

NEW ADDRESS: Rt. 7, Frederick, Md. 21701:301/473-4183

12/5/67

Dear Mr. Lerner,

Many thanks for your kind note of November 30 and the enclosed proofs. They were forwarded and reached me today.

In your earlier column, "Dallas Again", you express misgivings about the evidence showing Oswald was not the assassin. I'd like to suggest three things only for your immediate consideration on this:

There is no police transcript of any kind of the interrogations (can you imagine there's be none had he confessed?). The memos written later, as I point out in the first book, WHITEWASH, quote him as describing what he saw Junior Jaraman do on the first floor. Junior Jaraman's testimony confirms what Oswald is said to have seen. I cannot see how Oswald could have been six floors away and have known what went on on the first floor.

In PHOTOGRAPHIC WHITEWASH: SUPPRESSED KENNEDY ASSASSINATION PICTURES, there are these references to a Mrs. Carolyn Arnold, who, I believe, really told the FBI she saw Oswald on the first floor: 74-6;210-1. The FBI handling of this is entirely suspect. In this connection, may I also refer you to the inside back cover of WHITEWASH II: THE FBI-SECRET SERVICE COVERUP, the pictures relating to Lovelady as the man in the doorway, and a number of related places in PHOTOGRAPHIC WHITEWASH. When the book had been printed, save for the index, Mrs. Lovelady phoned me. A note on this is on p. 294. I have seen pictures that unmistakably are of Lovelady taken that day and suppressed. He is in exactly the shirt his wife described. I believe that cannot be the shirt in the Altgens picture, which clearly had a black or check pattern, as the shirt Oswald was wearing also has not. I have examined that with great care. I can show you the real Lovelady pictures but cannot publish them for they are not my property.

Also in PHOTOGRAPHIC WHITEWASH, relating to the suppressed pictures taken by Robert Hughes, pp. 57-8, 86, 125-30, 132-5, 278-81, 283. This is one frame of a motion picture that I describe. It was taken but split-seconds before the official version says the first shot was fired. The wall is 18 inches thick. The window was open 17 inches. There was a telescopic sight atop the rifle, making the angle a very critical one. The rifle, if the incredible testimony is believed, had to have projected from that window if <sup>it</sup> was fired from it. There is no rifle, no man in a position to fire. The FBI doctoring of this picture is, I think, culpable. No tanktown court sitting on the murder of a skid-row bum ~~can~~ have tolerated such an abuse of evidence. The Commission failed to publish the picture, instead misrepresented ~~it~~ the time it was taken by 10 minutes. I think it constitutes photographic evidence that no shot was fired from that window, by Oswald or anyone else.

If you'd care to carry this further, may I refer you to WHITEWASH, pp. 36-8, 46, 111, 112, and WHITEWASH II, Chapter 6, "Baker's Dozen", pp. ~~40-4~~ 40-4. If you have any printing of WHITEWASH after the first, you will find a picture of the rifle as it was found on page 211. There were no fingerprints on any of the boxes behind which it was located. I am unaware of any evidence that it was actually fired at that time. The government could have developed and used such evidence, if it existed.

If competent lawyers and competent investigators do not produce readily-available evidence, I think there is a presumption that, if it is important evidence, it does not exist. If the time reconstructions prove anything, it is that Oswald could not have been in the sixth-floor window. He could not have been there, which is conjectured, and had the lunch-room encounter with the policeman, which did happen.

Assuming, as I am willing to, that there are two figures that can be made out in the entire Hughes film (my discovery, by the way, as PHOTOGRAPHIC WHITEWASH shows), this does not prove that there was a shot from there but rather is consistent with what I report in Part 2 of WHITEWASH II. However, if one of these two figures is the assassin, what happens to the Thompson conclusion that there was no conspiracy.

Please excuse the perpetual haste.

I'm going to work in New Orleans for a week beginning Saturday. If there is anything I can do for you, please let me know. I can be reached c/o Jim Garrison, 504/822-2414.

Again, my thanks.

Sincerely,

Harold Weisberg

P.S. If you have a first printing of the first book, I'd like to send you either the sig that was added, including the index, or another copy. If you are missing any, please let me complete your set.

