preceding the inventory. "This is the inventory of the autopsy, x-rays, and photographs

which is mentioned near the bottom of the first page of the report of Drs. Humes, Boswell, and Finck, dated Jan. 26, 1967 [sic]. Please add it to the Burkley and Kennedy Letters you are checking with Mr. Richman. - 1/30/69"

24. In: Weisberg, *Post Mortem*, p.565-573.

25. US Govt. Document: Agency: "DOJCOVIL", Record # 182-10001-10021. From Carl W. Belcher To: File.

26. Attestation of examination of autopsy photographs and radiographs dated 1/26/67, signed by James Humes, MD, J. Thornton Boswell, MD and Pierre Finck, MD. In: Weisberg, *Post Mortem*, p. 575-579.

27. Document entitled "PRIVILEGED COMMUNICATION" retrieved from National Archives identified only by a cover sheet stating "Collection: HSCA (RG 233)", obtained by Kathy Cunningham.

28. *Op. cit.* at ref. #44, p. 579.

29. Affidavit of James H. Humes, MD, J. Thornton Boswell, MD, and Pierre A. Finck, MD January 26, 1967. In: Weisberg, *Post Mortem*, p.575-579.

30. Autopsy Report - Warren Commission Exhibit, # 387.

31. *Ibid.*

32. "PRESIDENT JOHNSON'S NOTES ON CONVERSATION WITH ACTING ATTORNEY GENERAL RAMSEY CLARK - JANUARY 26, 1967 - 6:29pm". Retrieved from the LBJ library by Kathy Cunningham. No other identifying information other than "COPY LBJ LIBRARY" appears on memo.

33. The Clark Panel's members included pathologists William H. Carnes, MD, Russell S. Fisher, MD and Alan R. Moritz, MD, as well as radiologist Russell H. Morgan, MD. Their estimable credentials are detailed in the 1968 "PANEL REVIEW OF PHOTOGRAPHS, X-RAY FILMS, DOCUMENTS AND OTHER EVIDENCE PERTAINING TO THE FATAL WOUNDING OF PRESIDENT JOHN F. KENNEDY ON NOVEMBER 22, 1963 IN DALLAS, TEXAS." In: Weisberg, *Post Mortem*, p. 580-581.

34. In: *Post Mortem*, p. 590.

35. HSCA Vol 1:201.

36. *New York Times*, January 17, 1969, p. 17.

37. Exhibit #392: WC 17H9-10.

38. HSCA, Vol. 7:37-39.

39. WC: CE#1024: 18H744.

40. WC: 2H80-81.

41. WC: 2H127.

42. HSCA interview with Curtis Jenkins, Jim Kelly and Andy Purdy, 8-29-77. JFK Collection, RG 233, Document #002193, p.4.

43. HSCA REC # 002191.

44. HSCA rec # 189-10089-10178, agency file # 000661, p.3. On the day of their interview Purdy and Conzelman signed a diagram prepared and also signed by Robinson. The sketch depicts a defect directly in the central, lower

rear portion of the skull. (HSCA doc # 180-10089-10179, agency file # 000662)

45. HSCA rec # 180-10105-10397, agency file number # 014461, p.2.) The authors are unaware of any diagram Rudnicki might have prepared.

46. HSCA interview with Ebersole, 3-11-78, p.3.

47. HSCA interview with Ebersole, 3-11-78, p. 62.

48. HSCA Ebersole interview, 3-11-78, p. 64.

49. HSCA record # 10010042, agency file # 002086, p. 2.

50. HSCA Telephone contact—Mark Flanagan, 4/25/78, p. 2.

51. *Report of Inspection by Naval Medical Staff on 11/1/66 at National Archives of X-rays and Photographs of President John F. Kennedy.* In: Weisberg, *Post Mortem*, p.573.

52. HSCA interview with Finck, p.90.

53. HSCA rec. # 180-10093-10429. Agency file # 002070, p. 11. Stringer apparently was not satisfied with the explanation given him for the missing photos. The HSCA reported, "He (Stringer) noted that the receipt he had said some of the film holders [sic] had no film

in one side of the cassettes. He said the receipt said this happened in two or three of the film holders where one side only was allegedly loaded. He said he could understand it if the film holders were reported to have poorly exposed or defective film but could not believe that there were any sides on the film holders which were not loaded with film...."

54. HSCA rec. # 180-10093-10429. Agency file # 002070, p. 2.

55. HSCA record # 180-10093-10429), Agency file # 002070, p. 17.

56. HSCA rec# 180-10093-10430. Agency file # 002071-p. 6

57. HSCA, JFK Collection. RG #233, file #002198, p.5.

58. Lifton, p.638. "The X-rays and photographs described and listed above include all the X-rays and photographs taken by us during the autopsy, and we have no reason to believe that any other photographs or X-rays were made during the autopsy." J. Humes, J.T. Boswell, J. Stringer, J. H. Ebersole 11/10/66

59. HSCA Agency File Number 014028.

60. HSCA Agency File Number 002198, p. 5.c

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May-June, 1997 **PROBE**

J. Lee Rankin: Conspiracist?

By Jim DiEugenio

J. Lee Rankin was born in Nebraska in 1907, the son of Herman P. Rankin and Lois Gable, both lifelong Republicans. He was associated with Thomas Dewey's campaign in 1948 and later chaired a state committee for Eisenhower. Prior to becoming chief counsel for the Warren Commission he had been U. S. Solicitor General, a very high position in the Justice Department. He was appointed to the Commission only after a long and rather heated debate, and over the wishes of Earl Warren who had wanted his old friend and colleague Warren Olney as chief counsel. Both John McCloy and Allen Dulles seem to have maneuvered Warren into this choice. According to declassified FBI documents, Rankin also seems to have been involved, again with McCloy and Dulles, in the creation of the 1967 CBS multipart documentary endorsing the Warren Report, hosted by Walter Cronkite.

What follows is a recently declassified HSCA document sent to us by researcher Peter Vea. It is a report by staffer Michael Ewing of a phone conversation with Rankin in preparation for his public appearance and executive session interview. Rankin was living in New York at the time. It seems that in the intervening years he came to harbor some deep suspicions about the efficacy of the Commission. In fact, as far as we know, these are the strongest criticisms of the Commission that we know of by anyone actually on the legal staff, as opposed to the members of the Commission themselves.

Phone call to J. Lee Rankin 5/31/78

I called to discuss our plans for an interview and deposition, and he initially commented that he'd been waiting a long time to hear from us. He said he'd be glad to come down as soon as possible, but noted that he had been sick for a month and is having a hernia operation in the next few days and thus will not be available until early July. I will check with him to set up the earliest possible date when he gets out of the hospital.

He stated at the outset that he "would of course like the opportunity to review the testimony" of the other former Warren Commission staff members who have testified before him. I said that I was unfamiliar with the Committee rules on such a request but thought that it may very well be impossible for us to comply with this request, noting that I did not believe anyone else had ever made such a request. He seemed to be very defensive about what his former colleagues may have testified

about him and the Commission.

After we talked a few minutes he seemed more at ease. I said that we were sympathetic to the problems encountered by the Commission and were probably experiencing some of the same difficulties. He seemed pleased to hear this. He said that "our problem at the outset was having no investigative staff to call our own," and indicated that he had favored one and had been overruled by higher authority. He stated that "there were some awfully strong personalities among the members" and that "he had continuing difficulties due to those personalities."

"Are you looking into the plots on the basis of whether they were covered up by the CIA because some of the very people involved in them could have been involved in the President's assassination?"
I said that yes that was an area of our investigation, and he replied strongly, "Good. Good. You have to look at it that way."

