

CHAPTER FOUR

"OH, TERRIBLE!"

Much of the rest of the first part of Hall's article deals with the House assassins committee. What he says of it is not worth the time or space, it is devoid of all significant information that the committee had and suppressed, information that bears directly on the honesty and competence or lack thereof of the Warren Commission. My previous citation to this in the Afterword of NEVER AGAIN! is not to all of what I learned that the committee suppressed and was forced into the public domain by the same law that created Hall's board.

Hall's concept of scholarship and of law is that he should ignore all of that because it undermines and at points destroys what he says in his article.

In getting to this point I skipped over some matters that are relatively minor and some that are complicated, which can use more time and separate treatment. They all, those that follow, are the official evidence that was used, almost always exclusively used, in those of my books Hall did not include, great as is the number of books and articles in his notes.

We have included a few, a very few of the relevant parts of Whitewash of which Hall should know, having used it as a source. He

also used Whitewash II as a source, for the sole purpose of deliberately misrepresenting what I said about the two FBI and two Secret Service agents at the autopsy, and, with regard to them, in a very limited sense, as we saw above, to destroy what he enlarges into my having made those words apply to the entire FBI and entire Secret Service, and into intelligence "sources and methods" and into "national security." This, as is true of much of this Hall article, is not true.

However, his having used Whitewash II as a source, and with that we have the not unreasonable presumption that he is familiar with it--a presumption that should represent a certainty with an academician and a lawyer with Hall's qualifications and positions--we here use but one of the innumerable facts not previously reported and based entirely on the official evidence that invalidates what Hall writes and spoke and very likely believes.

The Commission's Report is based on its conclusion that the first shot was fired at Zapruder Frame 210. The surrounding evidence as collected by the Commission precludes any alternative to this and with any later first shot the shooting attributed to Oswald becomes even more impossible.

The Commission used the Zapruder film as a time clock. It disproves the Commission's basic conclusion that the first shot was fired at precisely Frame 210. Not a bit before then and not a bit after then. Except at Frame 210 that tree blocked his vision.

Part of its timing on this was the amateur photographer Phil Willis and the fifth of those of his pictures he sold as a kit. They are in the Commission's evidence.

As we saw above, the CIA's National Photographic Interpretation Center disproved this. NPIC and what it studied eliminate any picture taken at Frame 210; but this did not get to be known until 1976--and then only to the limited audience that bought the reprinting of my Photographic Whitewash.

It should be understood that the CIA did not have the original Zapruder film. Life magazine had that. The CIA had a copy. In making copies, more than twenty percent of what the camera and film capture and record are automatically eliminated. That is the part of the film that holds the sprocket holes that move the film when the tiny cogs engage these holes. This film, the sprocket-material, ordinarily is in the original only. The machines used in making copies also use those sprocket holes to move the film and eliminate that part from the copy.

It happens that to be helpful to the Commission Life magazine made duplicates of each of the key Zapruder frames one by one. It enlarged them into 35 millimeter positive slides. From those color slides the FBI made black-and-white prints for the Commission to publish; publication not being in color. But the slides made from the original could be examined at the Archives and the black-and-white prints are published as Exhibit 885 in Volume 18.

I studied both and I asked my good friend Matt Herron, a professional photographer, to make me prints of some that I could use when I was on TV. I used them from coast to coast and down in New Orleans where Matt then lived.

Here I refer to page 196 of Whitewash II, although more proof

follows it. Remember, it dates to 1966. (see Exhibit 25). It explains some of the foregoing.

Willis is seen in the marginal material that is eliminated when copies are made, with his camera to his eye and, as he testified, as he walked into the street after taking his picture. The camera can be seen down from his eye by Frame 204. This means, without possibility of question, that with his Argus C-2, the camera he used, he had taken the picture the Commission said he took at Frame 210.