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**New York Post**  
75 WEST STREET • NEW YORK, N. Y. 10006

MAX LERNER

November 30, 1967

Mr. Harold Weisberg  
Hyattstown, Maryland 20734

Dear Harold Weisberg:

I thought the enclosed columns would interest you.

I have been careful to place your book in the larger setting of the literature about the JFK plots, and also to point out the real finds you include in the form of the Dean Andrews interview.

Sincerely,

  
Max Lerner

ML:adv



## Max Lerner

### *Dallas Again*

Four years after Kennedy's assassination add the name of a Haverford professor of philosophy, Josiah Thompson, to the list of those who have shaken the public confidence in the Warren Commission Report, and place him right on top of the list. He has worked hard on a "micro-study" of any bit of evidence bearing on the killing, as if he were a one-man new Warren Commission, re-investigating the greatest mystery of our time, digging up everything as "a task in archeology." He has written a book—"Six Seconds in Dallas"—with a Saturday Evening Post preview of it.

His conclusion is that it is still a mystery; that the President's limousine was caught in a carefully prepared trap; that there were four bullets fired by three gunmen stationed at different points; that one of them, stationed in the Texas Book Depository (who may not have been Oswald) fired the first and third shots, both hitting the President; that a second gunman, firing from a rooftop of a Houston St. building, hit Gov. Connally; that a third, hidden behind a stockade fence in front of the limousine, fired the last shot, which rocked the President's head back and finished him.

If this "reconstruction" of the killing is valid (Thompson himself leaves to the future to decide whether it is "history, semi-history, or fiction"), then at least two of the three gunmen made their getaway safely and are still at large among us. He refuses to speculate on who they may have been or what their motives were, and contents himself with a scrupulous sifting of the evidence of the killing itself.

\* \* \*

What about Oswald? Thompson joins the growing list of students who believe that Oswald did not fire a shot, although he agrees there is no proof of this and that he may be wrong. His theory is that there was one other man, or possibly two, in that sixth-floor window of the Book Depository who used the gun that was fired and left behind, and that they got away through an unguarded back door.

This seems to me the weakest part of his reconstruction, and the most conjectural. Although the case against Oswald as sole assassin has loopholes in it, the case for leaving him out of it entirely has just as many. I suspect we shall have to leave him in it until we get other and better evidence, if ever, not only because (as Dr. David Abrahamsen contends in a learned paper published by the N. Y. Academy of Medicine) there was a fitness for the crime in his life history and personality structure, but because we have to torture too much of what is known in order to support the necessary alternative theory of Oswald as dupe and patsy as well as innocent.

The strongest part of the Thompson book lies in his disproof of the theory that a single bullet passed through both Connally and Kennedy, and his massing of evidence for the theory of the four bullets and the three directions from which they came. From now on anyone wanting to support the single-killer theory, with its accompanying position on the fascinating double-duty bullet, will have to disprove Thompson's reading of the evidence, which on those issues is more careful and more powerful than the Warren Report.

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Like others I have gone through several phases of belief since the Kennedy killing. I reacted strongly at first against any conspiracy theory, whether of the far-out Left or the far-out Right, and thought the Warren Report explained enough to be tolerably acceptable. The first book that shook me up was Ed-

ward Epstein's "Inquest," which showed how sloppily and hastily the commission had reached its conclusions. When Jim Garrison threw his New Orleans bombshell I went down to see what he had and for a moment was fascinated by it, but while I have not closed my mind to his theory it strikes me as wilder than justified by any base of evidence he can produce. (I shall discuss Harold Weisberg's new book, "Oswald in New Orleans," in another piece.) It was not until Thompson's book that I became clear in my mind about some kind of collaborative shooting, and about the trap that had been set for the President.

The American universities, which have had to take some rough treatment recently, can point to some decidedly non-ivory tower books on the Warren Report. Epstein did his book as a graduate student thesis at Cornell, Richard Popkin, author of "The Second Oswald," is a philosophy professor at U.C.L.A., while Thompson, a Ph.D. recently out of Yale, is teaching philosophy at Haverford and has a new book on Kierkegaard.

Evidently a few sturdy minds survive even the kind of graduate school fare we now dish out to them, or perhaps they even thrive on it. Maybe Thompson will leave Kierkegaard alone for a while, and turn to the big problem remaining in the assassination: who were the three men, where did they come from, what plot did they form, by what strange drives were they moved?