Though I stated that I didn't want to go into his past work over the phone at this time, he went on to make several points. First, he stated that he believed that "hindsight makes it clear that both Hoover and the CIA were covering up a variety of items" from the Commission and he personally. He said that the had been continually saddened over the years by "all the disclosures about Hoover's performance in our area and a number of others." I commented that he (Rankin) was apparently not one of Hoover's favorite people and he laughed and said "That is now abundantly clear, though I've never read my dossier." He said that he finds the FBI performance "quite disturbing in hindsight. We would have found their conduct nearly unbelievable if we had known about it at the time." He commented that the destruction of the Hosty note was "a crime—a crime committed by the FBI, and one which directly related to the assassin's most important actions and motivations during the final days" before the murder. He again said that he finds the Hosty note destruction "almost beyond belief, just unconscionable." I commented that we have heard testimony to

the effect that if the staff had known about it at the time, that the decision to use the FBI for investigative work might have changed. He agreed, saying, "We couldn't have used the people involved in any further way, that's clear. The FBI would have to have been regarded as a suspect in that instance and that in turn would have affected everything." He indicated that he would have gotten his own investigators at that point.

He further stated that "Hoover did everything he could" to get the Commission to adopt the earliest FBI report on the shooting, which Rankin said "we of course finally rejected."

He then made a point of inquiring about our work relating to the CIA-Mafia plots against Castro. He said: "One thing which I think is very important, and I don't know if you are getting into this—and I don't know if it is proven or not—is whether the CIA used the Mafia against Castro." He said that there were reports in recent years that this was true and that it involved an assassination conspiracy against Castro. He said, "Do you know if this has been proven?" I said yes it had, and briefly explained the history of the plots and their concealment from anyone higher than Helms at the time. Rankin then responded, "Ah yes. I've been very afraid that it was all true. But I haven't followed all the books and reports in recent years." He went on to say, "I would find the plots with the Mafia—the Mafia being mixed up with the CIA and these Cubans—frightening. You've got to go after that." He went on to say "That again is something that would have been beyond belief at the time." He said Helms' role in the plots and his concealment of them from the Commission "would have been just unconscionable." He expressed great anguish over hearing that the plots were in fact confirmed. It seemed strange that he has not followed public developments on the plots more carefully, but he indicated that he simply does not follow these areas and has not read "any of the Church Committee reports."

When I said that we were devoting considerable time to investigating the CIA/Mafia plots he said, "Good, good. That is crucial." He went on to say "that would have changed so much back then" if he had known of the plots. He said that he found the plots all the more disturbing in light of the fact that Robert Kennedy was pushing his investigations of the Mafia so heavily during that same period.

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King Assassination

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Ray case was one by Gerold Frank. William Pepper, Ray's current attorney, in his book *Orders to Kill*, quotes from an FBI memo from Assistant Director Cartha DeLoach to Hoover's close confidant, Clyde Tolson:

Now that Ray has been convicted and is serving a 99-year sentence, I would like to suggest that the Director allow us to choose a friendly, capable author or the *Reader's Digest*, and proceed with a book based on the case.

The next day, DeLoach followed up his own suggestion with this:

If the Director approves, we have in mind considering cooperating in the preparation of a book with either the *Reader's Digest* or author Gerold Frank....Frank is a well known author whose most recent book is *The Boston Strangler*. Frank is already working on a book on the Ray case and has asked the Bureau's cooperation in the preparation of the book on a number of occasions. We have nothing derogatory on him in our files, and our relationship with him has been excellent.² [Emphasis added.]

Another author favored by the intelligence community was George McMillan, whose book *The Making of an Assassin* was favorably reviewed by no less than Jeremiah O'Leary. Mark Lane tells us, "On November 30, 1973, it was revealed that the CIA had forty full-time news reporters on the CIA payroll as undercover informants, some of them as full-time agents." Lane adds, "It seems clear than an agent-journalist is really an agent, not a journalist." He then tells us:

In 1973, the American press was able to secure just two of the forty names in the CIA file of journalists. The *Washington Star* and the *Washington Post* reported that one of the two was Jeremiah O'Leary.³

On March 2 of this year, the *Washington Post* ran not one but two articles condemning Ray and the calls for a new trial, written by longtime CIA assets Richard Billings and Priscilla Johnson McMillan, wife of George McMillan. In another paper the same Sunday, G. Robert Blakey, the architect of the cover-up at the HSCA, also made his voice heard for the case against a new trial. And a week later, Ramsey Clark—the man who within days of the assassination was telling us there was no conspiracy in the King killing—has also recommended the formation of yet another government panel in lieu of a trial for Ray. The only voice missing was Gerald Posner. But his too will come. Posner's next book will be about the Martin Luther King assassination, according to *Time* magazine.

Is the presence of such people commenting on the James Earl Ray case just coincidence? Or indicative of a continuing cover-up? Examine their backgrounds and decide for yourself.

Priscilla & George

It's predictable, really, that Priscilla would be writing in defense of the official myths relating to the MLK case. "Scilla", as her husband called her, has been doing the same in the John Kennedy assassination case for years. She just happened to be in the Soviet Union in time to snag an interview with the mysterious Lee Harvey Oswald. Later, she snuggled up to Marina long enough to write a book which Marina later said was full of lies, called *Marina and Lee*. Priscilla's parents once housed one of the most famous and high-profile defectors the CIA ever had—Svetlana Alliluyeva, daughter of Josef Stalin. Evan Thomas—father of the current *Newsweek* mogul of the same name and the man who edited William Manchester's defense of the Warren Report—assigned Priscilla to write the defector's biography. Alliluyeva later returned to the Soviet Union in dismay, saying she was under the watch of the CIA at all times.

Is Priscilla CIA?

She applied for a job there in the fifties, and her 201 file lists her as a "witting collaborator," meaning, not only was she working with the agency, she *knew* she was working with the agency. And how independent was she? In a memo from Donald Jameson, who was an experienced Soviet Russia Branch Chief and who in the same year handled Angleton's prize (and the CIA's bane) Anatoliy Golitsyn, wrote of Priscilla:

Priscilla Johnson was selected as a likely candidate to write an article on Yevtushenko in a major U. S. magazine for our campaign....I think that Miss Johnson can be encouraged to write pretty much the articles we want.⁴ [Emphasis added.]

Priscilla's latest writing shows that either she never learned the truth about her husband's book, or she is unabashedly willing to support the lies therein. For example: George McMillan has long since been taken to task by researchers for writing that Ray's hatred of King came about as Ray watched King give speeches from Ray's prison cell. But that prison had no TVs available to inmates, either in cells or cell blocks, until 1970—two years after King had been killed! This has long since been exposed in print in numerous places. Yet Priscilla repeats this canard in the *Washington Post*, in 1997. Is this another assignment?

In addition, George McMillan relied heavily on James Earl Ray's brother Jerry as a source. Yet Jerry and George both admit that Jerry lied to George. Jerry also alleged, and George did not deny when given the chance, that George made up quotes and attributed them to Jerry. Now, Priscilla writes uncritically of George's version of events, without acknowledging to *Post* readers any of these serious challenges to the credibility of George's description of events.⁵

George McMillan himself is also a very interesting character, who shows up in both the King and Kennedy assassination investigations. What is not well known is that George McMillan was one of the earliest post assassination interviewers of George de Mohrenschildt. As reported by Mark Lane on Ted Gandolfo's *Assassinations USA* cable program, George McMillan had been in Dallas a few weeks after the assassination. He left his notebook in a hotel with Oswald's name in it. When the notebook was found, it was reported to the FBI. In it were notes McMillan had taken from de Mohrenschildt. Later, George tried to get in on the Garrison investigation, according to a memo from Garrison's files, but was rejected because he came on like "three bulls in a very small china shop." And after de Mohrenschildt's alleged suicide, McMillan wrote the following in the *Washington Post*:

I stayed with de Mohrenschildt and his wife in their lovely house which clutched the side of a steep hill overlooking Port-Au-Prince—and which was, not insignificantly, I suppose, within the compound where Papa Doc Duvalier then lived. We had to pass through heavily guarded gates as we came and went.

