



[Assassinations]



EPSTEIN'S GARRISON

TWO SUMMERS AGO a tandem attack on the Warren Report all but relegated that work to the fiction section of your local library. The first was Mark Lane's *Rush to Judgment*, which convincingly demonstrated—using the Warren Commission's own evidence—that Oswald could not have done it alone, and drew the first dim outlines of the conspiracy theory. The second was Edward Jay Epstein's *Inquest*, which exposed the rather shoddy inner workings of the Commission and laid bare the tortured logic it finally employed to dispel notions of a conspiracy.

Both books became best sellers, but their authors have since gone different ways. Lane, who shuttered his law practice and struggled for years to get his manuscript published in the United States (it was first published in Britain), has stumped the country in support of District Attorney Jim Garrison's theory that the assassination was carried out by an anti-Castro paramilitary team super-

vised by persons with CIA affiliations. Epstein, whose book was a converted Cornell University master's thesis—the subject was urged upon him by his mentor, Andrew Hacker—has emerged as one of Garrison's most fervid accusers. His vehicle is *The New Yorker*: in the issue of July 13, he delivered a 25,000-word blast at Garrison, calling the DA's investigation a fraud.

The *New Yorker* article had its genesis over a year ago, when the author showed up at Garrison's office in New Orleans. According to Chief Investigator Louis Ivon, Epstein spent about 48 hours in town, some three hours at the office, and hasn't been seen since. Much of what he writes about has occurred since this touch-and-go visit and is obviously hearsay on his part, yet he writes with the authoritative tone of a participant. Undoubtedly this technique is convincing to his audience, which assumedly is unfamiliar with the intricacies of Garrison's investigation. But to those familiar with the facts, the article is badly slanted.

For example, Philosophy Professor Richard Popkin of the University of California at San Diego, author of the book *The Second Oswald* (propounding the theory of an Oswald double) and "Garrison's Case" in *The New York Review of Books* (September 14, 1967), recently commented on the article:

"I found it a queer mix of facts, half-facts, rumors and very dubious information from people hostile to Garrison. Epstein has compressed all this to make it look like everything's on the same level. I think it would take an awful lot of work to disentangle what he's saying on almost any page as to how much of it has a factual base, how much of it is rumor that he has heard from people, how much of it are charges that have been made by people like [William] Gurvich [who volunteered to work on the investigation without pay, passed himself off as the Chief Investigator, then turned on Garrison] against Garrison, which haven't been substantiated anywhere except by Gurvich's statement of them. And also that he tends to take facts and information and rumors and so on, that occurred over a year and a half's period, and compress them all into simultaneous events, so that a statement made by Garrison at one time is pounced upon on the basis of information or statements he made a year and a half later in a totally different context.

So I think it's a quite unfair presentation, which has some factual base, but which also has a lot of very dubious elements in it."

One of the dubious elements is Epstein's version of the testimony of Dean Andrews Jr., a colorful attorney who numbers among his former clients Oswald (who wanted his undesirable discharge from the Marine Corps rectified) and the late David William Ferrie, a central figure in the Garrison investigation. The day after the assassination, Andrews told the Commission he received a phone call from a man he knew as Clay Bertrand, whom he described as a "lawyer without a briefcase" for local homosexuals. Bertrand asked him to go to Dallas and defend Oswald. Garrison contends Bertrand is Clay Shaw, whom he has charged with conspiracy.

According to Epstein, Andrews initially gave the FBI "several different descriptions" of Bertrand, and finally admitted that Bertrand "was merely a figment of his imagination." Later, before the Commission, Andrews stated that he had recently seen Bertrand in a bar and, Epstein says, described him as "a boy" who was "five feet eight inches" and had "sandy hair." "No other clues to Bertrand's identity turned up, however," writes Epstein, "and Wesley J. Liebeler, a Commission lawyer who conducted the investigation in this area, said he was convinced that no such person existed."

An objective reading of Andrews' testimony, however, reveals that he told the FBI that Bertrand was "approximately six feet one inch to six feet two inches in height, brown hair, and well dressed"—a description that closely matches the tall, aristocratic Shaw. As for Bertrand being a figment of his imagination, Andrews declared, "That's what the Feebees [FBI] put on." He recounted that G-men had pestered him to the point where he told them, "Write what you want, that I am nuts. I don't care." As for his later remark to the Commission's Mr. Liebeler that Bertrand was only five feet, eight inches, Andrews explained that "this time I was looking for the fellow, he was sitting down." Nowhere does he refer to Bertrand as a "boy." Epstein was perhaps confused by his exclamation: "I don't play Boy Scout and measure them."

In his superficial examination of Gar-

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