

Dear Mr. Katz,

7/6/94

Your mother was correct and in part you are not. Not in criticizing those who you say act as Oswald's defense counsel. The Commission's untenable Report was an indictment and a conviction without trial. How can one address the indictment without acting as defense counsel even when, as with me, that was not my purpose?

I'm surprised that you say the case against Oswald is clear and convincing. If your knowledge for your analysis is limited to the Report, on a careful reading of it alone your conclusion is not possible. And if you had a good grasp of what is in the 26 volumes you see clearly that there really was no actual case against him.

I do not think it is possible to make any dependable analysis from the Z film alone, not even of the number of shots fired and which hit which victim.

You apply Holmes more broadly than I think Doyle intended,

It is not merely improbable that the Report cannot be trusted, is radically wrong.

It is not merely improbable that there is ~~no case~~ <sup>no solid</sup> a case against Oswald.

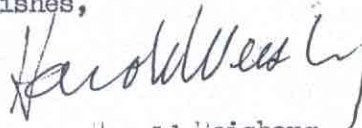
It is not merely improbable that the government was dishonest.

You make conclusions without an adequate factual base, I fear.

And I suggest it is not really a proper analysis to conjecture about the number of shots fired. How is that significant.

The Commission's own evidence, suppressed from its Report, is that the best shots in the country, all NRA Masters, could not duplicate the shooting attributed to Oswald even after all that could be done to the rifle was done to it and under vastly improved conditions. This is one of the innumerable bases for knowing that there had been a conspiracy. It does not tell us who conspired, of course. But once you know this and recognize that there is no way of knowing who shot or how many there were, what is the point of trying to count shots?

Best wishes,



Harold Weisberg

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July 1, 1994

Mr. Harold Weisberg  
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Dear Mr. Weisberg:

Thank you for your note of June 26. I was surprised and fascinated to learn that you are personally acquainted with James Tague.

Your characterization of Gerald Posner's analysis of Oswald as "prosecutorial" reminds me of a criticism that my mother made of the Warren Commission many years ago. She remarked that the Commission acted in many ways as if it were a team of prosecutors in a trial against Oswald. I agree with her. I also think that there is a flip side of that coin, which is that many of those who criticize the Warren Commission act, in effect, as Oswald's defense attorneys. I am not sure that a total acceptance of either point of view necessarily leads to a balanced appraisal of the evidence of the assassination. As for Case Closed itself, I would characterize some of the conclusions in it as guesswork.

I agree with you that it is vital to base any assassination analysis on the evidence alone. I base my belief that the case against Lee Harvey Oswald is clear and convincing on my own analysis of the evidence I have seen, and in particular on my analysis of the Zapruder film and of testimony given to the Warren Commission. My analytical approach is to eliminate scenarios that I believe are impossible. (For instance, based on the evidence I have reviewed, I would start by eliminating any scenario where only one shot was fired in Dealey Plaza, and any scenario where fifteen or more shots were fired there.)

I am now at a stage where I am left with a scenario that is admittedly improbable. In this connection, however, I am fond of quoting Conan Doyle's Sherlock Holmes character: "When you eliminate the impossible, the improbable remains." I do not like to think, however, that I am unreceptive to conflicting points of view on the evidence. As such, I would like to order a copy of your book Photographic Whitewash. An order form and a check is enclosed.

Very truly yours,

  
Robert Katz