

9/3/68

Dear Maggie,

The COV newsletter of 8/8, which arrived today and is the first I have seen since the initial issue, has your excellent response to Epstein. I am writing to indicate to you a few areas (not connected with the reply at all) in which I have considerably more knowledge. I am sending it for your personal information only because it is in one of my three unpublished books and want no public use made until it appears, as perhaps, some day, it might. Where I intend another context, I think it will be clear.

Hoke May, Ross Yockey and Sam de Fina took me to lunch 4/28/67 and then told me they had been told by Plotkin that he was being paid by CIA.

You are correct in quoting the introduction to Oswald in "New Orleans, which I wrote for the purpose of establishing Garrison's independence as well as my own. It was horribly butchered in editing and has much on Clark-Shaw-Bertrand that has never been published. I avoided personal contact with Jim, delayed my grand jury appearance until 10 days after this book was in the mail, to obviate just the sort of thing Epstein attempts. I never spoke to or met Jim until the night of April 27, the night before my testimony.

There is always a question in shortening quotes. We all face the problem. I think your contraction of Epstein's allusion to me is too incomplete and does alter the sense, at least in part.

That business of Oswald allegedly having the "Symbol Number 179" is a booby trap for us. That is not at all the case. This number had an entirely different significance that I have traced down, but not yet completely, and is only one of the numbers connected with Oswald. It was never once, not even in secret, by its right description. It is an account number and only that. I now have enough on Oswald as a possible agent to do a book on that alone, and it is possible I will get more. However, since ~~xxxx~~ he was never Agent No. 179 (or 172 in another version), there was no trouble making official denial of it.

More than Wade and Carr were flown to Washington for the 1/22/64 meeting. I have some rather significant information about it - and what was known and suppressed.

On that secret Miami tape, that you say is in essence correct but it is rather incomplete, from what I now know and have, which includes the names of the men on the tape and who they are. You will eventually see what I hope you will, after all that we have published and learned, regard as a really shocking, rotten thing. I call that book COUP D'ETAT. That was only one of four related such things. I have identified the Brown on that tape (he died in 1965) and the others connected with them, as well as those mentioned in the conversation. You are correct in saying that the Miami police, in playing the tape for newsmen (which, I am satisfied, is because they knew of Garrison's investigation), did not make any attempt to evaluate it. For your information, their private evaluation is mine and what I presume yours is. But they have a firm opinion, not for public use. The description of the planned assassination is more detailed than the paper you cite printed, and I have much more on that, too. I have no doubt of the legitimacy of that entire thing. If you use this again, you may want to cite the Report, which says that the records for the period ending November 8, the day before this tape was made, were searched, and for the Dallas-Ft Worth area only. The stuff on the Birmingham Church bombing I now have includes the type of explosive and how it was placed, etc.

On Clark-Skew: I am satisfied it is FBI interception of the ms of

Oswald in New Orleans is the reason Clark made his false statement. That ms said that Shaw had been investigated but that no investigation of him was required because the FBI knew all about him. I have a tape-recorded interview with one of the government's people in that part of the story in which he tells me that he, personally, gave the FBI a signed statement on Shaw. I also know that Shaw was investigated during World War II, second hand from the FBI, and not for the kind of activities that would make him like JFK. There is a typo in the newsletter here. The date of the a.m. papers was March 2, not 27.

If you can recall any more than you say about Epstein saying in Sylvia's apartment that at a Commission meeting in June of 1964 one of the members said they had no case, I'd particularly want to know, because I am working in just that area and have half of a book written on it. The exact date would be very important, or his source (Hobler?), if not the member. In strictest confidence, I am in touch with one member, who is friendly, on something kind of related to this.

I do not doubt that you have what you consider sufficient reason for your silence, perhaps have an idea of what causes it and am content to leave it that way until you ultimately learn what I have no doubt you will. So, this requires no answer of you, unless you want amplification, which you can have in confidence, or do have more on that Epstein quote. I have initiated something along that line that has a chance of being very important and, as I said, I have done some writing and investigating and will do more. The fruit of the investigation is, I think, very, very important, bears much on conspiracy, and may, eventually, get us some valuable allies.

