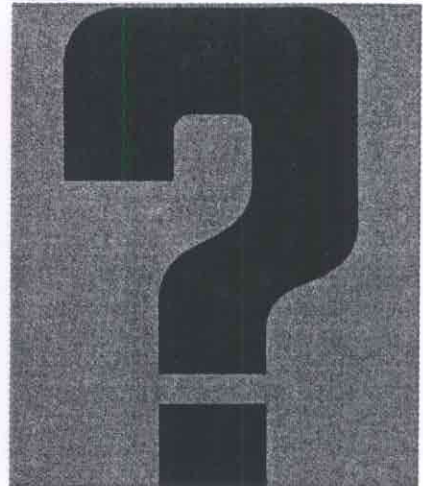
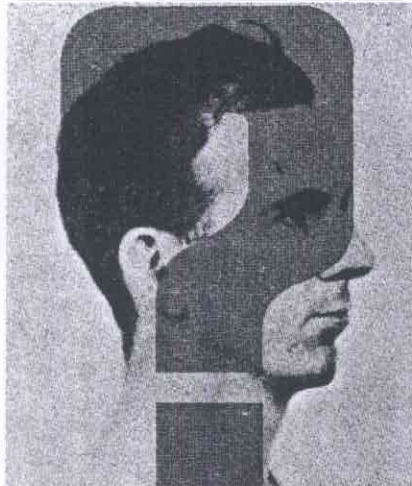


# The Johnson Murder Charge

by Harold Feldman

MINORITY OF ONE 12/66



The Warren Report, sometimes known as the Earl Warren Jokebook, was really nothing but speculation about a hypothetical assassin called Lee Oswald. That speculation is now dying a merited death due to public exposure.

It is time for another speculation to be investigated and analyzed in the open. This rumor, about a supposed assassin called Lyndon Johnson, is also a product of ignorance and lives in America, for the most part, in the underground gossip of bars, health clubs and living rooms.

No factual basis exists for this rumor. But only reflex apologists would ask us, at this stage of our knowledge, to repudiate it absolutely in toto.

The odd rumor made its debut in print under the alleged auspices of Jack Ruby.

On January 31, 1966, a New York dealer in autographs, Charles Hamilton, put a letter allegedly written by Jack Ruby on sale at the Waldorf Astoria's Astor Gallery. It was bought by Penn Jones Jr., editor of the *Midlothian Mirror* (Texas), for \$950.

The sales catalogue described the letter this way:

"Astounding confession of international importance, pinpointing LYNDON B. JOHNSON as the real murderer of JOHN F. KENNEDY and the tool of a Fascist

conspiracy to liquidate the Jews! Neatly written by Ruby to a fellow prisoner on slips torn from a memo pad, this letter was smuggled out of the Dallas jail and is unpublished in any form."

In his brave little book, *Forgive My Grief*, Editor Jones notes that the letter has not been reproduced nor even described by any American news source, a remarkable silence even if the letter's genuineness is doubtful.

Here is part of the letter: ". . . I was used to silence Oswald. I walked into a trap the moment I walked down that ramp Sunday morning . . . They alone had planned the killing, by they I mean Johnson and others . . . In all the history of the U.S., never has a president been elected that has the background of Johnson. Believe me compared to him I am a Saint . . ."

No matter what the final evaluation of this letter may be, the fact remains that it expresses the most popular, really folk-popular theory of the Kennedy assassination. For two years this theory was a bastard unacknowledged by anybody, but carried around the world by the instinct of the common man, the popular instinct that created our images of King John, Macbeth, Lucrezia Borgia, and Herbert Hoover in full ignorance of historical data.

A demonstration of hundreds of thousands in Paris about Vietnam flaunts a banner, "JOHNSON ASSASSIN!" Crowds in Athens, protesting the abuses of the Greek monarchy, raise the same cry: "Johnson Dolophonos!" In the United Nations a representative of Mali, talking about American

planes and pilots in the Congo, refers to those responsible for them as also being responsible for the murder of John F. Kennedy.

Based on our present knowledge, we can say with authority that the charge Johnson had Kennedy killed has not been proved. The suspicion cannot even be called well-founded. But neither has the rumor been disproved, nor can it be dismissed as "unthinkable." It must be analyzed and filed away for future disposition.

