

295A HFR

WEISBERG 11/15 WA

ADV FOR AMS SUN NOV. 19 OR THEREAFTER

(EDITOR'S NOTE: HAROLD WEISBERG, A FORMER INVESTIGATOR AND INTELLIGENCE ANALYST, IS CONVINCED THAT THE WARREN COMMISSION CONDUCTED A "WHITEWASH" OF THE KENNEDY ASSASSINATION. HE HAS WRITTEN FIVE BOOKS IN A PLANNED SERIES OF SEVEN EXPLAINING HOW HE REACHED HIS CONCLUSIONS, THE MOST RECENT BEING "OSWALD IN NEW ORLEANS: CASE FOR CONSPIRACY WITH THE CIA." THE FOLLOWING ARTICLE, WRITTEN FOR UPI, DESCRIBES WHAT HE CONSIDERS GAPS IN THE WARREN COMMISSION'S INVESTIGATION.)

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BY HAROLD WEISBERG

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CAN A PRESIDENT BE KILLED AND CONSIGNED TO HISTORY WITH THE DUBIOUS EPITAPH OF A FAKE INQUEST? IF THIS HAPPENS, IS THE COUNTRY SAFE? IS THE INSTITUTION OF THE PRESIDENCY SECURE? CAN ANY PRESIDENT THEREAFTER BE WITHOUT APPREHENSION THAT THE SAME THING CAN HAPPEN TO HIM?

THE ANSWER OF THE GOVERNMENT IS "YES" TO ALL THESE AND THE MANY MORE QUESTIONS LEFT WHEN PRESIDENT JOHN F. KENNEDY WAS SO COLDLY MURDERED FOUR YEARS AGO. THE OFFICIAL INVESTIGATION LEFT MORE QUESTIONS UNANSWERED THAN IT BEGAN WITH AND ANSWERED NONE WITH FINALITY.

I AM ONE OF A SMALL BAND WHO INSIST THAT THE KINDEST DESCRIPTION OF THE WARREN COMMISSION REPORT IS THAT IT IS ERRONEOUS. NEW ORLEANS DISTRICT ATTORNEY JIM GARRISON, WHO IS CONDUCTING HIS OWN INVESTIGATION OF LOCAL ASPECTS OF THE ASSASSINATION, DESCRIBES THE MURDER AS AN "EXECUTION." DAILY, AS I CONTINUE MY OWN INVESTIGATION, I AM INCREASINGLY IN ACCORD WITH THIS DESCRIPTION.

THE MORE ONE STUDIES THE OFFICIAL PRINTED EVIDENCE -- THE WORD IS ENTIRELY INAPPROPRIATE AS LAWYERS USE IT -- THE MORE IT IS APPARENT THAT THERE WAS, INDEED, A "COVERUP," AS GARRISON PUTS IT. THE MORE ONE PRIES LOOSE EVIDENCE IGNORED BY THE COMMISSION, THE MORE

UNAVOIDABLE IS THE CONCLUSION THAT ONE REASON FOR THIS COVERUP IS TO PROTECT THE CIA.

I WOULD LIKE TO GIVE A FEW SAMPLES OF THE KIND OF EVIDENCE WHICH MAKES AN ENTIRELY PUBLIC INVESTIGATION (THE WARREN PROCEEDINGS WERE ENTIRELY IN SECRET) A MINIMUM CONDITION FOR THE SURVIVAL OF DEMOCRATIC SOCIETY.

CONTRARY TO WHAT SOME SAY, TO CONCLUDE THAT THE WARREN REPORT IS WRONG DOES NOT REQUIRE BELIEF THAT THE COMMISSIONERS AND EVERY DEPARTMENT OF JUSTICE EMPLOYEE DOWN TO THE CHARWOMEN WERE PART OF A GRAND CONSPIRACY. I BELIEVE THE MEMBERS OF THE COMMISSION, MEN ALREADY OVERLY COMMITTED TO THE PUBLIC SERVICE, DID NOT HAVE THE TIME TO REALLY RUN THE INVESTIGATION. FEWER THAN A SIXTH OF WHAT WERE EUPHEMISTICALLY CALLED "HEARINGS" HAD EVEN A SINGLE COMMISSIONER IN ATTENDANCE.