One can only imagine the kind of clearance needed to be able to live inside the dictator's compound, and to gain access to it as a journalist.

Et Tu, Billings?

Peter Dale Scott writes that Dick Billings is a relative-in-law of famous CIA propagandist C. D. Jackson. Billings has long been involved in the Kennedy assassination. G. Robert Blakey, the HSCA's Chief Counsel, and Billings both wrote the HSCA's final report. Billings did not, by the way, have to sign the nondisclosure agreement that other HSCA members had to sign. Evidently, Billings was trusted by those with the most to hide. Billings also co-wrote with Blakey their mob-did-it book called *The Plot to Kill the President*.

Billings was for years involved in Allen Dulles' friend Henry Luce's publishing empire, as a writer and editor at *Life* magazine. One of his most intriguing assignments was to accompany several CIA and ex-CIA commandos on a mission code-named Operation Red Cross. This operation's goal was to kid-

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nap two Russian military officers from a Cuban missile site and bring them back to the United States for an interview. The point was to discredit President Kennedy with new evidence—post-October Missile Crisis—that the Soviets still harbored missiles in Cuba. Along with Billings on this mission were John Martino, Rip Robertson, and the owner of the private yacht upon which they sailed, former U.S. Ambassador William Pawley. Others involved in the planning and/or execution of this operation were Howard Davis, Gerry Patrick Hemming, Frank Sturgis, Eddie Bayo (born Eduardo Pérez)—an anti-Castro guerrilla, and Senator James O. Eastland. All of these people had worked with the CIA at some point. At the CIA's request, Pawley had gone to Batista to attempt to persuade him to step down. The CIA also sent Pawley to make the same request of Trujillo, shortly before he was assassinated in a CIA-backed coup.

At this time, President Kennedy had issued (and the FBI was enforcing) a ban on such excursions to Cuba. But Billings evidently had no compunction about participating in this illegal, and, as it turned out, ill-fated raid. *Life* magazine had footed the bill for \$15,000 in military equipment needed for the voyage, and Billings' participation was part of the deal. Everyone in the project had been sworn to secrecy. As a typical off-the-books operation, then CIA director John McCone didn't even find out about this attempted raid until a year later, when the families of several of the men who disappeared forever that night started pushing for answers.⁶

Billings later injected himself into Garrison's investigation, at first siding with Garrison, and later writing articles saying Garrison's investigation was designed to protect the mob in New Orleans, a charge which falls apart rapidly upon investigation. But even more significantly, Billings was evidently in touch with George de Mohrenschildt during Garrison's investigation as well (see the letter pictured at center). In a letter dated August 29, 1967, de Mohrenschildt attempts to confirm that some people asking questions about HLO (Harvey Lee Oswald?) and Haiti

were really from *Life*. He ends the letter by saying that "Both my wife and I are anxious to see you again in Dallas." [Emphasis added.] Just how well did these two know each other?

Also suggestive that Billings may have known far more than he lets on about the Kennedy assassination is a provocative transcript of Loran Hall's account of a meeting with Billings in Garrison's files. Dated May 7, 1968, Hall makes some statements best left in Hall's own words:

August 29, 1967

Dear Dick:

Two days ago a reporter and a photographer from your magazine called me up, referred to you, and came to my house. Their names escape me; one had a Spanish name, another Arthur something. They constantly referred to my conversations with you and then showed me the pictures of some Cubans involved in the unsuccessful invasion of Haiti. They asked us some questions about HLO but mostly about the situation in Haiti.

Naturally I did not say much, because I have a pending suit against Haiti, nor was I familiar with any of the characters they had mentioned.

Now I am wondering if they were actually people from your magazine; they took some pictures of us and of our dogs.

Anyway, I did not say anything of importance and I did insist that nothing should be printed about us.

However, they both did know of our conversations, so I presume that they actually were from *Life* and that my doubts have no foundation.

Please let me know. In the future I shall ask anyone who will come over for their credentials.

Both my wife and I are anxious to see you again in Dallas.

Sincerely yours,

/s/

George de Mohrenschildt

...He [Billings] wanted to know why JERRY COHEN had taken such a complete turn now, like being pro-Garrison and pro plot on the assassination and that why is JERRY COHEN now thinking that BRADLEY is involved, and I said because he's probably opened up his god damn ears and he said well he's sure switched in the last week. I talked to him last Friday and he's convinced now that BRADLEY is involved some way or somehow and this kind of shook BILLINGS. He also started asking me questions like uh like uh, was there any did he show you any movie films and I said what kind of film are you talking about. And he uh he kind of hem-hawed around he said well you know what I'm talking about and I said no, what are you talking about. He said did you see the killing of Kennedy on movie and I says no and uh then he

also told me that in November or December that he went to Dallas, Texas, with \$20,000 from *Life* and *Time* Magazine and had purchased every piece of film that could be purchased in Dallas, Texas, concerning the assassination.... BILLINGS pumped me real strong on the ZAPRUDER film and I said look uh I didn't even know that he had a film. I had heard rumors that he might have one but that I did not see it and he started really going in to so I said look turn that god damn tape recorder off. So he turned the tape recorder off and I called him a son of a bitch and I said you and I both know what happened in Dallas, Texas, and the ZAPRUDER film will prove it and he said well I'm going to turn this back on and I said like hell you will and so that was the end of the conversation about any film.

So it is from this background that we must evaluate Billings' recent remarks on the King assassination. Both he and Blakey harp on one key event that Ray has consistently denied, as evidence of Ray's guilt. In a televised session, Ray stated that he had not returned to Atlanta after purchasing the rifle that allegedly killed King. Ray told the committee, "If I did, I'll just take responsibility for the King case right here on TV." Chairman Louis Stokes then brought forth committee exhibit F-59, a blow-up of two receipts for laundry showing one of the aliases Ray had used, Eric Galt. To this day, Ray denies having been to Atlanta. And as will be shown in this article, a case can be made that Ray was unfairly ambushed in this regard, and that the Galt indicated on the laundry receipts could very well have been someone other than James Earl Ray.

G. Robert Blakey

G. Robert Blakey came to be the head of the HSCA after a concerted media campaign ousted

both Henry Gonzales and Dick Sprague, two people who had made it clear they would investigate any and all, without fear or favor. Gonzales, in his comments to the House of Representatives prior to the formation of the HSCA, had said

...CBS did conclude that there is a need to investigate the possible 'Cuban connection' in respect to the killing of the President.

I would like to look into the 'Cuban connection,' too, but I would also like to know more about the whereabouts of certain domestic spies and what they were up to during November 1963. As well as his connection with Cuba, I would also like to know what Oswald's connec-

tion was with our intelligence community.⁷

The media campaign that brought Blakey to power and ousted Sprague and Gonzales was led by CIA-asset Jeremiah O'Leary, David Burnham of the *New York Times* (the man Karen Silkwood was on her way to see when she was killed in a car accident) and George Lardner, Jr. (perhaps the last person to see David Ferrie alive, as he was dead the morning after Lardner's post-midnight visit).

Blakey's role can only be characterized as covering up the true facts of the case. As Gary Aguilar and Kathy Cunningham show in their article in this issue (see page 18), the HSCA under Blakey withheld from public view key evidence, now released, that would have brought us closer to the truth in the medical aspects of the case. The same can be said about other aspects of the investigation as well. One particular example from the James Earl Ray case will show just to what levels the HSCA was willing to stoop to avoid the truth and confirm the official verdict that Ray killed King.

Blakey's "Secret Weapon"

In mid-August of 1978, while Ray and his then lawyer Mark Lane faced TV cameras in public testimony, Blakey sprang a surprise on Ray and Lane, in the form of MLK Exhibit 92. Lane had asked for and been promised a chance to review the committee's evidence against Ray prior to its being presented. Yet on this hot midday in Washington, DC, Lane and Ray were ambushed with a transcript of an interview with Alexander Anthony Eist, a former member of a unit within Scotland Yard. Eist made some astonishing claims, notably that Ray had not only confessed to killing King but that he had exhibited an intense hatred of blacks.