For two years the theory was without a sponsor. Now times have changed.

From Berkeley, California, comes a play, "Macbird," by Barbara Garson, unabashedly pointing to Lyndon Johnson as the assassin. Certainly, an art work need not be questioned for its historical assumptions. A play is not evidence; what the characters say is not testimony. That is why art so often is a sanctuary for criticism and prophecy. All we can say about Garson's play then, is that it is skillful, moving, pointed and funny. If Johnson's popularity continues to decline and if the gendarmes do not intervene, the play will find many stages and larger audiences.

The murder charge against the President was recently taken up by a more respectable source, this time not concealed in the costumery of art but venturing out halfheartedly in the guise of a professor's hypothesis. Alan Wolfe, teaching fellow in the political science department of the University of Pennsylvania, elaborated a "possible theory" that Johnson originated the plot to kill his

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predecessor. According to the *Daily Pennsylvania* (4/21/1966), "The theory rests upon the assumption that Johnson has pathological tendencies, as evidenced by his present policy in Vietnam and his public personality."

Wolfe also referred to the Warren Report as "a brilliant piece of strategy." We should not make too much of Dr. Wolfe's adventure in thought. He emphasized that his theory is only a possibility and "he is still reflecting upon the hypothesis and its validity."

And now Joachim Joesten, who gave us the first expose of the assassination (*Oswald: Assassin or Fall Guy*), has written a book on *Johnson the Assassin*, which he is publishing in Germany.

We have not yet seen Joesten's new book. The news release he sent to his friends in America says that it "accuses Lyndon B. Johnson of having usurped presidential power in November 1963 by backing the conspiracy to assassinate his predecessor, Pres. John F. Kennedy." The book, in seven sections and costing \$200 per set, is available only by subscription and only to "scholars, Congressmen, political leaders and other qualified persons."

Judging by past performance, we may expect that Joesten's data will be inconclusive and somewhat garbled. As a pioneer investigator, Joesten did valuable work in destroying the government's case against Lee Oswald, but he also made important blunders.

After his book on Oswald and just after the Goldwater debacle in the 1964 elections, Joesten published a biography *President Johnson* (Stuttgart 1964) in German which gives no hint of the deadly charges he was to make two years later. In 1964, Joesten was in Johnson's corner. He shows his protagonist coming to Dallas on Black Friday never suspecting that he was about to get an enormous raise in pay. On the contrary, he believed Johnson was truly worried that he was the next target of the conspirators.

Joesten's experience with the Warren Commission was sad and typical. Instead of honestly looking into the assertions made in his *Fall Guy* book, the Commission's staff concentrated on the ugliest kind of scandal. Using the files of Hitler's Gestapo, the Commission printed a long history of Joesten's marital troubles and hinted at possible insanity. Joesten's new book seems to be, indirectly at least, a response to the Gestapo methods of the Commission.

This much can be said: the repeated appearance in print of the charge that Lyndon Johnson is the chief culprit is itself partly a product of the Warren Commission's lying and concealment of facts. How ironic that the Commission's work, intended to dispel rumors and speculation, has resulted in more rumors, more doubt, and has fostered hideous speculation.

The so-called evidence against Lyndon Johnson in the Kennedy murder can be summed up in five points:

(1) The White House, through the Commission and other channels, worked hard and long to frame Lee Oswald as the lone assassin. In this murder case, agents of the

Executive Department committed forgery, perjury, subornation of perjury and suppression of crucial evidence. Consequently, the Executive becomes, if not a murder suspect, certainly an accessory after the fact.

(2) Harold Weisberg's finding, in his book *White House*, from close examination of the famous Altgens photograph, that Secret Service agents in the Vice President's car had the doors open and were moving into action at the very moment Kennedy was shot, that is, before any of the Kennedy bodyguards apparently were aware of what was happening. This is very thin evidence and bears other than sinister interpretations.

(3) Clifton Carter, Johnson's executive aid, had Governor Connally's clothes taken out of the hospital and laundered before they could be examined for powder marks, residues, blood spatter, etc.; they were thus rendered useless as evidence.

