Rt. 7, Frederick, Md. 21701   301:473-8186

10/2/67

Dear Sylvia,

We are mostly moved, including our bodies, will be God knows how long getting straightened out, finding things, etc.

Spent the part of the day the dentist left in the Archives. Had pictures take with a millimeter rules showing the actual dimension of the back and of the bullet and a few others Thompson didn't have made. Will get them in a week. I've run into something new: Classification of documents that have been released on the ground that an error was made in declassification. In this case it was a Liebeler staff memo that I do not recall as clearly as I might. Expecting a Xerox, I made no notes.

Do not make copies for me of documents I send you. I now have two photocopy machines, so don't waste time. I have one like Maggie's, probably an older version, and the Thermofax. Because I still have to pinch pennies, what I will most often do is send Thermofaxes, for that paper, where I now get it, costs less than half as much and is lighter (on airmail).

Please tell me what you know about the Joesten ed. His British publisher has been in touch with me and if he is doing the Joesten pot-boiler I'll disassociate immediately. He is a thoroughly irresponsible man and has made us all vulnerable, as I believe you know.

Unfortunately, I know very little about your and Maggie's books, so there is little than I can send you. If I get or see something that I think you are interested in, like you with the palmprint and Maggie with Oswald's weight and address, of course, I'll send. Alas, I recall little of what you sent me last year (or was it the year before?) and had only a glance at the table of contents. I know less about Maggie's. I do not even know its name. I wanted to include a reference to it, thinking it would let those who read my book know of hers, but she hasn't responded to my inquiry. Perhaps she doesn't want it. She has been silent for quite some time. I hope it is only because she stays busy. Bill also has been silent. Nice note from Lillian today. Maggie did give her a message.

Sylvia, none of us has a license to be only right, and Manchester had none on being wrong. You are wrong in saying Garrison has nothing on the Birch, Minuteman, and Dallas Police. I cannot say of the White Russians. I have given him enough to justify the quote in your letter (I will read the excerpts from his appearance before I go to bed, but I wanted to answer you immediately. Remember, Penn, rightly or wrongly, has long claimed to have some Minuteman-police connection. I now know of material turned over to the police than seems never to have gone to the Commission. I now know that Wade also refused to give his files. I know who gave what documents that are important to which members of the police department, etc. You also ignore one possibility of Oswald's involvement in a conspiracy that is on page 138 of WHITEWASH: innocently. In this connection, if you can send me the Robert Oswald Times clipping on his statement he believed Lee was about to tell him something, I'll copy and return. It could be just this, Lee's recognition. I have from the first felt he was a pidgeon, but initially lacked enough to be certain. In my mind, I am now certain. It flows from his right-wing Cuban connections, and he did have them. This does n t mean he was part of a plot to kill the President. Thi also does not mean he was aware ofxthe existence of such a plot, either. There is no doubt in my mind Garrison is convinced he was framed.

It is not necessary for you to explain anything. My point is a simple one: please try and understand that what you intend in some of the things you have done is not the way others take them. This is no reflection on you or your integrity. It is only an effort to make you understand that it is so with all of us. I cite the Epstein case because I sincerely disagree with your judgement on it. I made the same initial error myself. We are all independent-minded individuals. Those of us who are honest, and I think this is most of us, must recognize that we cannot agree on all things. So, if and when I say things like this, please do now feel called upon to defend yourself, for that is entirely unnecessary and wastes time none of us has...I know nothing about Thompson or his book or his beliefs.

Whether or not you approve of the adversary system of justice, it is the kind of law and custom we have. I think Garrison has not violated either its word or its sense. I think it not a fair comparison to equate him and Specter, for what Specter did was ex parte. Garrison's must stand in court, where there will be another side and where there will be vigorous defense. I think you fail to acknowledge the very real problem he faces, of trying to prevent the advance poisoning of all the potential judges and jurors, and of the intimidating effect on witnesses of some of the things that have happened. Let me give you an example from my own experience: I developed certain, I think very important, information from Orest Pena that Liebeler suppressed, cut off whenever Pena tried to volunteer it. He agreed to appear before the grand jury. I arranged this when I was down there. I took one of Garrison's assistants to him and he repeated what he had told me and would on that Sunday have gone before the grand jury. Then Bringuier filed and entirely frivolous suit against me (which was costly to me in cash and many other things). Next he filed an insane suit against Pena, based only on what is totally privileged: his WC testimony. First, this cost Pena $300.00 just for a retainer for his lawyer. His lawyer told him that if he wants to keep from having legal expenses of this sort, there is only one way: silence. So, he is silent now. It also happens that the Bringuier suit against me, even though it was immediately tossed out of court on one of the defense so obvious I suggested it, also cost me Louisiana distribution. The distributor's lawyer was mine in this suit. He read PW and assured his other client there was no libel in it. Makes no difference. When last I heard, he had not responded to Parallax on O in N.O. He never answered me. There is this very real problem. I fear it and the consequences may make a trial impossible.

I have a fear you have not articulated: that Shaw will not live to come to trial. He was CIA. They will not want him on the stand. He will not be able to get away with what the CIA pulled in the Baltimore libel suit.