With best personal regards,

Harold Weisberg

CITIZENS' COMMITTEE OF INQUIRY  
Box 150, 308 Westwood Plaza  
Los Angeles, Calif. 90024

August 8, 1968

- NEWSLETTER -

U.S. COURT REFUSES TO HALT SHAW TRIAL

New Orleans, July 23, 1968

A three-judge federal court refused to stop the trial of Clay L. Shaw, under indictment for conspiring to assassinate Pres. John F. Kennedy. The 55-year-old retired New Orleans businessman was arrested on the charge March 1, 1967. A special three-judge state panel later ruled the state had sufficient evidence to bind Shaw over for trial following a preliminary hearing. Shaw was indicted on the conspiracy charge by the Orleans Parish Grand Jury on March 22, 1967.

The 26-page unanimous decision came in answer to a suit filed by Shaw seeking injunctive relief against prosecution by D.A. Jim Garrison and his staff. (That suit was filed following an unsuccessful attempt by the defense for a change of venue.) Fifth Circuit Court of Appeals Judge Robert A. Ainsworth and District Judges James A. Comiskey Jr. and Frederick J. R. Heebe concluded: "As a matter of law, plaintiff Shaw's request for relief in the Federal Court is premature, for under our system of Federalism, in the circumstances presented here, he must first seek vindication of his rights in the state courts as to this pending prosecution."

The judges ruled on a number of other points argued by the defense:

1. Denied a motion by Shaw's attorneys for a decree that the Warren Commission Report be "valid and binding on all courts."
2. Denied a request by the defense that U.S. Attn. Gen. Ramsay Clark be compelled to be made a party to the suit.
3. Denied a request that assistants of Garrison be required to answer questions put to them by Shaw's lawyers.
4. Shaw has demonstrated no constitutional invalidity in the Louisiana conspiracy statute.
5. No evidentiary hearing (necessitating the "showing" of the prosecution's evidence) is required prior to the ruling, as requested by attorneys for Shaw.
6. The Court disagreed with Shaw's contention that prosecution of the case in the state court has resulted in irreparable harm to him, noting on the one hand Shaw's attorneys say that Garrison is not motivated by any expectation of getting a valid conviction, and on the other hand that they fear their client may be convicted!

"Our adverse ruling," the decision said, "should not be construed as an intimation of any view whatsoever on the merits of the pending criminal charge against him (Shaw). Shaw's request for relief in the federal court is premature." ajs.

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SHAW DEFENSE TO APPEAL TO SUPREME COURT

Los Angeles, August 2, 1968.

In a related development, attorneys for Clay L. Shaw brought to fruition their intimation that they might appeal the decision in the adjacent column, to the U.S. Supreme Court. Shortly after the Shaw trial was rescheduled for Sept. 10th before Criminal Dist. Court Judge Edward A. Haggerty Jr. Shaw's attorneys filed a notice of their intention to appeal to the U.S. Supreme Court. Whether the trial will begin as scheduled now depends upon action by the 3-judge panel that refused to stop Garrison's prosecution. The judges can grant or refuse Shaw a stay of trial pending a hearing of his appeal by the Supreme Court which is in recess until October. ajs.

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POSSIBLE SHAW-BERTRAND LINK REVEALED

New Orleans, July 30, 1968.

The New Orleans Police Dept., through its Police Superintendent Joseph I. Giarrusso, has released a Central Lockup booking sheet and a Bureau of Identification (B of I) fingerprint card for Clay L. Shaw which lists his alias as Clay Bertrand. The fingerprint card is reportedly signed by Shaw.

This information may have extremely important implications, since New Orleans D.A. Jim Garrison has claimed that Shaw used the Bertrand alias in dealings with co-conspirators, while Shaw has denied any knowledge of a Kennedy assassination conspiracy and stated flatly he never used any alias. Shaw's attorneys have called Garrison's claim of the alias "an absolute lie."

Giarrusso said both records, released on Garrison's authorization, were compiled March 1, 1967, when Shaw was arrested and booked on the conspiracy charge.

When persons are booked, three fingerprint cards are made, one for the B of I, one for State Police and one for the FBI. Garrison has possession of a fingerprint card reportedly signed by Shaw, which carries the same alias but is on the FBI form instead

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of the N.O.P.D. form. Since both the state and federal agencies have their copies of the fingerprint cards Giarruso has assumed that more than the usual number of three fingerprint cards were made the night of March 1.