(4) A recent news item, that read like an echo of the MacBird play, namely, Kennedy, according to his family's official biographer, William Manchester, only went to Dallas reluctantly after insistent urgings by Lyndon Johnson.

(5) The illegal removal of Kennedy's body from Dallas to Bethesda, carried out against the protests of the Dallas Medical Examiner at Parkland Hospital.

#### What Lost Generation?

Where are the grandmas of yester year?  
they are playing shuffleboard  
with quick-stepping grandpas  
or knitting bootees for fatherless children  
whose mothers work in high-rise buildings  
bright with synthetic flowers . . .

Where are the soldiers of a future year?  
they are playing war games  
on green cement behind the school  
counting out with mystic rhymes  
on strictly geometric lines . . .

Where are the pin-up girls of tomorrow?  
they are practicing how to walk and sit  
and smile—sitting under machines  
reading about or praying to  
the current goddess of Love and Beauty . . .

Where are the heroes of this afternoon?  
they are racing their motors  
or guiding their gliders  
or changing the oil in a pet machine . . .

Oh where are the people of any year?  
eating a hamburger, downing a coke  
swallowing a capsule, and listening

—for what?

—Mary Graham Lund

#### July 4, 1966

Was like a stale potato-chip:  
Too long exposed; too long a truth  
Removed from crisp reality.  
Of course, there were the songs we sang,  
Parades, those orgiastic exercises,  
To ponder over with the beer,  
That made us brave and jolly men.  
(Dull witted, too!) There were the flags!  
Saluting red and white and blue,  
We danced the Jingo's dance. Shed tears  
Around some hero's bier. How stale  
We were . . . potato-chippish men!

—Robert W. Harper

We could accept the Commission's statement that the body was removed hastily and illegally because of Mrs. Kennedy's condition, were it not for some contradictory evidence about her condition at the time and the fact that the body was flown to a fraudulent autopsy in Bethesda Naval Hospital.

The X-rays and films of Kennedy's wounds were suppressed. The autopsy notes were burned. On the location and depth of wounds, four witnesses and the FBI reports contradict the Commission. In general, the Warren Commission gave us an autopsy report of lacunae and lies.

The big problem, then, is this. Is there a connection between the illegal removal of Kennedy's body from Dallas and the frameup autopsy in Bethesda? If there is, the person responsible for the illegal removal reasonably may be regarded as a suspect in the assassination.

From my studies thus far, there is only one piece of evidence that Lyndon Johnson was responsible. It is found in the testimony of Lawrence O'Brien, now Postmaster General (*Hearings and Exhibits*, VII, 468-470). O'Brien says that Kennedy's aide, Ken O'Donnell, went into the room at Parkland Hospital where Johnson was waiting and came out with two decisions from the new President: (1) Johnson would leave at once for Washington, and (2) Kennedy's body was to be flown to Bethesda "forthwith."

The five points are not strong evidence. Moreover, it should be clear that most of the people who suspect Johnson as the assassin are totally unaware of even these shreds of fact.

The popular suspicion is based on two elements. One is the universal feeling, accurate or not, that the whole direction of American policy has changed to the road of war, terror, dictatorship and profiteering. The other is expressed in that old legal maxim, *Is fait cui prodest*, the man who benefits most from a murder is most likely to be the murderer—a very dubious proposition.

It is true that, as we are able to see the facts today, nobody gained as much from Kennedy's death as did Johnson. The papers, which cleared their headlines that day to report Kennedy's murder, were also reporting the same day the scuttlebutt that "Lyndon Johnson Will Be Dumped In 1964." The assassination may or may not have saved Johnson's career from destruction, but what it certainly did was to promote him to the office of president.

Still, this alone, unsupported by evidence, would be an irresponsible reason for a murder charge. What can we conclude about the evidence so far in this case? As the lawyers say, *non liquet*, not enough to make even a prima facie case.

If Johnson were arrested for the murder of Kennedy today, we would have to vote for acquittal.

It is worth remembering, however, that if the evidence against Johnson is too weak to stand on its own feet, it is still stronger than the framed case against Lee Oswald.