Lane was furious. Not only had he not been given advance notice so that he could research these charges, but the statements had not even been made under oath. In *Murder in Memphis*, Lane wrote:

The unsworn answers given by Eist could have no legal import although they were designed to seem impressive to a waiting television audience. If Blakey and his staff of attorneys and investigators suspected or believed that Eist was not telling the truth the technique they decided to employ, securing remarks which were not given under oath, would spare them the potential embarrassment of prosecution for subornation of perjury. It also permitted Eist to make false statements with the knowledge that he could not be prosecuted for perjury. Blakey had issued a license to lie to Eist.

"I called him a son of a bitch and I said you and I both know what happened in Dallas, Texas, and the ZAPRUDER film will prove it" — Loran Hall to Dick Billings

Luckily for James Earl Ray, when one English barrister heard that Eist's remarks were to follow the lunch break, he called across the Atlantic to reach Lane to give him some background on Eist. According to the barrister, Eist had been dismissed from the Metropolitan Police force in London after being charged with

theft and perjury—specifically for having invented oral confessions. He was later found guilty of corruption. Lane was able to use this information in front of the TV cameras, and chastised the committee for its unethical conduct in bringing such a man's testimony forward before millions of TV viewers. Lane railed:

If this information about Eist is true, which has just been given to me, if it was all public knowledge in England, in all of the newspapers as this lawyer told me, then I don't know why your investigators in London couldn't have found that out by reading any of the newspapers. If this is true, and if it was in the newspapers, this Committee has engaged in the most irresponsible conduct probably in the long history of Congress, and that is an awfully long history of irresponsible conduct.

Congressman Richardson Preyer answered:

...I will point out...that Mr. Devine indicated this testimony is not being offered as evidence of the truth of those statements. The Committee does not make any statement as to the credibility of the witness and Mr. Ray was only being asked whether the statement was true and any comments he may—

at which point Lane interrupted with:

If you knew of this man's background, it was a height of irresponsibility not to inform the American people about that background. Yet, if I did not receive a phone call from the English lawyer, the American people would not know of the deceit of this Committee. This is perhaps the most outrageous thing this Committee has done.⁸

Indeed, to claim such charges were made only for the point of asking Ray if they were true, when the charges were aired over national television, strains credulity past the point of breaking. Such was the HSCA's method, under G. Robert Blakey. So again, how fair will he be to any question of Ray's innocence, in light of the depths to which he allowed his own committee to stoop in an effort to prove Ray's guilt?

Perhaps the only more hypocritical commentator in the latest round of media spokesmen has been former Attorney General Ramsey Clark.

Ramsey Clark

All of our evidence at this time indicates that it was a single person who committed this criminal act.⁹

Ramsey Clark made that incredible statement within the first few days after the assassination of Dr. King. How—without a single suspect in hand—could Clark even pretend to know that only a single person was involved?

Clark is familiar to those who study the Kennedy assassination as the driving force behind what became known as the "Clark Panel," a group of medical professionals gathered together to reexamine the medical evidence so poorly handled by the Warren Commission. But as this author has pointed out before,¹⁰ the people choosing the participants of this panel had long-standing, demonstrable ties to the intelligence community in general and the CIA in particular. And again, in the article in this issue by Aguilar and Cunningham, the reader will find that this panel's conclusions were no more forthcoming than the Warren Commission's regarding the truth about the medical evidence.

Clark is also famous to those who have studied Garrison's case against Clay Shaw. Bill Davy, in his monograph *Through the Looking Glass: The Mysterious World of Clay Shaw*, shows that Clark had asked the FBI if they knew anything about Clay Shaw, and was told by Cartha DeLoach that Shaw's name had indeed come up in the original December, 1963 FBI investigation "as a result of several parties furnishing information concerning Shaw."¹¹ Clark asserted to the press, upon Clay Shaw's arrest, that the FBI had checked him out already and found him in the clear. But since that immediately raised the question of why the FBI was checking out Shaw in the first place, the Justice Department issued a statement that Clay Shaw had not been investigated, and that his name had never come up. Despite Clark's certain knowledge, he let the Justice Department put forward that lie.

Given his record in these matters, for Clark to now say Ray shouldn't have a trial, as he did recently in *The Nation*, but that a government panel should be convened to restudy the case, is remarkable. Does Clark really think the government which produced the Warren Commission and the HSCA, and failed to reveal the truth about either the Martin Luther King case or the Kennedy assassination, should be given a chance to bamboozle us yet again?

Why do the calls for Ray to get a new trial bring forth such a barrage of criticism, and from people with such notorious records of covering for the national security state? And if there was a conspiracy, as the evidence strongly suggests, in the assassination of Martin Luther King, could it really have been constructed by a bunch of racist businessmen in St. Louis, as the HSCA posited on wafer-thin evidence? Or is the story more complex, re-

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quiring the participation of intelligence agencies? Rather than attempt to summarize the works by Harold Weisberg, Mark Lane, Philip Melanson, and most recently William Pepper in this regard, a brief accounting of a few key problems should put this question in perspective.

The Case for Conspiracy:

Two Eric S. Galts

Eric S. Galt was one of the aliases used by James Earl Ray. But there is strong evidence that at least two people were using that alias at the same time. In the case of Lee Harvey Oswald, John Armstrong and others have presented solid evidence that more than one person was using the same identity. This is a common intelligence practice. For example, the name "Eduardo", a famous alias of E. Howard Hunt, was also usurped by James McCord, the former CIA/SRS officer who was arrested breaking into Watergate. Hunt and Sturgis shared aliases. J. Edgar Hoover put out a memo to the FBI at one point saying he thought someone else was using Oswald's birth certificate. This is standard procedure. Therefore, we should take notice that the FBI, in the earliest days of the investigation, was following the trail of not one but two different Eric S. Galts.

For example, on April 26, 1968, *Time* magazine reported the following:

By December, Galt was in Los Angeles, where he presented two distinctly different personalities....Dance Studio Manager Rod Arvidson remembers Galt's alligator shoes, lack of coordination, and quiet disposition....If Galt was remembered as shy and pleasant by most of his acquaintances, the Hollywood drinking crowd in the area of an apartment he rented and at the St. Francis Hotel, where he also stayed, recall him as an obsessive racial bigot, an abrasive patron who belted screwdrivers, dozed on the bar stool and bickered with anyone around.

Two days later, in the *New York Times*, in a surprisingly frank article by Martin Waldron titled "Weird Trail of King's Killer," Waldron outlines even more serious discrepancies:

For at least two weeks, there have been two separate investigations, one centered in Alabama, and one centered in Alabama and Georgia. FBI agents have been investigating two Eric Starvo Galts, two rifles, two white Mustang cars, two driver's licenses, and an airplane ticket. Some thought this might have been the result of a deliberate attempt by the murderer and possible accomplices to lay down false and conflicting trails....

Eric Starvo Galt bought an Alabama driver's license last September when he was creating his false identity. He took the test on Sept. 6 and got his permanent license

mailed to him on Sept. 30. Last March 1, when Galt was finishing up a bartender's course in Hollywood, Calif., Alabama was asked to send him a duplicate of the license. The duplicate was mailed to the Economy Grill and Rooms in Birmingham, and although Galt was in California the duplicate license was received and a bill accompanying it was returned to the driver's license division in Montgomery along with 25 cents....

Varied physical descriptions of Galt have been widely reported. [Emphasis added.]