In a signed statement dated Jan. 23, 1968, police officer A.J. Habighorst who helped compile the cards the night of Shaw's arrest, stated that Shaw freely admitted using the Bertrand alias and admitted to the accuracy of the information on the cards in the presence of former policeman James Millet, who also helped compile the cards.

Habighorst also stated that he and Millet compiled only 3 ID cards, all of which Shaw signed. Because of the way the statement is worded, it is unclear whether Shaw signed his name to the cards before or after the cards were completed (usual procedure is the latter). Giarruso said that an investigation into the matter of the extra cards will be made.

Potentially a legal bombshell, this latest information must be microscopically scrutinized before an informed judgement can be arrived at, and so that the origin and validity of the information cannot be questioned. Anything less would be legally unsound. ajs.

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CONVERSATION WITH DAVID CRANE  
Los Angeles, August 5, 1968.

An informative telephone interview was held today with David Crane, former News Director and present Program Director at local radio station KLAC. Appearing on the Joel A. Spivak program July 24th, the day that the Clay Shaw-Federal Court story broke, Mr. Crane then commented that he thought the U.F.I. treatment of the story was less than satisfactory. He ascribed no ulterior motive to the treatment.

The story originated in New Orleans and was transmitted to Los Angeles, most likely via New York and/or Chicago. In instances of a new development in a national news story, Crane said, the prefacing word "Urgent" is placed at the head of the copy, and four teletype bells are rung to alert radio and newspaper editors. The Shaw-Federal Court news was run as an ordinary wire story, without the above treatment. Mr. Crane suggested that a lack of understanding (on the part of a New York wire service editor, for instance) of the import of the court decision might be applicable in this instance; at the same time, he felt that the treatment was questionable.

He went on to say that he was also perturbed to read within the first two lines of copy an editorial interpretation that the court's decision would be of no particular value to Jim Garrison. Crane explained the 'slanting' as editorial interpretation, since the originating story from New Orleans carried no statement of comparative value.

Describing the operations of most 'small' radio stations and newspapers are being unable to use an entire wire story, Mr. Crane said that those smaller media outlets would use only the first few lines, thus allowing for the 'misinterpretation or unintentional slant' (as defined by Crane) to perpetuate. The body of the wire copy did contain a further reporting of the court's decision, and tended to clear up some of the ambiguities, according to Crane. ajs.

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THE HORSE LATITUDES

In its July 13, 1968 issue, The New Yorker published a 35-page article, facile and obfuscatory, demeaning yet lacking in the most basic documentation. The article was entitled "Garrison" authored by first generation Warren Commission critic, Edward Jay Epstein.

Jim Garrison will stand or fall on the evidence which he has compiled, a fact that apparently escaped Mr. Epstein in his lengthy article. In the interest of an informed public, we now present another side to some of the 'points' raised by Mr. Epstein. The author of the following is Mrs. Marjorie Field, early and continuing Warren Commission critic and an expert on the material contained within the 26 volumes. ajs.  
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"EPSTEIN"

To Edward J. Epstein must go a large share of the credit for breaking the dam of silence which prevailed in the United States, until the late spring of 1966, with regard to any published criticism of the Warren Commission. His book, "Inquest", was the first to be published in this country by a major publishing house. It was accorded recognition by reviewers of prominence and received the benefits of an expensive promotion campaign. Mr. Epstein's book was further complimented with an introduction written by Richard Rovere, a writer whose credentials are considered impeccable by a large segment of the liberal-intellectual community. Epstein began to be recognized as a "responsible critic" both here and abroad. He was granted interviews by most of the major networks, a distinction which none of the other critics had succeeded in achieving.

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A well-known critical authority on the Warren Commission's findings, Sylvia Meagher, had not only read the manuscript prior to the book's publication, but had made 'many valuable suggestions'\*. She told me, a month before the book was published, that Inquest would succeed, as no other book or article had in the past, in breaking the back of the Commission's case. It was with genuine anticipation and excitement, therefore, that I awaited the opportunity to read Inquest.