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## Max Lerner

### *The Kennedy Plots*

On the fourth anniversary of President Kennedy's assassination the river of books on it keeps rolling along. One man who doubtless has been reading all the new ones is District Attorney Jim Garrison of New Orleans, who has entered on a monumental and endless hegira in quest of a New Orleans plot to kill the President. Certainly he has read Harold Weisberg's new paperback, "Oswald in New Orleans: Case of Conspiracy with the CIA" which I infer from the fact that he wrote a foreword for it, and also from his heavy reliance on Weisberg's two earlier books ("Whitewash" and "Whitewash II").

If he has also read Sylvia Meagher's "Accessories After the Fact," he will have found a good deal of common ground in her long, knowledgeable and highly detailed indictment of the Warren Commission, although he will be depressed at the author's blast in her closing pages against Garrison's own methods and against the Warren critics who support him, "condoning tactics which they might not condone on the part of others."

Finally he must have read Josiah Thompson's "Six Seconds in Dallas," which I discussed in my last piece, and which reconstructs a death trap by three gunmen rather similar to the plan for a "tiranguled" firing which Garrison has attributed to Dave Ferrie, presumably the "mastermind" of the New Orleans plot. Ferrie either died naturally or killed himself before Garrison could arrest him and Garrison has been trying ever since to nail down the plot without the master-plotter.

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For most of the anti-Warren authors, as for Garrison himself, there are two plots that seem to worry them: one is whatever version of an anti-Kennedy plot they plump for; the other is a presumed government plot (through the commission itself, the FBI, the Justice Dept. and the CIA) to keep the truth about the assassination plot hidden from the people.

Some form of an anti-Kennedy plot now seems possible to me, but I confess that I cannot see a deliberate government plot to cover up the crime and protect the criminals.

What I see instead is a bias toward a single-assassin theory on the part of the commission and its staff, because they were in a hurry and because it fitted more facts than any other theory. Once they had adopted this position they were not overanxious to follow up leads that might unsettle it.

In addition the underground agencies—FBI and CIA—may well have had additional reasons for not wanting some of their past activities exposed to public view, for the same reason that every secret agency in the world finds ways of shielding itself from exposure and humiliation. (For instances from the record of the major nations today, see the shrewdly informative new book by David Wise and Thomas B. Ross, "The Espionage Establishment.")

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Garrison's foreword to the Weisberg book, in which he says nothing about the book itself, is a brilliantly sulphurous attack on the American governmental agencies in Orwellian terms, as "Big Brother" and the "Ministry of Truth," involved in "a thought-control project in the best traditions of 1984," and intent on re-writing the history of the past (the assassination) in order to control the future.

The excessiveness of his language may be an index also of the excessiveness of his methods in trying to crack the New Orleans "plot" of which he has convinced himself beyond doubt and redress. He has gone too far to retreat: "They must con-

quer or die who have no retreat." The array of opponents he has taken on marks him as reckless or quixotic.

I read Weisberg's new book eagerly, and was not even too badly hobbled by his chaotic sequence and his endless diversions, because I wanted to discover what his friend Garrison had developed in terms of broad strategy or hard evidence since I talked with him in New Orleans.

What I found, to my delight, were two long documentary portraits of Dean Andrews, the "jive-talking lawyer" who had done some legal work for Oswald in New Orleans. This is the Andrews who told of knowing a "Clay Bertrand," whom Garrison is intent on proving to have been Clay Shaw, now awaiting trial. His interview with Wesley Liebeler, the Warren Commission staff member, and even more his telephone interview with Bob Scott, of radio station WNAC in Boston, are the stuff of great documentary literature, with a racy Andrews style of talking that puts all the hep-cat novelists to shame.

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**But this galeaty is less than proof. Nor do the attacks on the single-assassin version add up to an alternative scenario of who the actual plotters were, and why they killed Kennedy. That remains for the years ahead, if ever.**

The Warren Commission, whatever its detailed mistakes, made one massive blunder—that of closing its inquiry. It should have rendered an interim "Not Proven" report, and kept the inquiry open-ended until the pieces fitted into a better pattern than they did then or now.