MOST WERE CONDUCTED IN WHAT AMOUNT TO BACK ROOMS IN DALLAS AND NEW ORLEANS, WITH A STAFF LAWYER EMPOWERED TO ADMINISTER OATHS, A STENOGRAPHER AND A WITNESS HAPPY AT THE EXCLUSION OF THE PRESS, ALONE PRESENT. THIS IS A MECHANISM GUARANTEED TO PRESENT TEMPTATIONS THAT AMERICAN LAWYERS, TRAINED IN THE ADVERSARY SYSTEM OF JUSTICE, ARE ILL PREPARED TO COPE WITH.

OUR JUDICIAL SYSTEM PRESUPPOSES THE ACTIVE OPPOSITION OF ANOTHER SIDE, THE CONTROL OF A JUDGE WHO INTERPRETS THE RULES CALLED LAWS AND PROCEDURES, AND CROSS-EXAMINATION, TRULY DESCRIBED AS THE GREATEST MACHINE FOR THE DISCOVERY OF TRUTH.

ALL OF THESE WERE MISSING WHEN THE GOVERNMENT INVESTIGATED THE MURDER OF PRESIDENT KENNEDY. HERE IS A SAMPLE OF THE CONSEQUENCES, FROM A DOCUMENT FOR WHICH THE COMMISSION FOUND NO SPACE.

ANNA MELLER IS ONE OF THE WOMEN IN THE DALLAS-FORT WORTH RUSSIAN-EXILE COMMUNITY WHO SOUGHT TO HELP MARINA OSWALD. NOTING THE WRITINGS OF KARL MARX IN THE OSWALD APARTMENT, SHE EXPRESSED HER CONCERN TO HER HUSBAND. HE PHONED THE FBI.

ASSISTANT COUNSEL WESLEY J. LIEBELER (NOW A PROFESSOR OF LAW AT THE UNIVERSITY OF CALIFORNIA AT LOS ANGELES) QUESTIONED MRS. MELLER IN A DALLAS "BACK ROOM" BEGINNING 9 A.M. MARCH 25, 1964. FROM HIS GREETING, "COME IN, MR. AND MRS. MELLER, AND SIT DOWN," WE

KNOW THAT TEOFIL MELLER WAS PRESENT. LIEBELER ASKED NOT A SINGLE QUESTION OF HIM.

INSTEAD, HE REDUNDANTLY INQUIRED ABOUT THE NUMBER OF LOAVES OF BREAD MARINA HAD BEEN GIVEN, AS THOUGH THIS WAS THE ESSENCE OF THE ASSASSINATION. HE ALSO IGNORED A DOCUMENT IN HIS POSSESSION, THE OFFICIAL REPORT OF DALLAS DETECTIVES F. A. HELLINGHAUSEN AND P. M. PARKS, DATED FEB. 17, 1964.

THIS DOCUMENT SAYS THAT WHEN TEOFIL MELLER "CHECKED WITH THE FBI ...THEY TOLD HIM THAT OSWALD WAS ALL RIGHT."

BEFORE THE ASSASSINATION, OSWALD, THE "DEFECTOR" TO RUSSIA, WAS "ALL RIGHT" TO THE FBI? AND THE COMMISSION HAD NO INTEREST IN IT, ASKED NO QUESTIONS -- MADE NO REFERENCE TO THIS IN ITS REPORT, WHICH IMPLIES THE OPPOSITE?

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THE REPORT SPEAKS REPETITIOUSLY OF OSWALD'S SO-CALLED "DEDICATION TO COMMUNISM AND MARXISM." THE TRUTH IS THAT THE COMMISSION'S EVIDENCE INCLUDED HUNDREDS OF PAGES OF HIS WRITING AND SPEAKING UNVARYINGLY EXPRESSE<sup>d</sup> HIS GREATEST HATRED AND CONTEMPT FOR RUSSIA.

THEN THERE IS THE OFFICIAL STATEMENT OF OSWALD AS  
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RO-CASTRO. MY LATEST BOOK, "OSWALD IN NEW ORLEANS," TRACES HIS PHONY NON-EXISTENT NEW ORLEANS CHAPTER OF THE "FAIR PLAY FOR CUBA COMMITTEE," HIS OWN INVENTION, AND THE RETURN ADDRESS HE STAMPED ON HIS LITERATURE, 544 CAMP STREET.