I had met Mr. Epstein at a 'critics' meeting in October of 1965 at the New York apartment of Sylvia Meagher. During the course of the afternoon, Mr. Epstein had told about a meeting of the Warren Commission in June of 1964, when one of the Commission members had reportedly suggested abandoning the investigation; 'we haven't got a case', he was purported to have exclaimed. It was my recollection of this startling statement, as well as a number of other interesting revelations by Mr. Epstein that day, which provoked my anticipation of his book and which gave me reason to expect that Mrs. Meagher's prophecy as to its impact would be realized. To my considerable surprise, however, the book, although meritorious in much of its content, failed significantly in seriously damaging the Commission's case. In spite of Epstein's often disparaging information about how the Commission had approached its task, he, nevertheless, agreed with their basic premise, that Lee Harvey Oswald was the assassin of President Kennedy, a premise which nearly every student of the 26 volumes of hearings and exhibits would be equipped to challenge. Furthermore, Mr. Epstein's book shows little evidence that he ever examined the nature of Oswald's involvement. (Curiously, Sylvia Meagher had been one of the staunchest supporters of the concept that Oswald could not have and did not kill the President).

Why, then, has Mr. Epstein gained fame, success and recognition - when other critics of the Commission's case have either failed to find widespread acceptance or, as is the case with Mark Lane, if they have managed to penetrate the wall of opposition, they have often been damned, ridiculed, and accused of all manner of nefarious motives? Why is Mr. Epstein regarded as the fair-haired boy? I believe the reason is that Mr. Epstein is cloaked in the mantle of the 'academician', the 'scholar'. Because Inquest began 'as a master's thesis in Government at Cornell University'\*, because Mr. Epstein has since joined the faculty at Harvard, there is a tendency to respect his every word. Thus, in a sense, because of his unique background and qualifications, he might have been expected to nurture a dedication to objectivity and to factual representation in both his thoughts and his writing. Unhappily, this is not the case. His article, "Garrison", in the July 13, 1968 New Yorker magazine is a glaring example of the degree of bias and deception to which Mr. Epstein repeatedly succumbs.

Only the demands of time and space preclude a point-by-point refutation of the Epstein article. I shall, however, attempt to illustrate with a few examples how demonstrably dis-honest Mr. Epstein's article is, not only for the delusive attack on Mr. Garrison but for the blatant errors of omission. It is not my purpose, here, to defend Mr. Garrison so much as it is to set the record straight.

On Page 40 of the New Yorker, Epstein refers to Gordon Novel as 'a specialist in anti-eyesdropping devices', and on page 60 he calls Novel 'an electronics expert'. What Epstein does not tell his readers is that Gordon Novel is a self-confessed CIA agent, an admission which was also publicly made by Novel's attorney, Steven Plotkin. (See New York Times, 4/27/67; "Novel Told Intimates He Was With CIA--Mounting evidence of CIA links--He was a CIA operative and will use his role to battle Garrison; New Orleans States-Item, front-page headline story: "Novel CIA Agent, Attorney Admits" 6/25/67). I have heard Mr. Epstein, on a recent Newsmaker call with radio commentator, Bob Grant, defend his failure to include this information about Novel. His excuse was that both Novel and Plotkin have denied the admissions News stories dealing with Novel's CIA connection were carried in the New Orleans press for many months - from the end of April '67 to the following October. Yet, a careful search of all the news items covering that period of time fails to reveal any such denials. Moreover, the information was developed by the New Orleans newspapers and not by Jim Garrison. The reason why this is a major, rather than a trivial, omission on Epstein's part is that many of Garrison's charges that a conspiracy existed in the slaying of the President directly involve the CIA. Mr. Epstein must be aware of the fact that a considerable portion of the criticism leveled against Garrison's case has come from Gordon Novel. It stands to reason, therefore, that any evaluation of Garrison's case by Gordon Novel would be of questionable value, at best.