It means that the first shot which the Commission and Willis both agree in what caused him to take the picture before he was quite ready, was prior to Frame 210, prior to Frame 204, and from other evidence, prior to Frame 202, and on that additional basis alone the Report is disproved.

Each frame took a eighteenth of a second, according to the FBI's examination of the camera and the FBI's testimony.

We do not know how long or how fast Willis took to take that camera down from his eye but if we refer back to those NPIC records the Rockefeller Committee/Belin Commission had and suppressed, the first NPIC panel postulates that first shot at Frame 188, with another at possibly Frame 198. The next that is considered possible was after Willis had the camera down from his eye.

Now if we look at the hand written record the NPIC provided, with what the CIA believed in the first column and what its interpretation of Life's work in the second column, we have the

identical conclusions for the CIA and one very close to them by Life. Life's is between Frame 188 and Frame 196. It is Frame 190.

The time between 188 and 198 is less than a second. So, while we do not know the precise instant Willis has taken that picture of the pivotal evidence we do know that it was before the Commission says, before Frame 210, and that disproves the basis of the Report.

NPIC, remember, is the country's best authority.

Is it necessary to suggest that this, without so much more like it, can explain how Hall and his honchos managed to use Whitewash II and not to include this which, if they had used it, would have invalidated just about all Hall said ?

The FBI was well aware of the possible problems it could fake if it had the Zapruder film and had to use it. Eventually it got a copy of the copy the Secret Service had but when patriotic Zapruder offered the FBI a free copy its Dallas Special-Agent-in-Charge, Gordon Shanklin, decline it. That was approved at headquarters. Imagine the FBI said Life was paying \$40,000 for the right to that film--and he actually got immeasurably more--and the FBI turned it down! (see Exhibit 26).

It was DeLoach who save for one was next to Hoover, who told Shanklin to hold off, not to get the film. Hoover agreed. (62-109060-453).

The FBI has turned out manuals for other police departments of which it let me have one. That manual makes it clear that pictures can be best of evidence and that the police should grab them, but not the FBI?

That they are the best evidence is precisely why in this case the FBI avoided all of them it could.

Take for example, one of thousands of records I got suing the Dallas field office for records it had not sent to Washington or records it had and Washington had and withheld from me. One of several that were not sent to Washington is the attached report by Dallas SA Milton L. Newsom. He had earlier taken a call from Walter Bent, of the local Eastman Kodak plant. Bent offered the FBI pictures taken of the assassination by the engineer Charles Bronson. That was as soon as Eastman Kodak opened for business the first working day after the assassination. Newsom went there, taking another agent, Emory E. Horton, with him. (see Exhibit 26A).

This is the key paragraph of this second Newsom report:

Films taken by Mr. Bronson at the time of the President's assassination including 35 mm. color slides which were taken with a Leica Camera, and 8mm. Kodachrome film were reviewed. These films failed to show the building from which the shots were fired. Film did depict the President's car at the precise time shots were fired; however, the pictures were not sufficiently clear for identification purposes.

What Newsom says is that the 8 mm. color pictures "failed to show the building from which the shots were fired," a conclusion long before the end of the investigation, were there a real one, could have been finished. It is also not true. Far, far from true!

When I got his report in C.A. 78-0322 and copies reached my Dallas friends Gary Mack and Earl Golz, Gary was then with a radio station and Earl the Dallas Morning News' then instigative reporter, they looked Bronson up. Honorable men they are and honorable as the paper was they first of all protected Bronson by

copyrighting his film, all of it, and then getting him a lawyer to protect him further. Bronson gave them the right to examine the film and to use it. The paper made it the major part of its issue dated Sunday November 26, 1978. It printed two pages of enlargements from the tiny eight millimeter and a print of those 35 millimeter pictures Bronson took with his Leica. There were almost a hundred pictures of not only that building but that very window the FBI and others in the government said all the shots were fired from and only the briefest time before the shooting there was nobody in that window.