WHAT THE WARREN REPORT DOES NOT TELL US IS THAT THE CUBAN REVOLUTIONARY COUNCIL, WHICH, WITH ITS SUCCESSORS ALSO HAD AN OFFICE THERE, WAS FORMED BY THE CIA. OSWALD'S CONNECTIONS WERE WITH THE CIA-CUBANS.

THE FBI AND SECRET SERVICE ALSO WITHHELD FROM THE COMMISSION THE IDENTITY OF THE LATE GUY BANISTER, WHO LIKEWISE HAD AN OFFICE IN THIS SAME BUILDING. BANISTER ARRANGED FOR THE

CUBANS TO GET THE OFFICE SPACE THERE.

THE FBI MISREPRESENTED THIS BY GIVING BANISTER'S ADDRESS AS 531 LAFAYETTE STREET. THIS IS A CORNER BUILDING. BOTH ADDRESSES ARE THE SAME. ONLY THE THICKNESS OF A FLOOR SEPARATED THE CUBAN OFFICE FROM BANISTER'S.

THE FBI NEVER TOLD THE COMMISSION THAT BANISTER OPERATED A DETECTIVE AGENCY, WAS A VIOLENT RACIST, WAS IN ON CLANDESTINE U.S.-LATIN AMERICAN OPERATIONS, AND WAS A FORMER FBI AGENT.

WHEN MUNITIONS STOLEN BY THE CUBANS WERE STORED IN NEW ORLEANS,  
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WHEN MUNITIONS STOLEN BY THE CUBANS WERE STORED IN NEW ORLEANS, THEY WERE STACKED IN BANISTER'S OFFICE IN A QUANTITY THAT COULD HAVE WRECKED MUCH OF DOWNTOWN NEW ORLEANS. NEARBY IS THE REILY COFFEE COMPANY, WHERE OSWALD WORKED, AND THE CRESCENT CITY GARAGE, WHERE HE HUNG OUT. THE FBI AND SECRET SERVICE USED THIS GARAGE.

NONE OF THIS IS IN THE WARREN REPORT OR ITS PRINTED "EVIDENCE." NOR IS THE FACT THAT A WITNESS WHO TRIED TO TELL LIEBELER OF THE FBI INVOLVEMENT WITH THESE CUBAN GROUPS WAS IMMEDIATELY THREATENED BY THE FBI. LIEBELER WOULD NOT LET HIM TALK WHEN HE TRIED.

THESE ARE BUT SOME OF THE INDICATIONS OF OSWALD'S REAL CONNECTIONS. I BELIEVE HE WAS FRAMED. I INTERPRET THE COMMISSION'S OWN EVIDENCE AS INDICATING THAT HE ACTUALLY KILLED NO ONE -- NOT THE PRESIDENT AND NOT DALLAS POLICEMAN J. D. TIPPIT. THE COMMISSION'S OWN EVIDENCE MEANS TO ME THAT HE COULD NOT HAVE BEEN AT THE SCENE OF EITHER CRIME WHEN IT WAS COMMITTED.

AT THE ASSASSINATION SCENE, ALL THE CREDIBLE EVIDENCE INDICATES TO ME THAT OSWALD WAS ON THE FIRST FLOOR OF THE BOOK DEPOSITORY BUILDING RATHER THAN THE SIXTH FLOOR. AND PRIOR TO THE TIPPIT KILLING, HE WAS LAST SEEN WAITING FOR A BUS GOING IN THE OPPOSITE DIRECTION. THE COMMISSION'S OWN TIME RECONSTRUCTION COULDN'T GET HIM TO THE SCENE OF THE TIPPIT CRIME UNTIL FIVE MINUTES AFTER IT WAS ON THE POLICE RADIO.

NOW AS FOR THE RIFLE ALLEGEDLY USED BY OSWALD: THE RIFLE'S

PURCHASE WAS TRACED TO OSWALD BY UNTESTED HANDWRITING TESTIMONY ONLY. THE RIFLE WAS NEVER SHOWN TO HAVE BEEN IN HIS POSSESSION. THE BULLET FOUND -- I THINK PLANTED -- AT THE HOSPITAL WAS TIED TO THE RIFLE BUT NOT TO THE ASSASSINATION. HAD IT BEEN USED IN THE ASSASSINATION, THIS COULD HAVE BEEN PROVEN. IN THE TESTIMONY, NO SUCH EFFORT WAS MADE. SPECTROGRAPHIC ANALYSIS WERE, AND STILL ARE, SUPPRESSED.

