

Rec'd
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by Bill O'Leary

Dave Perry recently wrote a six page article titled, "John Elrod, Does He Know Anything?" This article was privately sent to selected assassination researchers a few days after the Washington Post published the article, "The Fourth Tramp", by Ray and Mary LaFontaine.

Perry makes several serious charges in his article such as the following:

"In my view, they tend to bend facts and logic to supportt their own conclusions"

"They did spice up the episode by claiming the FBI agent and two detectives wanted the Dallas police officers to arrest the men in the thunderbird..."

This article will attempt to answer some of Perry's allegations which he apparently developed after a few days of research.

Perry should be commended for taking the additional step of obtaining the Dallas Morning News (11/19/63) article on the arrest of Miller and Whitter. His additional effort far surpasses that of most of the other critics of this story.

Perry however falls short when it comes to continued research. I personally obtained most of the hundreds of pages of documents concerning this story.

That effort took almost 3 years and numerous Freedom of Information Act requests. In addition Mary LaFontaine conducted many interviews spanning the same 3 year period. The story which appeared in the Washington Post was a result of this effort to obtain documentation and evidence. I might add that several other respected researchers were also involved in this effort.

Perry attempts to dis-credit the LaFontaine's based on a comparison of the Washington Post story and the Dallas Morning News story of November 19, 1963. He cites a difference in the events leading up to the arrest of Miller and Whitter. Perry even goes as far as to suggest the LaFontaines "spiced up the article" by claiming the FBI and detectives arranged for the Dallas police officers to arrest the suspects for a traffic violation. In Perry's own summarization of the Washington Post article he quotes as follows:

"According to court records from the resulting criminal trial..."

Unfortunately Perry does not appear to have researched the court

records or he would have discovered that they back the Washington Post version of events and not that of the Dallas Morning News. It is a good thing Perry did not research the Terrell Texas newspaper article on the arrest of Miller and Whitter. Had he limited his research to this article the reader would have been very confused. This is how mis-information about the assassination propagates. The Terrell Texas article states the following:

"Dallas city and county police aided by FBI agents, captured two young men who burglarized the Nation Guard ..."
"The two men, both in their 20's..."

Miller was 33 and Whitter was 43 at the time of their arrest on November 18, 1963.

Additional research by Perry could have easily provided additional confirmation of the story as told in the Washington Post. However Perry appears not to have looked at the February 12, 1964 Dallas newspaper article on Miller's conviction for the November 1963 arrest. The article states the following:

"Assistant U.S. Atty. Tim Timmins called FBI agent Joe Abernathy as the United States chief witness. Abernathy said he saw Miller and another man move weapons from one car into another shortly before the wreck. Abernathy said he was "tipped" to the transfer. Another witness, Dallas Patrolman J. B. Allen, said he followed the car after it left the transfer scene. Police gave chase, and the wreck followed"

Miller himself supported the Washington Post version of events when he appealed his conviction. A UPI story of the appeal hearing states the following:

"Miller claimed he was arrested without probable cause because police used a traffic violation as a "ruse" to pick him up"

Perry also suggests the LaFontaines are confused as to which gun deal they are talking about and who was involved. I doubt Perry has had a chance to review the hundreds of pages of documents I have on this subject or to participate in the many interviews conducted by the LaFontaines. The documents and interviews clearly show Ellsworth was investigating Masen. Masen led Ellsworth to a source of his at Ft. Hood who could supply him with what ever he wanted. The FBI, Army Intelligence (INTC), and the Alcohol Tobacco and Tax Unit of the IRS (ATTU) were all involved in this investigation. However, the FBI and INTC were double dealing. They secretly were working with the Ft. Hood source (Nonte) while pretending to investigate his gun dealing. Ellsworth (ATTU) never knew of this double dealing.

According to Ellsworth, he was working undercover when he placed an order with Masen for a quantity of weapons. Ellsworth believed these

weapons would come from the source at Ft. Hood. Ellsworth says he later learned these weapons came from the burglary of the National Guard Armory at Terrell, Texas.

Perry also questions why the Dallas Police would place Oswald in a cell with a man who had a "history of alcoholism" and a nineteen year old car thief. First of all, the Dallas Police did many unexpected things during the hours they held Oswald. I do not profess to know why they placed all three men in the same cell or adjacent cells. Any research who took the effort to obtain the arrest records of John Elrod and Daniel Douglas would learn that Elrod was a suspect in the assassination of JFK and Douglas was a suspect in the murder of officer Tippit. If I were to speculate I would suggest the possibility that the suspects were all temporarily held together in the only separate high security cell area available. The Dallas Police may have been awaiting word from officials and other agencies as to how to proceed and which agency would have control.

Perry questions why Miller would have been moved through the cell block containing Oswald, Elrod and Douglas since he had been in the jail since November 18th. My interpretation of the FBI document on Elrod is much stronger than that which was stated in the article. The FBI document states:

"An individual, whose face was smashed up, was brought into the hallway of the jail where ELROD and his cellmate could observe him"

My interpretation is that Miller was purposely brought to the hall in front of the cell for Oswald to ID.

Perry also questions why Oswald would have talked to his cellmates, especially since they could have been "plants". Again my interpretation is stronger than the article states. The FBI document states:

(continued from previous quote)

"At that time the unknown cellmate made some mention that he had known this man with the injured face as a result of meeting him at a motel..."

My interpretation is that Oswald told whoever brought Miller to the cell, about the motel meeting and Elrod overheard this discussion.

Perry questions the identification of Masen as the owner of "the only store in the Dallas area that sold the type of ammunition used in the shooting of President Kennedy". Perry would only have to look at the Warren Commission volumes and CD's to realize that this identification was done during the investigation of the source of Oswald's 6.5 Mannlicher Carcano ammo. The article states nothing about Roscoe White and 7.65 ammo or for that matter any other type of ammunition used in the assassination. As a matter of fact, I could

not find any accusations in the article as to who may have fired shots during the assassination.

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