On page 54, Epstein says, 'after discussing the case with Weisberg', (Harold Weisberg, author of the WHITEWASH series and OSWALD IN NEW ORLEANS) "Garrison...exonerated Oswald from having fired any of the shots". In point of fact, it was on February 23, 1967 that Garrison told reporters, "I have no reason to believe that Lee Harvey Oswald killed any-body in Dallas on

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\*Inquest - E.J. Epstein, Viking Press, June 1966, Preface, p.3

Nov. 22, 1963" and it was not until the later part of April, two months after Garrison 'exonerated' Oswald that Garrison had even met Weisberg. (In the Introduction to OSWALD IN NEW ORLEANS,, page 26, Weisberg writes, "To date, I have had no contact with the D.A. himself and I do not seek any". The date of that Introduction is April 18, 1967, two months after Garrison had made the statement. (A most un-scholarly gaffe on Mr. Epstein's part!)

On page 64, Epstein discusses the June 19, 1967 one-hour NBC television program, (conceived for the purpose of discrediting Garrison), and finds no quarrel with the fact that the NBC spokesman told the audience that they (NBC) knew who the real Clay Bertrand is. That man, identified by Dean Andrews and, by implication NBC, turned out to be a bartender, Eugene Davis, who vigorously denied the charge. (L.A. Times, 6/30/67).

Mr. Epstein tells us that the Government is not hiding anything concerning President Kennedy's assassination, except for those documents which deal directly with 'national security' or with the names of innocent persons. According to a numerical compilation of unavailable documents in the National Archives (submitted to me from B. Fensterwald in Arlington, Va. and dated July 1968), there are a minimum of 200 documents which remain classified (i.e. not available), to say nothing of hundreds of others which have never been printed.

Mr. Epstein scoffs at Garrison's allegations that Lee Harvey Oswald had connections with the CIA or with the FBI. In Commission Exhibit #835, Vol. XVII, however, is the following letter from the FBI to the Commission: "Mr. Henry Wade, a former Special Agent of the FBI and currently the District Attorney of Dallas County, Texas, reportedly testified previously to the Commission that he had heard that Lee Harvey Oswald was an FBI informant with the symbol number of '179' and was being paid \$200. monthly". The very next sentence assures the Commission that "As the facts clearly show, this is not true". The facts are never revealed or explained but it should come as no surprise to anyone that the FBI would deny such an allegation. What must be considered, however, is that the aforementioned FBI letter is dated February 6, 1964. On June 8, 1964, four months later, Mr. Wade testified before the Warren Commission and repeated his information about the voucher number and the amount of salary! Of further interest is the first chapter in Warren Commission member, Gerald Ford's book, "Portrait of the Assassin". For, it is there that one learns of the clandestine meeting which was called by the Warren Commission on January 22, 1964. Both D.A. Henry Wade and the Attn. Genl. of Texas, Waggoner Carr, had been flown from Texas to Washington, at the behest of the Commission, in order to explore this disturbing question. Ford says of the meeting, "I cannot recall attending a meeting more tense and hushed",\* and he labels the discussion regarding Oswald's alleged link to the FBI as: "The Commission Gets Its First Shock": One is led to believe that, as a result of that meeting, every lead would be exhausted and every rumor dispelled. The chapter ends, however, without the question having been resolved in the least. Curiously, not one of the sources of the allegation - and they include, Atty Gen. Waggoner Carr, D.A. Assistant, William Alexander, and writers Lonnie Hudkins, Joe Goulden and Harold Feldman - was ever called to testify before the Warren Commission. Thus, although the Commission had numerous people from whom it could have acquired important information on this question it contented itself with the predictable denials emphatically made by both Mr. Hoover of the FBI and Mr. McCone of the CIA. And Mr. Epstein derides Mr. Garrison for not being satisfied with the Commission's outrageously careless handling of this matter.

Mr. Epstein's crescendo of contempt for the New Orleans D.A. reaches a new level, when he ridicules any suggestion on Garrison's part that the Fed. Govmt. or its agencies were guilty of obfuscation of the truth or dereliction of duty. Epstein neglects to mention the following manifestation of gross negligence and ineptitude by an agency of the Federal Government; Los Angeles Herald-Examiner, Friday Feb. 3, 1967: "Secret Tape Told 'Ways To Kill JFK' - Miami, Feb. 3 (UPI) - Thirteen days before the assassination of President Kennedy a man told a police informant in Miami the President was a 'marked man' and that one way to kill him would be 'from an office building with a high-powered rifle'. The unidentified man also told the informer in the conversation, which police secretly recorded, that a plot against Kennedy's life was in the works."