A *Newsweek* article demonstrated one way the FBI tried to explain the varying physical descriptions away: "...bureau insiders said he was taking amphetamines off and on and his weight might well have fluctuated sharply as a result."¹²

Clearly there were at least two people using the Galt identity. And if there were two Galts, how can Blakey and Billings be so certain that the Galt indicated by the laundry slips, assuming they were not forged in the first place, belonged to James Earl Ray's Galt and not some other Galt? And to add to the confusion, beyond two fake Galts there was a real Eric S. Galt, living in Canada.

It should also be mentioned here that Birmingham was one of the key staging grounds for the CIA's ill-conceived Bay of Pigs invasion. Four non-Cuban participants in the invasion attempt died, leaving widows in Birmingham who received payments after their husbands' deaths from Double-Check corporation.

And as the article stated, the weirdness doesn't end with the multiple Galts.

Two White Mustangs

Two white Mustangs, one of which ostensibly belonged to Ray, are part of the story. A white Mustang purchased by an Eric S. Galt was found abandoned in Atlanta after the assassination. Despite this having allegedly been Ray's getaway car, Ray's fingerprints were not found anywhere in the car. In addition, the car purchased by Galt and found by the FBI was an automatic, but men who remembered working on Ray's white Mustang told of how they worked on his clutch. Waldron reported in the article previously cited:

The young man with a pointed nose who the FBI said shot Dr. King, drove away from the scene of the murder in a white Mustang. Another white Mustang parked about 200 feet further down the same Memphis street drove away about 10 minutes later.

And then, there was the fake Mustang radio chase. The *Time* article mentioned above also reported:

[There was] a mysterious radio call [which] described a continuing police chase after the Mustang. The chase went one way, the Mustang another, and the broadcast later was discovered to have been a fake. The killer had been given his chance to escape.

In 1975, Dan Rather did a series of programs on the assassinations of the 60's. One segment of this four part series was dedicated to the James Earl Ray case. In that show, which I was recently able to view, the radio broadcast is played. For years we have been told this was a hoax perpetrated by a teenager. I can personally attest that the voice was certainly not that of a teenager, and sounded instead like that of a middle-aged man. Once again, no one seemed to want to find the truth about who made the fake broadcast. It's unlikely someone not directly involved would 1) even know enough about what was transpiring to intelligently perpetrate such a hoax and 2) would escape prosecution once the hoax was exposed. Yet someone did abet the escape of the real killer, and no one was ever prosecuted for interfering with a police broadcast.

Two Ramon George Sneyds

Another of Ray's aliases and the one he was eventually apprehended under was Ramon George Sneyd. But, as in the case of Eric Galt, there are multiple Sneyds involved, along with one real Sneyd, again from Canada (and who just happened to live within a few miles of Canada's only Eric S. Galt).

A mystery surrounds Ray's very apprehension itself, on June 8, 1968. The earliest press reports indicated that Ray/Sneyd had been arrested at Heathrow airport as he was passing through immigration upon his arrival from Lisbon, Portugal. But evidence soon surfaced that a Ramon George Sneyd had checked out of his London hotel the same morning that he was apprehended, after having been in London for some time. Then there was a confusion over what time he was arrested. Early reports claimed Ray was arrested at 11:15 a.m. London time. But then reports came out that he had been arrested at 6:15 a.m. London time. Then this became twisted to say America heard about it at 6:15 a.m., because of the five hour time difference. But on more careful study, it appears that Sneyd was apprehended twice because there were two Sneyds.

Respected London publisher Peter Dawnay followed this case closely and uncovered some very startling information. Dawnay found a passenger from the inbound Lisbon flight and heard the following strange tale told. The passenger claimed that in Lisbon, the flight had originally been delayed for an hour. But then a special Trident flight from London had arrived, and shortly thereafter the Lisbon-to-London flight was called ahead of its expected delay time. Quoting from Dawnay's account as published in the *L.A. Free Press* of March 21-27, 1969:

When the passengers had taken their seats and the doors were about to be closed, an official came running over from the airport building with another man. Breathlessly he asked the steward how many passengers on board. Ninety six was the reply. "Then you have room for one more" said the official, indicating the man with him. Since subsequent accounts all said that there were ninety six passengers on that plane, it is clear that the additional passenger was not on the passenger list.

On arrival in London, the passengers filed into the airport building along a raised catwalk. As they did so, they were scrutinized by two senior officers from the Flying Squad at Scotland Yard, Superintendent Butler and Inspector Thompson, both in plain clothes. Suddenly they stepped forward and accosted a man, asking him to step aside. A few minutes later he was hastily taken in a Flying Squad car to Cannon Row police station in central London. The arrest must have taken place at almost exactly 6:15 a.m.

Dawnay calls this man Sneyd I. He then tells us what he found about the other Sneyd:

Almost three hours later (circa 9:30 a.m.), the second Sneyd (Sneyd II from now on) left his hotel and made for London Airport. At 11:15 a.m. he passed through immigration and presented his passport, all unaware that a man who bore the same identity as himself had been arrested at the airport just exactly five hours previously. One look at the name in his passport was enough for the immigration official who immediately called in Scotland Yard's Special Branch which has an office at the airport. Detective Sergeant Philip Burch arrived and obviously had no alternative but to place the man under arrest. He was charged with carrying a forged passport and a loaded revolver.

Adding to the confusion was the fact that in James Earl Ray's pocket was an outbound ticket to Brussels for a flight scheduled at 7:50 a.m. If Ray had flown in from Lisbon, his apprehension would make sense. But why would the usually cash conscious Ray have bought a ticket for a 7:50 a.m. flight, then left for the airport at 9:30 a.m.? It makes sense if Ray is the first Sneyd, but no sense at all if he is the second one. Adding support to the suspicion that Ray was not the Sneyd who checked out of the Pax Hotel is the fact that the man who checked out of the Pax Hotel at 9:30 a.m. was not identified as Ray by witnesses. Yet this second arrest became the official version in the states. To Dawnay, however, Scotland Yard confirmed that they apprehended James Earl Ray coming off a flight from Lisbon. In addition, Dawnay found another pattern. Sneyd I was described as having a southern American accent, whereas Sneyd II was described as having a Canadian accent. There is much to ponder here.

Two Guns

Perhaps the most salient discrepancy, given the current media-generated controversy over whether or not the gun that has long been alleged to be the murder weapon should be

tested, is the fact that originally the FBI was looking for two guns. Returning again to Waldron's "Weird Evidence" article:

Dr. King was shot...by a bullet fired from a Remington 30.06 caliber rifle. A rifle of this description was stolen from a Memphis gun dealer on April 2. Another rifle of the same description was bought at the Aeromarine Supply Company in Birmingham, Ala. on March 30, 1968, by Eric Starvo Galt. The Birmingham rifle was found outside the Memphis flophouse where the shot was fired....

One has to wonder why the FBI, which—as

of April 28—was still not sure which rifle killed King, didn't run their own tests on the weapon they did have. Why were they concerned with a second rifle if they already knew they had the murder weapon? The only answer is that they weren't sure,

for whatever reason. Maybe they *did* run tests, and didn't like what they found, and had to keep looking. That would also explain the current vehement opposition from some quarters to having the rifle tested now, in 1997.

Current Shelby County Prosecutor John Campbell has expressed his opposition to any moves that would lead to a new trial for Ray. Campbell made a most interesting statement recently, perhaps a Freudian slip. He said, "If we are ordered to try him, it would be pretty much the same as releasing him." That's most likely true, if Ray were ever to get a fair trial. The government's case against Ray has always been tenuous. And the only person to ever, however hesitatingly and qualifiedly, identify Ray as having been at the Rooming house (never mind shooting) at the time of the murder was Charles Stephens, a man so drunk a cab driver even refused to take him anywhere that day. Imagine how drunk one would have to be to be refused by a cab driver.