THERE EXISTS -- ALSO SUPPRESSED UNTIL I MADE IT PUBLIC -- A PICTURE (PART OF AN AMATEUR MOVIE) TAKEN AT THE MOMENT OF THE ASSASSINATION, SHOWING THE SIXTH-FLOOR WINDOW IN WHICH OSWALD ALLEGEDLY WAS. NEITHER HE NOR ANYONE ELSE NOR A RIFLE IS IN IT.

I CONTEND THE FBI DOCTORED THIS PICTURE IN PRESENTING IT TO THE COMMISSION. IT ELIMINATED MORE THAN 90 PER CENT OF THE PICTURE. THE PRESIDENTIAL MOTORCADE IS NOT IN THIS CROPPED VERSION. YET J. EDGAR HOOVER KNEW THIS SUPPRESSED PICTURE, IN HIS WORDS, SHOWED THE "PRESIDENTIAL MOTORCADE...DIRECTLY IN FRONT OF THE TEXAS SCHOOL BOOK DEPOSITORY BUILDING."

I HAVE SEEN FRAMES OF THIS MOVIE. THERE IS NO DOUBT THERE WAS NO ASSASSIN IN THAT SIXTH FLOOR WINDOW WHEN THE PRESIDENT WAS UNDER IT. THIS IS THE TIME WHEN THE ASSASSIN WOULD HAVE HAD TO BE SIGHTING, ACCORDING TO THE OFFICIAL VERSION. THIS WAS, AS I BELIEVE THE COMMISSION'S EVIDENCE CLEARLY SHOWS, AFTER THE FIRST SHOT HAD BEEN FIRED.

THAT THESE FACTS REQUIRE PRIVATE INVESTIGATION WHEN THERE WAS AN OFFICIAL INVESTIGATION AND WHEN THE OFFICIAL INVESTIGATION DELIBERATELY SUPPRESSED THEM IS ONLY PART OF THE PROOF OF THE URGENT NEED FOR A FULL AND ENTIRELY PUBLIC OFFICIAL INVESTIGATION, BY A BODY WITH THE POWER AND WILLINGNESS TO PUNISH PERJURY AND OTHER ILLEGALITIES, WHICH THIS COMMISSION TOLERATED AND COVERED UP.

I PROPOSE A METHOD BY WHICH WE CAN ESTABLISH ENOUGH FACT TO JUSTIFY SUCH A PUBLIC, OFFICIAL INVESTIGATION.

LET ALL THOSE WHO WERE COMMISSION STAFF LAWYERS SELECT, SAY, A HALF-DOZEN OF THEIR NUMBER TO CONFRONT ME IN PUBLIC, UNREHEARSED, BEFORE NEWSPAPER AND RADIO REPORTERS AND TV CAMERAS. LET US DISCUSS THE REPORT AND THE MISUSED, MISREPRESENTED, DESTROYED AND

SUPPRESSED EVIDENCE.

THERE WILL THEN BE LITTLE DOUBT OF THE ESSENTIALITY OF A NEW INVESTIGATION, OF THE NEED FOR IT TO BE PUBLIC AND IN AS CLOSE APPROXIMATION OF A COURT PROCEEDING AS POSSIBLE, AND ABOVE ALL, THAT NONE OF IT BE HIDDEN FROM THE PRESS.

THE POWERFUL GOVERNMENT THAT ACKNOWLEDGES IT DID WRONG AND THEN PLEDGES, TO THE DEGREE POSSIBLE, CORRECTION OF ITS WRONG, EARNS THE RESPECT OF MANKIND, NOT ITS CONTEMPT. IF THE UNITED STATES GOVERNMENT IS WORRIED ABOUT ITS TARNISHED INTERNATIONAL IMAGE, LET IT EARN RESPECT BY ACKNOWLEDGING THE KENNEDY ASSASSINATION MUST BE REALLY, VIGOROUSLY, INVESTIGATED.

WE CAN IMAGINE NO MORE fitting COMMEMORATION OF THIS MURDER.  
NOR ONE THAT CAN BRING OUR COUNTRY MORE GOOD.  
ADV FOR AM SUN 10/11/63  
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