Miami police played the taped recording of the conversation for newsmen Thursday but without comment on it or any attempt to evaluate it.

They said the conversation was held in an apartment here Nov. 9, 1963, and that the recording was turned over to the U.S. Secret Service Nov. 15, three days before the President addressed the Inter-American Press Association at Miami Beach.

On Nov. 22, 1963, Kennedy was slain in Dallas, but the recording makes no mention of Dallas or of Lee Harvey Oswald, the man who killed the President with shots from a high-powered rifle from the Texas school book depository. Neither of the men involved in the conversation is identified.

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\* "Portrait of the Assassin" - G. Ford, J.R. Stiles, Simon & Schuster, N.Y. '65, Chapter I, pages 13, 14, 15 & 25

THE BEST WAY-The man discussing assassinating the President was asked by the informer interrogator what could be 'the best way' to kill the President. The man answered from an office building with a high-powered rifle. The secret service never covers all the office buildings where he is going, the man said.

He also mentioned the possibility of using a rifle to kill the president when he came onto a White House balcony. The man said that although November was the wrong time of year for this, "if he comes out during pleasant weather on the veranda, you could pick him off from a hotel across the way."

JFK KNOWS-The conversation about methods of killing the President is sketchy and not specific. The reference to the existence of a plan to assassinate Kennedy follows the comment of the man that Kennedy 'knows he is a marked man-sure he does. Asked if an assassination is planned, the man answered "oh yes, it's in the works."

The man refers in the recording to a 'Brown' who is not otherwise identified except as an apparent organizer of a 'constitutional party'.

The man calls 'Brown' a person who 'operates strong' and then refers to the still unsolved bombing of a Negro church in Birmingham, Ala. Sept 15, 1963, in which four children were killed and 19 people injured.

From the way he talked to me there is no question in my mind that he knocked off the children in Birmingham, the man said of Brown. (end of news article).

Clearly, this tape, containing what amounts to almost a blue-print for the assassination of President Kennedy, was 'turned over to the U.S. Secret Service November 15', one week before a nearly exact duplication of the heinous plan was carried out in Dallas. Yet, although the tape mentioned that the best way to kill the President would be 'from an office building with a high-powered rifle', no attempt was made by the Secret Service or the FBI to seal off or to search any of the buildings along the President's route, no special precautions were taken to safeguard the President's life, only one week after the tape was in the possession of the Secret Service.

Mr. Epstein ridicules Garrison's charges that the Federal Government is attempting to obstruct his case. Regis Kennedy and Warren DeBrueys are two FBI agents who figured prominently in the New Orleans investigation of the Kennedy assassination. Mr. Garrison issued orders for Messrs. Kennedy and DeBrueys to be subpoenaed for questioning. Attorney General Ramsey Clark, however, refused to allow them to be questioned on the grounds of 'executive immunity' (See L.A. Times 5/11/67 'FBI Fights Subpoena in Assassination Probe' and L.A. Times 5/18/67: 'Agent Refuses to Testify for Grand Jurors'). Does this not constitute obstruction on the part of a Governmental agency? Why hasn't Mr. Epstein mentioned this unprecedented example of interference on the part of the Federal Government?

On page 73, Epstein says, 'most CIA reports were prepared to answer specific questions put to the Agency by Commission lawyers'. What Mr. Epstein should know, as an authority on the Warren Commission, is that on February 24, 1964 the Warren Commission submitted a list of names to the CIA in connection with its investigation of Jack Ruby (Commission Exhibit #2980, Vol. XXVI). The Commission listed, among others, the following people as being 'Close Friends' of Ruby's: H.L. Hunt, Lamar Hunt, Leopoldo Ramos Ducas, J. Thomas Hill, 'name found in Ruby's notebook. Official of John Birch Society.' Commission Gen. Counsel, J. Lee Rankin, requested that the CIA provide the Commission with information concerning these individuals. By May 19th, 3 months later, the Commission had not received any response from the CIA and wrote them again, stating, "As you know, this Commission is nearing the end of its investigation. We would appreciate hearing from you as soon as possible whether you are in a position to comply with this request in the near future". It was not until Sept. 15th, however, - nearly 7 months after the initial request had been made and just two weeks before the Warren Report was released for public consumption - that an answer from the CIA was finally forthcoming. The final paragraph of the answer says, "The records of this Agency were reviewed for information about the relatives, friends and associates of RUBY named in your summary of his background. Our records do not reflect any information pertaining to these persons". How is it possible that the CIA would not have been able to supply any information regarding those individuals and why did the Agency take so long to honor the request? Yet, Mr. Epstein tells us that 'most CIA reports were prepared to answer specific questions put to the Agency by Commission lawyers'.