Campbell, amazingly, claims Stephens' eyewitness identification is compelling. "Of course they will say that," said Campbell, referring to critics of the prosecution's case who cite Stephens' drunkenness. But there's an even more compelling reason not to believe Stephens' identification—from Stephens himself. Campbell must have been talking about himself when he said "Americans are bad historians. Nobody has any idea what's been happening in this case...." Campbell evidently does not know that Charles Stephens could not identify a photo of James Earl Ray as the man he remembered seeing when Ray's photo

was shown to him on camera during the CBS special mentioned earlier.

McCullough or not?

An interesting recent development has been a mini-controversy over the identity of the man in the famous photo of King's associates all pointing up towards the rooming house while a single man is bending down examining King. That man has for years been identified as Merrell McCullough, a police informant and long-rumored CIA employee.

In an April 7, 1997 article, Jack E. White of *Time* magazine reported that the claim that Merrell McCullough was the man pictured was false. That man, wrote White, was really *New York Times* reporter Earl Caldwell. Does White read his own stories? Under his own

byline, in February, White had written about Earl Caldwell. He described him as being on the first floor at the time of the shooting. He even tells how Caldwell ran to the embankment between the rooming house and the Lorraine motel, the location from which many researchers believe the real killer fired the shot. Caldwell, White related, said he saw a "shadowy figure" crouching near the edge of that embankment right after the shot, "focusing his attention on the balcony where King's aides were hovering around the fallen civil rights leader." How then, just over a month later, could White claim that now, Caldwell was with King on the second floor?

He can't. Why is this important?

Sam Donaldson recently did a *PrimeTime Live* segment featuring Dexter King's meeting with Ray, and the hurdles to getting a new trial for Ray. But curiously, the *PrimeTime* segment ended on a remarkably interesting note. Since it has long been rumored that McCullough worked for the CIA, Donaldson reported that ABC called the central switchboard at CIA and asked to speak to Merrell McCullough. The call was transferred and a voice answered. The caller asked McCullough if he knew Lloyd Jowers. (Jowers was the man in 1993 who, in an earlier *PrimeTime Live* segment, had claimed he had been hired to find a man to kill King, and that Ray was not the man he hired.) McCullough said yes, he knew Jowers, and what was the call about. When he was informed this was in relation to the King assassination, McCullough abruptly ended the

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King Assassination

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call. It seems the effort to protect McCullough was suddenly in free fall.

In what could be viewed as a limited hang-out, Jack E. White in *Time* magazine on April 14, 1997, wrote:

For years, conspiracy theorists who believe that the U.S. government plotted the murder of Martin Luther King Jr. have focused on Merrell McCullough, an undercover Memphis, Tennessee, policeman who was seen crouching beside King's body moments after the civil rights leader was shot...

Last week *Time* confirmed from U.S. government sources that McCullough has in fact been a CIA agent since at least 1974. McCullough denies being on the intelligence agency's payroll at the time of the murder and, for that matter, being part of any assassination conspiracy.

No mention was made that White had previously tried to identify McCullough as someone else. McCullough is now circled in the very photo White claimed earlier showed Caldwell.

Latest Developments

Despite the media attempts to recast this case, it continues to move forward. When Judge Brown's court was granted authority to order the rifle tested, Judge Brown ordered the testing to be scheduled immediately. The defense, perhaps caught off guard that the permission to retest was granted so quickly, asked for some time, and the official date is not yet set as we go to press.

Meanwhile, state prosecutor Bill Gibbons has called for Congress to release the records from the Martin Luther King assassination investigation. Opposing voices claim the records may damage the reputation of Martin Luther King. But Ray himself had a suggestion for the handling of personally damaging, but ultimately irrelevant data. As he said in his interview with Dexter King:

I think that some kind of small committee could look at these records and if there is anything in there that maybe shouldn't be appropriate you could throw it away. It's not relevant to your situation or my situation. I think too—all these scandals and all—don't have no place in a court of law as far as I'm concerned. The things that should be relevant should be the facts of the case.¹⁴

And why should outside parties care when it's the King family themselves looking for the truth in the case? Who are they trying to protect? The King family deserves answers as much, if not more, than Ray. And no one who

cares about the King family can pretend that obstructing the final exercise of a trial is in any way in the family's best interests. Dexter made very clear both why he and his family care, and the level of their commitment to the cause:

While it's the 11th hour, I've always been a spiritual person, and I believe in Providence. I believe in divine intervention. I believe that in some way, we will make a way out of no way....As my father used to say, we are all caught up in a mutual garment of destiny; what affects one directly affects all indirectly.

In a strange sort of way, we are both victims. I have personally carried this for a long time. My family has carried this burden. So we will do everything in our power to try to bring what has been in the dark, what has occurred in the dark, to the light.¹⁵

Let justice be done though the heavens fall. Set the King family free at last. Give Ray and the King family both the trial they seek. ♦

If you want to see a new trial granted to James Earl Ray, please write to the Tennessee Court of Appeals, P.O. Box 999, Jackson, TN 30302. Ask for justice on behalf of Ray, the King family, and all of us who care about the truth about the assassination of the Martin Luther King.

ARRB Report

continued from page 6

The report is so chock full of information, that I have left out several new items it contains. The report confirms that the ARRB staff has located former government employees "who were subsequently interviewed regarding the possible existence and location of additional assassination records." This is something that many, including *Probe*, have urged. Also new is the information that the Board has availed itself of two federal databasing networks to locate witnesses—Treasury's FINCEN (Financial Crimes Enforcement Network), and the Pentagon's NPRC (National Personnel Records Center) in St. Louis.

Another important nugget in the investigation is the appointment of a Compliance Official with 25 federal agencies. This person is accepted to be the liaison from that agency to the Board. In addition to submitting written and oral reports to the Board, at the end of its life, the Board may conduct sworn depositions with that official to investigate if that agency has fully complied with the letter of the law. There are two other matters of the utmost importance mentioned in the report.

Notes

1. *Three Assassinations, Volume 2* (New York: Facts on File, 1978), p. 245. Fauntroy's original charge was made 4/27/77.
2. William Pepper, *Orders to Kill* (New York: Carroll & Graf, 1995), pp. 53-54
3. Mark Lane and Dick Gregory, *Murder in Memphis* (formerly *Code Name: Zorro*) (New York: Thunder's Mouth Press, 1993), pp. 232-233
4. CIA Memo from Donald Jameson, Chief SR/CA, dated December 11, 1962.
5. Lane and Gregory, pp. 230-251
6. Warren Hinckle & William Turner, *Deadly Secrets* (formerly *The Fish is Red*) (New York: Thunder's Mouth Press, 1992), pp. 188-194
7. *Three Assassinations, Volume 2*, p. 233
8. Lane and Gregory, pp. x - xvii
9. Pepper, p. 33
10. See "The Formation of the Clark Panel: More of the Secret Team at Work?", *Probe* (November-December, 1995)
11. Bill Davy, *Through the Looking Glass: The Mysterious World of Clay Shaw*, p. 34
12. William Pepper, p. 41
13. Sue Anne Pressley, "Historic Interests Meet at Memphis Crossroad", *Washington Post* 2/27/97
14. CNN Live report, March 27, 1997
15. *Ibid*.

First, duplicates of the five drawer file cabinet of Jim Garrison left in the possession of Harry Connick are now being made available to the Archives. The Board is still in court trying to get the originals from the DA, but while awaiting that outcome, this is a satisfactory development. Finally, mentioned in the report, and confirmed in interviews with David Marwell and Chief Counsel Jeremy Gunn, the FBI has agreed to drop all of its outstanding appeals to President Clinton. Even more surprising, the Board got about 99% of what it wanted in this dispute. In other words, all the information in the reports will be intact. This should set a precedent that will allow the FBI and the Board to ratchet up the rate of declassification a significant degree.