It is correct, as Newsom says, that the Leica picture, which the paper enlarged considerably and the people in it could easily be identified, did show the President being killed. As Newsom put it, "at the precise time shots were fired."

Newsom's reason for declining copies of all this free was that "the pictures were not sufficiently clear for identification purposes."

That is totally false.

Save as Newsom intended it.

As enlarged and made much less clear that one print can be used to identify quite a few witnesses to the assassination. They can be readily "identified," perhaps fifty, perhaps more if the picture was cropped,

What Newsom was saying without making a record that could be embarrassing is that the picture could not be used for "identification" of Oswald with a smoking gun!

The FBI wanted nothing else. (This record is 89-43-493 in the Dallas main assassination file).

It did not get to headquarters until 1978, when the records were sent there for processing for me under FOIA in C.A. 78-0322.

The FBI is long on its special uses of language. Yet it is remarkable what it gets away with. This is but one example of so many.

While we are on this there is what can be used in several places that I use here to make it clear that this Newsom avoidance of what could have been the most vital evidence was not all that exceptional for the FBI.

As Hoover told Manchester and was and is well known, before he appointed his Commission, President Johnson directed the FBI to make a definitive investigation and report on it. (see Exhibit 27). That FBI report is five volumes. The first is text on the assassination. Perhaps a more accurate description would be that it is a virulent, uninhibited diatribe against Oswald . The last in on Ruby. The others are of alleged evidentiary support for what was written.

Now remember, the Commission said and never changed, that three shots and only three shots were fired, that the first caused the seven non-fatal injuries it acknowledged were suffered by the President and the governor, the second missed entirely, and the third hit the President alone and was fatal.

To this day the FBI has not acknowledged that a shot missed. It has the proof in reports to it, in pictures of it, even in the

police radio logs which it transcribed for the Commission. It has the names of the police and the sheriffs who saw and reported this missed shot but the FBI refuses to admit that there was one.

The reason is simple: When the best shots in the world could not duplicate the shooting attributed to the duffer Oswald with three shots, doing that would have been even more impossible with a fourth shot and the FBI knew that would be required. It did not for and would not be embarrassed by endorsing the fabrication of Arlen Specter that was eventually adopted by the Commission, that the first bullet was of that unprecedented magic.

However, this gave the FBI a real problem. It should have been of interest to a concerned historian, if Hall were a concerned historian, and to a concerned lawyer, if as a lawyer Hall was concerned. And then he did not have to read Commission Document 1 of CD 1, the Commission's first numbered record, which that FBI report is.

No, Hall had and used Whitewash, which I repeat was the first book, so none of that imagined three decades of new developments in forensics of his was required. And he had it--cites it in misuse of it.

There are but two references to that shooting in all of CD 1. With those two shots the FBI does not account for all the shooting of which it knew and had proof, for all the injuries of which it knew and had proof--and it does not even mention cause of death when not only did that investigation require it, it had those five volumes to hold it!

I published these two and two only FBI references to the shooting in Whitewash on the attached page 195. Hall and his scholars and assistants of other description could not have used Whitewash and missed that! (see Exhibit 28).

The attached pages of the index the FBI provided for CD 1 make it clear that quintessential as the autopsy is in any investigation it ignored the autopsy entirely and the page on which the shots, also of vital importance in such an inquiry would be indexed, and shots also are not mentioned. (see Exhibit 29). I repeat without any index page because there are many ways in which it could have been indexed, there is no mention of the cause of death! In a murder investigation!

The Commission was terrified of the FBI. Those who want more than what follows will find it in the transcript of the executive session from which quotation will follow, and that is still another book suppressed by Hall et al in their cataloging that includes assassination junk, some of the most arcane and least known.

There was an emergency executive session after the end of work on January 22, 1964, in response to the Commission's learning that what it had been sitting on for more than a month was attracting attention in Texas, the report that Oswald had had some connection with the FBI or the CIA. The full text as disclosed to me under FOIA is in facsimile in Post Mortem. That is another first-rate reason for Hall et al to ignore that book. It begins on page 475. I use here only the last two pages, the first to show one expression of this terror and to reflect the Commission's

preconceived determination, and this was before it held its first hearing, to conclude that there had been no conspiracy. This before it took any testimony, made any investigation. (see Exhibit 30).