Epstein speaks of how Garrison succeeded in convincing the public about the existence of a conspiracy and cites recent polls as examples. In his bias, Epstein attributes all public doubt about the Commission's conclusions to Garrison's alleged paranoia, demagoguery and demonology. He doesn't say that the shockingly prejudiced NBC and CBS television programs dealing with the assassination helped to build rather than to destroy public suspicion and that the 'credibility gap' created by the present government in many other areas has also been an important contributing factor. (cont.)

On page 70 of the article, Epstein quotes Garrison as saying, 'they do not tell you that Lee Harvey Oswald's fingerprints were not found on the gun which was supposed to have killed the President'. Along with other charges made by Garrison on the nitrate tests, etc., Epstein calls this charge about the fingerprints 'false or captious'. I suggest that it is Mr. Epstein who is guilty of both. Mr. Epstein says, fingerprints were found on the rifle...but could not be positively identified'. This is a captious statement, indeed. If fingerprints were found on the murder weapon and could not be identified, of what possible consequence are they in link-Oswald or anyone else with the assassination rifle? Epstein then proceeds to chastise Garrison for not saying that a palm print was discovered on the underside of the gun barrel of the rifle, and that 'three different experts positively identified it as Oswald's'. With regard to the palm-print, I would like to quote from a recently declassified document from the National Archives, the Wesley J. Liebler Memorandum. (Mr. Liebler was an Asst. Counsel for the Warren Commission, who interviewed scores of witnesses and helped draft portions of the Warren Report.) In his discussion of the palm-print, Mr. Liebler says, "The most it does is show that Oswald had possession of the rifle at some time". In commenting on the Commission's galleys proofs, Liebler continues, "It may be noted that the conclusion for this section on rifle ownership, that appears on galley page 32, states that the presence of the palmprint on the rifle shows that Oswald 'had disassembled it'. That conclusion is not warranted from the existence of the palmprint on the rifle". The only valid and supportable conclusion that can be drawn about Oswald's palmprint on the rifle, says Liebler, is that he handled it when it was disassembled; not, as the Warren Commission would have one believe, that he had actually disassembled it. The distinction is clear and Mr. Liebler is adamant that it must be made. (The Commission, for reasons of its own, chose to ignore the point.) So that, whether or not the palmprint on the underside of the gun barrel was positively identified as Oswald's, the fact remains that the information proves nothing about Oswald's having fired or even owned the weapon. Mr. Epstein must be well aware of that fact but he chooses, instead, to cast onus on Mr. Garrison for not mentioning the palmprint. As has been shown, the existence of the palmprint is insignificant when compared with the non-existence of Oswald's fingerprints on the rifle, for the palmprint proves only that Oswald had handled the disassembled rifle at some time. On page 647 of the Warren Report the Commission says, "There is no evidence that Oswald wore gloves or that he wiped prints off the rifle:.. How is it possible, then, for a man to have handled the stock, the barrel, the bolt action, and the telescopic sight of a weapon, without leaving a single identifiable fingerprint anywhere? Mr. Epstein doesn't even attempt to deal with that dilemma!

