

6/3/75

Mr. James J. Kilpatrick
c/o Washington Star
Washington, D.C. Please forward

Dear Mr. Kilpatrick,

Your last week's column on the JFK assassination and the Warren Report bears every indication of thoughtfulness and seriousness. It also illustrates the situation of the responsible writer who undertakes a commentary on these subjects. He is the captive of the Report itself and for all practical purposes has no way of escaping that captivity.

I take part of one sentence only in an effort to make this clear to you: "One must discount the sworn testimony of ballistics experts (sic)..."

First of all I do not believe you have read this testimony because I do believe you are perceptive enough to have detected serious deficiencies in it. Nor can the ballistics testimony be considered alone. There were other scientific tests the Commission never had and for which for the second time I am now suing under the FOI law (in which I do wish columnists had more interest). Then there is the expert medical testimony, which is essential, not merely relevant.

From the Commission's published material this evidence says and means exactly the opposite of what the Report says of this. You will find enough proof of this in the final chapters of my first book and there is more. That book dates to February 1965 and remain unrefuted anywhere. There are overt lies in the Report in pretended citation of what the doctors testified to. I invite you to check the citations in this book for yourself. You will find that the actual evidence says and means other than what the Report says. Opposite, really.

If the scientific tests do support the official account of the assassination, what reason can there be for keeping them secret for 11 years? Would they not have been well distributed, particularly when the Report was under attack? For what reason did the Commission avoid them as it did? These are entirely non-secret tests so no arcane methods of investigation are involved.

The government now says in response to my Civil Action 226-75 in federal court in Washington that it is giving me the raw material only, that being all it has. Yet in the previous suit (C.A.2301-70) it swore that the FBI would be wrecked were it to give me this same raw material that neither then nor now did I ask for. It also has just sworn falsely that it has given me everything in the files under this suit while what it has given me proves beyond question that this is repetitious false swearing and proves beyond reasonable doubt that the false swearing was deliberate. The alternatives are the destruction of this evidence and toying with the courts and the entire system of justice.

Why should this be fact and practise?

If you are going to write further on this subject I believe you owe it to yourself and your readers to know more than would equip you to write responsibly on most subjects. It is a subject unlike anything else in our history.

Sincerely,

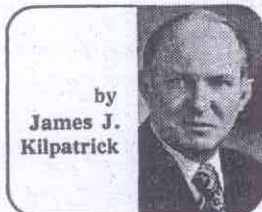
Harold Weisberg

JFK conspiracy theory far-fetched

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WASHINGTON — John F. Kennedy, had he lived, would have been 58 Thursday. He died, as we know, nearly 12 years ago, the victim of assassination. The anniversary of his birth offers an opportunity for a few observations on the burgeoning demands for a new investigation of his death.

These demands are cropping up everywhere — in Congress, on college campuses, in popular magazines. Robert Sam Anso recently contributed to New Times magazine an excellent round-up of the many doubts, conjectures and suspicions that have arisen. Watergate left a fertile soil behind;



by
James J.
Kilpatrick

it is just right for the growing of cover-up theories. These have taken root, and they are flowering.

Kennedy died of bullet wounds suffered at 12:30 p.m. on Nov. 22, 1963, as he was riding in a motorcade in Dallas. Shortly before 2 p.m., following the fatal shooting of Police Officer J. D. Tippit, police arrested Lee Harvey Oswald and charged him with both crimes. Less than 48 hours later, Oswald himself was slain by Jack Ruby, a night-club operator.

ONE WEEK after the assassinations, President Johnson named a seven-man investigating commission, headed by Chief Justice Earl Warren. Its report, made in September of 1964, advanced these

conclusions:

"There is no question in the mind of any member of the commission that all the shots which caused the President's and Gov. Connally's wounds were fired from the sixth-floor window of the Texas School Book Depository. The shots... were fired by Lee Harvey Oswald... The commission has found no evidence that either Lee Harvey Oswald or Jack Ruby was part of any conspiracy, domestic or foreign, to assassinate President Kennedy."

Nonbelievers contend that Kennedy was slain by a conspiracy; that Oswald did not act alone; that the ultimately fatal shot was not fired from a building behind the President, but from a point in front of his limousine; that the Warren Commission collaborated in a massive cover-up to prevent the truth from coming out. They want the investigation reopened.

SOME OF the critics' arguments strike me as persuasive. Some purported ballistics evidence, if credible, would appear to provide convincing proof that another rifleman was involved. Many puzzling questions remain unanswered. But it takes a very accommodating gullet to swallow the conspiracy theory whole, and my present inclination is to stick with the Warren Report.

During the course of its investigation, the commission took testimony from 552 witnesses. The FBI conducted 25,000 interviews and submitted 2,300 reports amounting to 25,000 pages. The Secret Service conducted 1,550 interviews and made 800 reports of 4,600 pages. This tremendous mass of material simply cannot be discarded as so much white-wash.



John F. Kennedy

In order to believe the conspiracy theory, one must believe that all these were parties to a gigantic cover-up: the commission members, the commission staff, the slain President's brother Robert, the President's successor in office, the FBI, the Secret Service, the CIA and the Dallas police. That is for starters. One must discount the sworn testimony of ballistics experts, the evidence of Oswald's fingerprints, and the testimony of eye-witnesses.

THE DISSENTERS ask too much. The disillusioning experience of Watergate may have taught us that criminal conspiracies can be formed in high places, but the bugging of a Democratic chairman truly cannot be equated with the slaying of a President.

If a fresh investigation were to be made, who would make it? The doubters would scorn a commission named by President Ford (he served as a congressman on the Warren Commission). A congressional commission also would be establishment-tainted. At this late date a new grand jury in Dallas seems unlikely. The dissenters themselves are too zealously committed to their conspiracy theories to have any appearance of objectivity.

Yes, the critics have raised some troublesome doubts, but great crimes inevitably produce great doubts. Whole schools of scholars still sift the assassination of Caesar. I wouldn't gag the dissenters for the world — we ought always to pursue truth — but for the moment, I wouldn't buy the hyped-up conjectures they're trying to sell.