The second page reflects that although the Commission had decided that for history's record it would record all of these sessions, it then decided, on former CIA director Allen Dulles' suggestion, to send the court reporter packing and to destroy that record.

They thought they destroyed the record, as Dulles suggested, but they overlooked the stenotypist's tape. When I was able to pinpoint that, the government did not get the court reporting firm to transcribe it. It used the Pentagon, which was not familiar with all the Ward & Paul stenotypist's codes and made a few minor mistakes.

Rankin was so cheap about all of this he paid the court reporting firm only \$25 for the night of its court reporter's work.

The Commission, which lacked the authority to classify anything, had been classifying the transcripts of its executive session, even the transcripts of the testimony it was going to publish, as "TOP SECRET." I had already defeated it on that in court so it did not try to pull that "TOP SECRET" dodge on me to withhold that transcript.

Those wanting to get the full sense of fear and horror of the FBI that dominated the Commission before it began its work will find this in full in Post Mortem. Such confession as "they are concluding there can't be any conspiracy" while "they haven't run

out all the leads," which is precisely what the Commission did not do either.

If the Commission complained to the FBI it could say "It is not our business," although the Commission supposedly was in charge.

On the first of the pages included here, "They would like us to fold up and quit" one member the transcriber could not identify said. Boggs added, "This closes the case. Don't you see?" Dulles said, "Yes, I see that."

Rankin added, "They have found the man. There is nothing more to do. The Commission supports their conclusions, and we can go home and that is the end of that."

All this and much more based on the Commission's horror of having read that report, CD 1.

With this and more like it, ever so much more, Dulles, who had headed the CIA until its fiasco of the Bay of Pigs, for which Kennedy took responsibility, and then eased Dulles out after enough time had passed to cushion it, said, "I think this record ought to be destroyed."

When there was agreement on that, one whose name the transcriber did not get reminded them, not that it made any difference, that "We said we would have records of meetings."

Besides the short reference to the FBI concluding there had not been any conspiracy without making any investigation, one without a name but probably Rankin stated that he and Warren "were just briefly reflecting on this," the report that Oswald had some

CIA or FBI connection, and "we said that if it ever came out and could be established, then you would have people think there was a conspiracy to accomplish this assassination that nothing the Commission did or anybody could dissipate."

Boggs wailed, "You are so right."

Dulles added, "Oh, terrible!"

Boggs lamented further, and these are his exact words, "Its implications of this are fantastic, don't you think so?"

One whose name was not gotten exclaimed "Terrific!"

Hall and his many helpers ridicule the notion that there had been a conspiracy and then condemn all who write critically of the Commission as conspiracy theorists, without knowing what they talk about, without knowing whether there had or had not been any conspiracy, with sublime ignorance of the actual official evidence that proves there had been a conspiracy, evidence the Commission could not avoid but did ignore and misrepresent, but here the Commission itself expressed, when it expected perpetual secrecy, its determination to conclude that there had been no conspiracy without any investigation made or by then even possible.

The FBI, too: "The would like to have us fold up and quit."

This should not be lost sight of: the FBI dominated the Commission from the very first. The Commission did not dare, did not dare think of doing, other than what it knew the FBI wanted and the FBI spelled that out in the report ordered of it by President Johnson, that five-volume CD 1 that the Commission acknowledged did nothing at all to solve the crime but demanded that the Commission

agree with it anyway and then "fold their tents and go home."

There is so much wrong with what Hall put his name to, regardless of where and how and from whom he got all his information, misinformation and, if it came from anyone else, his prejudice and preconceptions, many books could be written about it and as this does, use it to call the truth, the fact, the reality to public attention.