Finally, nowhere in the article does Mr. Epstein more clearly reveal the spurious nature of his attack on Garrison than in his complete omission of any reference to an extraordinary sequence of events concerning the case against Clay Shaw and the bizarre behavior of the Attn. Gen. of the U.S.. On March 1, 1967, less than two weeks after Jim Garrison first shook the world with the announcements from New Orleans that he had reason to suspect a conspiracy in the Kennedy assassination, he booted Clay Shaw and charged him with 'conspiracy to commit murder'. Those individuals who are familiar with the Commission's case, by means of the 26 volumes, were as startled by this news as were the press and the public; for, nowhere, in the staggering assortment of documents, exhibits, reports or testimonies did the name of Clay Shaw ever appear. Thus, it was to be expected that the news media and the members of the press would immediately confront the new Attn. Gen. with questions about the identity of Mr. Shaw and his possible involvement in the case. I shall now refer to a United Press International dispatch from New Orleans, which appeared across the nation on March 27th, 1967, to the effect that, "In Washington Acting Attorney General Ramsey Clark told reporters the FBI investigated Shaw in November and December of 1963 and concluded he had no connection with the Nov. 22, 1963 assassination in Dallas". The obvious reaction to this unbelievable admission by Mr. Clark was to question the reasons for which the FBI had seen fit to investigate Clay Shaw over a period of two months, immediately following the assassination. On what pretext was he investigated? Why was he suspected at all? How had the FBI learned of his existence, especially in connection with the murder in Dallas? Another obvious reaction was that this admission lent substantial credence to Garrison's charges.

Thereafter, however, the Government remained strangely silent on this question until exactly three months later. On June 2nd, the New Orleans States-Item and most other newspapers carried the following story: "FBI NEVER INVESTIGATED SHAW--CLARK", and underneath this enigmatic headline the news story continued, "Attn. Gen. Ramsey Clark says he was in error in stating an FBI investigation cleared Clay Shaw of involvement in the assassination of Pres. John F. Kennedy. Actually, the Justice Department said yesterday in Washington, the FBI had not even investigated Shaw...".

(cont.)



Mr. Epstein is so obsessed with the need to attack Jim Garrison that he isn't even concerned over the highly questionable tactics of the Attn. Gen. of the U.S. in this most unusual and perplexing contradiction!

Mr. Garrison has developed certain witnesses whose credibility, on the surface at least, leaves much to be desired. He has made some "sensational" charges from time to time, a few of which appear to be aimed solely at focusing attention to his investigation and which may be of dubious value; some of his charges have been incorrect. A single individual, however, with a relatively small number of assistants who has undertaken so overwhelming a task and who is constantly obstructed by a hostile press and news-media, and by nearly every governmental agency is bound to err, to falter along the way. But not even Mr. Edward Epstein, however much he may boast of having seen all of Garrison's evidence, knows whether or not Mr. Garrison has a solid case against Mr. Shaw. Reliable sources have informed me that no one has seen Garrison's basic evidence, sources at least as reliable as Mr. Epstein. In the last analysis, however, only a court trial will resolve this question and only a court trial will clear Mr. Shaw's name for all time, if he is an innocent man. But steps were taken only recently to prevent the trial from ever coming to pass. Shaw's attorneys moved to restrain the trial by an injunction from the Federal Court, a move without precedent in the history of American jurisprudence, although not one calculated to disturb Edward Epstein. When that move failed because the judges disallowed it, Garrison promptly set yet another trial date (one of some six or seven since last September), September 10, 1968. Immediately Shaw's attorneys moved again, this time to take the case to the Supreme Court. (To be reviewed by Earl Warren? Or by Abe Fortas and Homer Thornberry?)

Although Mr. Epstein implies that he spent a year in and out of Garrison's office, the fact is that he spent only a few days talking with Mr. Garrison, that he didn't interview a single witness and that he did not have access to the master files. Although Mr. Epstein mocks the amateur students of the Kennedy assassination when he says that they are known as the 'Dealey Plaza irregulars' neither I nor any of my colleagues have ever heard that appellation, which must be a creation of Mr. Epstein's. In the final analysis, then, the man who accuses Garrison of manufacturing evidence has managed to create some of his own!

3 August 1968

Maggie Field

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The CCI-Los Angeles now has a current bibliography of books regarding the assassination available; please write for it. We also have a limited amount of transcribed interviews between Bob Grant (KLAC) and Edward Epstein available - cost 50¢.

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EDITOR - Jim Hagen      REPORTERS- Steve Burton, Allan J. Swartz

CITIZENS' COMMITTEE OF INQUIRY  
Box 150, 308 Westwood Plaza  
Los Angeles, California 90024



HAROLD WEISBERG  
ROUTE 7  
FREDERICK  
MARYLAND 21701