The Board now awaits the vote on its extension. At press time, there was no mounting of opposition to this request. In fact, according to Gunn, they are trying to get through the CIA bureaucracy, a letter of recommendation to present to both the Senate and House committees on the matter. Let us all hope and help in this matter. If the 1996 report is this candid, with this much good news, we can all await an even better Final Report, hopefully dated 1998. ♦

ACTION ALERT

The Review Board may or may not get renewed. They have asked for an extension. You can help ensure they will be around to declassify many more thousands of pages by taking a few minutes to send a short letter to your elected representatives.

Letters should be polite, short and to the point. You can modify our sample letter pictured here if you don't know where to begin. Mention too that you would like to see declassification of the King assassination records as well. **Please mail your letters to:**

The Honorable Fred Thompson
Senate Committee on
Government Affairs
340 Dirksen Office Building
Washington DC 20519

The Honorable Dan Burton
House Government Reform and
Oversight Committee
2157 Rayburn Office Building
Washington DC 20515

In addition, if any of the following are Senators or Representatives from your state or region, please send a letter to them as well.

Address letters to Senators at the following location:

Office of Senator _____
United States Senate
Washington, D.C. 20510

Senate Committee on Government Affairs

If you send normal mail instead of e-mail, you will likely get a specific (but not likely personal) response. At least that way you will know where your Senator stands on this issue.

AK Ted Stevens senator_stevens@stevens.senate.gov
CT Joseph Lieberman
senator_lieberman@lieberman.senate.gov
DE William V. Roth, Jr.
GA Max Cleland
senator_max_cleland@cleland.senate.gov
HI Daniel K. Akaka
IL Richard Durbin
dick@durbin.senate.gov
KS Sam Brownback
sam_brownback@brownback.senate.gov
ME Susan M. Collins
senator@collins.senate.gov
MI Carl Levin
senator@levin.senate.gov
MS Thad Cochran
senator@cochran.senate.gov
NJ Robert Torricelli
senator_torricelli@torricelli.senate.gov
NM Pete V. Domenici
senator_domenici@domenici.senate.gov
OH John Glenn
OK Don Nickles
PA Arlen Specter
senator_specter@specter.senate.gov

Address letters to Representatives at the following location:

Office of Representative _____
United States House of Representatives
Washington, DC 20515

Government Reform and Oversight Committee

Note: if you do not know who your local Representative is, call a nearby library and they will help you. If you have access to the Internet, you can enter your ZIP +4 code to determine who your representative is at <http://www.house.gov/writerep/>

Dear Senator/Representative _____:

I am writing to you as a concerned citizen to ask that you grant the Assassination Records Review Board the extension they have requested. As you know, the Assassination Records Review Board was created because so many people still have grave doubts about what records the government has been holding back from the public regarding past investigations of the assassination of President Kennedy.

The ARRB has released literally millions of pages of formerly classified records to the public. But there are many more, and in some cases very important records that still need attention. If this board is not allowed to finish its task, the public would have a right to suspect that documents are being held back for a reason. Secrecy breeds suspicion. The work of the board has caused many, including myself, to feel a renewed faith in what government can do. Please don't let that effort be cut short prematurely.

As a member of the Senate Committee on Governmental Affairs / House Government Reform and Oversight Committee I hope you will vote to grant the Review Board the extra year they have requested.

Thank you for your assistance in this matter.

Sincerely,

AZ John Shadegg
CA Christopher Cox, Gary A. Condit, Henry A. Waxman, Stephen Horn, Tom Lantos
CT Christopher Shays (cshays@hr.house.gov)
DC Eleanor Holmes Norton
FL Ileana Ros-Lehtinen, Joe Scarborough, John L. Mica
GA Bob Barr (bbarr@hr.house.gov)
IL Danny K. Davis
IL J. Dennis Hastert (dhastert@hr.house.gov.)
Rod R. Blagojevich
IN David M. McIntosh, Mark E. Souder
KS Vince Snowbarger
ME Thomas H. Allen
MD Constance A. Morella, Elijah E. Cummings
MA John F. Tierney
NH John E. Sununu
NJ Mike Pappas
NM Steven H. Schiff
NY Benjamin A. Gilman, Carolyn B. Maloney, Edolphus Towns, John McHugh, Major R. Owens
OH Dennis Kucinich, Steven C. LaTourette
PA Chaka Fattah, Paul E. Kanjorski, Tim Holden
SC Marshall "Mark" Sanford
TX Jim Turner, Pete Sessions
VT Bernard Sanders
VA Thomas M. Davis, III
WV Bob Wise (bobwise@hr.house.gov)
WI Thomas M. Barrett

NEWS from THE MINISTRY OF TRUTH

1997 by Travis Kelly

Mark Lane questions Dan Rather

Mr. Rather, on Nov. 22, 1963, you were standing west of the Triple Underpass. Rather an odd place to cover a presidential parade—*after it was over*—wouldn't you say?



Uh... let's see... I think... YES! I got turned around in that Triple Bypass—er, Underpass... got a late start... heavy traffic that day...



Then you, the only journalist to see the Zapruder film for 15 years, reported that "JFK's head slammed violently forward" from the shots. Was this some other Zapruder film we're not familiar with?



No... uh... you see, there was a problem with the projector... it was loaded backward, running in reverse...



You didn't notice the *whole* motorcade going in reverse?



Well... yes, but I thought they had made a wrong turn, you know, got confused by that Triple Underpass like I did... and, so, the motorcade was backing up... very stressed... had a big interview with Bill Paley that afternoon...



Mr. Rather, trust and viewership in Network News is at an all-time low. And from inheriting Cronkite's Number 1 spot, you've sunk to the bottom of the heap. Think your infamous "mistake" here might have something to do with it?



Number 3... out of 3. Well, I've always liked a challenge. I mean, there's no place to go but up. Right?...



...1998

Next, Latonya confronts her girlfriend's secret transvestite lover!



Notebook

Jerrold Post says "Crazy Conspiracists" but he's a CIA Spook!

Lately there has been a plethora of anti-conspiracy theory segments on shows like *Crossfire*, *60 Minutes*, news segments and talk shows. Prominently displayed, both in print and on camera, has been Jerrold Post, referred to by his current position as director of the political psychology program at George Washington University in Washington, D.C. But for twenty some years, Jerrold Post was "a Harvard-trained psychiatrist who formerly directed psychological profiling by the CIA," wrote the *Chicago Tribune* in 1994. He was responsible for creating the unit that falsely decided that Haitian President Jean-Bertrand Aristide was crazy in a false CIA report. That unit has since been out and the psychological profiling staff reduced. He advised George Bush and Congress during the Persian Gulf war. He has been a source for Robin Wright, long-suspected intelligence asset writing for the *Los Angeles Times*. Recently, he's everywhere, being quoted first on the Oklahoma City bombing, then on militias, then on Waco, then on the Gatekeeper "suicide" cult.

But mostly, he loves to put down conspiracy theorists. He is the author of a book called *Conspiracy Theories - The Paranoia of Hate*. Funny how he doesn't attack the paranoia of the CIA over fears of Castro ruining America. He never attacked the Warren Commission and HSCA for being so afraid of the American public that they had to lock up their records for 50 years. At least he has shown the good sense to comment on Angleton's paranoid fantasies of an all-powerful yet secret Sino-Soviet alliance. He should know. Dr. Jerrold Post worked with Jim Angleton directly on operational matters starting in the mid-1960s.

Zinn and Schotz

History Will Not Absolve Us created some reverberations with our readers (*Probe* Vol. 4 #2). We felt there were things in it that were unique and needed to be stated to as wide an audience as possible e.g. the sections on the reaction of New Left intellectuals to JFK's murder. Howard Zinn was one of the professors whose reaction we excerpted. Author Martin Schotz sent a copy of the book to Zinn. Zinn responded in an 11/29/96 letter defending both his and his friend Noam Chomsky's non-reaction to the assassination conspiracy. We won't quote the whole letter but we do find one segment quite cogent and suggestive of the stance of Zinn, Chomsky et. al. Towards the end, he writes: "True, JFK angered some right-wingers by negotiating the end of the missile crisis, and even if this might cause them to plot his assassination, their perception was wrong." When one rereads and thinks about the connotations of that statement one will understand why a) The Democratic party is where it is today, and b) There has been no viable left in this country since the assassinations of the '60's.

More Crimes of the FBI

In our last issue's cover story, John Armstrong exposed and documented the efforts of the FBI to cloud and defuse the evidence that the DPD had dug up on Oswald's intelligence background. The

mainstream media is just now catching on to the Bureau's deceptions. In March, FBI Director Louis Freeh tried his best to deflect criticism of the Justice Department's upcoming Inspector General's report on the faults of the FBI lab in criminal cases. He stated before Congress on March 5th that it was the I. G.'s idea to suspend whistleblower Frederic Whitehurst. The next day, I. G. Michael Bromwich wrote Freeh a letter correcting him on this point, namely that it was not his idea to suspend Whitehurst. It was the Bureau's. About a week later, another deception by Freeh was exposed. When this scandal was first surfacing in 1996, Freeh issued a statement saying that the Bureau had found no evidence to back up the Whitehurst charges. New documents now show that this was not so. Freeh's assistants found 13 cases at the time in which lab reports had been improperly altered. They also found a second whistleblower to back up Whitehurst. Although there has been harsh criticism of both Freeh and Attorney General Janet Reno, there are no reports of Clinton asking for their resignations.

Oswald's Letter to the Soviet Embassy

In our last issue, Carol Hewett examined Ruth Paine's involvement in the mysterious origin and trail of Oswald's 11/9/63 letter to the Soviet Embassy in Washington. There is a very interesting aspect to this letter that we should mention. Oswald mentions that a member of the Cuban consulate had been replaced since his visit there. This is an apparent referral to Eusebio Azcue who, along with Silvia Duran supposedly had a tiff with Oswald at the consulate over his desire to get a visa to Cuba.

In the letter, the mention of Azcue states that he was guilty of a gross breach of regulations and the writer was glad he had since been replaced. In 1967, columnists Robert Allen and Paul Scott mentioned this letter in an 11/23/67 column. They wrote, "The baffling question the FBI is still trying to answer is: How did Oswald learn about this official's announced recall?" A good question, since the authors' note that only a very few people knew about the transfer and it was not publicized. In fact, Azcue had been scheduled to leave in October but his stay was extended and the orders for his later departure had not been transmitted to him until after Oswald had left Mexico.

Private Citizen Gemberling:

In the 3/9/97 edition of the *Dallas Morning News* columnist Kent Biffle quotes a letter from one Robert Gemberling: "Law enforcement people at all levels, inside and outside Dallas, worked long and demanding hours seeking the truth in the JFK assassination only to be maligned and accused of being part of a great conspiracy for the past 33 years." Gemberling goes on to decrie conspiracy theorists for warping young minds about the Kennedy case in their ceaseless quest for cash. To those unfamiliar with the FBI investigation into the Kennedy murder, this may seem like a "concerned citizen" speaking from the heart. To those less innocent, Gemberling was one of the busiest of Hoover's men at the time and many of his reports are still not totally declassified. Probably because they reveal aspects of the conspiracy he decries. When they are, we'll see who was warping whom.

J. Lee Rankin

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He repeatedly expressed the view that both the FBI and CIA had concealed important material from the Commission, and that the CIA/Mafia plots would have had a "very direct bearing on the areas of conspiracy which we tried to pursue." He also asked, "Are you looking into the plots on the basis of whether they were covered up by the CIA because some of the very people involved in them could have been involved in the President's assassination?" I said that yes that was an area of our investigation, and he replied strongly, "Good. Good. You have to look at it that way." I also said that we were looking into charges that Castro might have retaliated for the plots by killing Kennedy, and he replied, "Where is any evidence of that? I think the other approach would be much more logical." This was apparently in reference to probing those involved in the plots themselves.

I told him that we would of course make extensive material available to him in reference to our questioning of him, noting that we want him to refresh his memory as to his ld memos, etc. as well as other documents that we will give him in advance. He was very appreciative of this and said he would like to know more about the CIA/Mafia plots and our work on them.

He remarked a couple times that he has nothing to regret about his work on the Commission, and that he tried his hardest to make it the best investigation possible. He said he still believes very strongly that he had a good staff of the finest legal minds. He did of course say that the agency cooperation and input (FBI and CIA) was and is the key issue to him.

He also again said that he would like an opportunity to review the testimony of other WC staffers before he comes down. I again stated, more strongly this time, that I thought that this would probably not be in accordance with Committee rules. He said he "would appreciate the courtesy."

Again, he seemed quite friendly throughout the conversation and seemed to look forward to meeting with us. ♦

Baden

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that would break this kind of bullet? Would such a collision drive the head very much forward? How much energy would be expended, and would this affect the jet effect? When physicist Luis Alvarez fired at melons with super fast bullets (3000 ft/sec versus Carcano's 1800 ft/sec impact velocity) to "prove" the jet effect, did any of those bullets break upon striking the occipital region of the melons?

Head Movement

"Since the head moved backward, they said, JFK was shot from the front... This theory is not unreasonable; it's just wrong. They left out of their calculations the acceleration of the car Kennedy was riding in." [p7]

- (1) Only Kennedy's head moves backward.
- (2) The car doesn't accelerate until later.

Kennedy's Back Wound

"The X-rays and photographs show the wound to be lower on the back and the track slightly upward." [p14]

True. And in HSCA Volume 1, page 196, he said, "In the jacket and the underlying shirt there is a perforation of the fabric that corresponds directly with the location of the perforation of the skin of the right upper back..." Yet, in 1988, on Nova, Baden said the track is upward only if Kennedy had been upright, that Kennedy, therefore, was leaning forward when shot. But the Zapruder film shows Kennedy WAS upright and already reacting when the magic bullet is supposed to have struck him for the first time, along with Governor Connally.

Connally's Back Wound

"According to Connally's medical records, the bullet struck him nose first in the back and left a vertical scar. I thought the records were wrong. If it was the same magic bullet, it would have gone in sideways with the length, not the point, first. After leaving Kennedy, it would have lost its power and became a tumbling bullet, and tumbling bullets rotate. When they finally strike, they strike edgewise. I needed to exam-

ined Connally... He removed his shirt. There it was—a two inch long sideways entrance scar in his back. He had not been shot by a second shooter but by the same flattened bullet that went through Kennedy" (emphasis added) [p20].

(1) As any physician knows, the size of a scar does not necessarily indicate the original size of a wound.

(2) Connally's thoracic surgeon, Dr. Robert Shaw, testified to the Warren Commission, on four different occasions, that the wound was only 1.5 centimeters [4 WCH 104, 6 WCH 85,86], and was enlarged to 3cm [4 WCH 88]

(3) The size was indirectly confirmed by the FBI's measurements of the hole in Connally's clothes: Back of shirt: 5/8 x 4/8 inch. Back of jacket: 5/8 x 3/8 of an inch [5 WCH 64]

(4) From HSCA Volume 7, p. 326: "[T]he ragged edges of the wound were surgically cut away, effectively enlarging it to approximately 3 cm."

(5) From HSCA Volume 7, p.143: "Dr. Baden localized these wounds as follows: [A]t the site of gunshot perforation of the right upper back there is now a 11/8 inches long horizontal pale, well healed scar that is up to three-eighths inch wide..."

Here, Baden has outdone John Lattimer. Lattimer published the report of Connally's operation which describes the size of the wound as 3cm, but this was after enlargement, as explained over and over again by Dr. Shaw. Lattimer also cropped testimony and a diagram to give the false impression of a sideways hit. [Med Times 1974; 102:33] Some people stretch the truth, but Baden has stretched a lie.

What revisions will the future bring? ♦

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Last issue will be: 9/22/97