It is an imposition to write when one types as poorly as I without reading and correcting. I hope you understand I intend it as no abuse. It is past a reasonable bedtime and there are things I must yet do.

In responding to William I thought of something I'd like you to think about. It is my present plan to have a large appendix of documents in my Manchester book, those that are appropriate that backstop WWII and others. However, there will be quite a number on a variety of subjects that I will not be able to use. There are some of us I'd like to be able to have access to these. If you can conceive of a feasible, safe mechanism, I'd like your suggestions. I do now know when that will be. I cannot now predict a schedule because Dell's withholding of all funds, even an accounting, confronts me with quite serious financial problems. I continue to get documents when I can that I do not intend to use myself but think one of us should have and use. I may use them in speeches in the future. I think they are important. In fact, were I not worried about money, I'd be getting more than I am. Recently, I have developed some rather interesting data. I have already written a postscript to POST MORTEM. I may yet add to that... Keep me posted on the schedule on your bo k and tell me how I can help. Sincerely, H.

30 September 1967

Dear Harold,

I am grateful for the copy of the Liebeler memorandum on the palmprint. I have typed an exact copy and enclose a carbon, for easy reference, while the xerox can always be produced as evidence. Incidentally, Liebeler's memorandum contains a few errors: he cites "9H" instead of "4H" and then on page 2, paragraph "2)" line 2, the pivotal word "not" is omitted! Par for the course.

My book has a chapter "The Palmprint on the Rifle" (rather, it is a section of a larger chapter) in which I raise all the questions in the memo and some additional ones. You will see it before long, I hope. I am told that the official publication date is November 30, but I will have some copies a few weeks earlier.

Also enclosed is a transcript of Garrison's recent interview on the Mike Wallace program. I am weary beyond words of explaining why I regard this man as a menace to legitimate criticism, and as a godsend to the Warren Commission. He has now accused: Shaw, Ferrie, Oswald, Ruby, and individuals in the Dallas Police, John Birch Society, Minutemen, White Russian community, and oil millionaires. He says "the corroborating evidence is in our files" but I say he is a liar, there is no such "evidence" in his files but only various suggestive materials or allegations (some of which I have seen or heard myself), and the (published) results of the work of the researchers. The net effect of his charges may be to confer immunity on those he accuses--some of whom may in fact be guilty.

When he cites material in the H & E, he is inaccurate and makes misleading statements, or claims there is material there which is not in fact there; even in describing some of the new photographic evidence (which I have seen myself, thanks to Dick Sprague's eagerness to share his materials with those interested) Garrison overstates or distorts what in fact is shown in the photograph, or what has been deduced about its timing or meaning.

You say in your letter of 9/27/67 (paragraph 3) that I am wrong if I think Garrison believes or has said Oswald was a member of a conspiracy to kill Kennedy: Harold, how else can one interpret the Garrison allegations about "P.O. 19106" with which he links Oswald personally (not a mock-Oswald) to Shaw, whom he <u>has</u> accused? or his more recent charge that there is a phone number in Oswald's notebook, a "Pe" exchange, which is the same number from which Jack Ruby received two phone messages on June 6, 1963? In tying Oswald personally to these people (Shaw, Ruby, and Ferrie) Garrison <u>IS</u> accusing Oswald of being part of a conspiracy to assassinate the President, however often he may reiterate that Oswald <u>shot</u> no one on 11/22/63. My impression is that Oswald was NOT party to any such conspiracy, nor even aware that one existed--though if <u>acceptable</u> evidence is ever produced that he was, evidence that meets the strictest standards, I would have to revise my thinking. But the "evidence" Garrison has produced against Oswald seems to me no less contrived and phony than that in the WR---although of course he confuses people and distracts them by his statements that Oswald shot no one or killed no one.

I am also somewhat weary of explaining why I "cooperated with the doctrine of the Epstein book" but I will try once more to state it, as simply as I can: I felt them, and I feel now, that the over-all effect of the Epstein book was so devastating to the WR and to the Commission that it fully warranted all the help that could be given, despite the fact that there were assessments in the book which I reject completely--i.e., that Oswald was one of two or more assassins; and that the "errors" of the Commission were innocent. I absolutely do not apologize for or regret my efforts on behalf of <u>Inquest</u>; nor do I regret those suggestions and additions that I was able to get Epstein to reflect in the text (although he subsequently did regret his failure to accept at least one suggestion that I made). Nor do I apologize for or regret the help I have given more recently to Thompson's book, <u>Six Seconds in</u>

(over

Dallas, which also contains a certain amount of doctrine (re: the wounds) with which I do not agree, and is a bit equivocal about Oswald's involvement. I don't have to agree with every word in a book, and certainly there are honest differences of opinion on points of evidence. I do not accept some of Thompson's judgments (on the stretcher bullet, or the "Mauser," for example) but I think that his book as a whole is a forceful and important work, and a real contribution to legitimate criticism.

I appreciate very much your concern about the rift between Maggie and myself. I am afraid that, for the moment at least, nothing is to be done. I did not call Maggie "unprincipled" although you may consider that implicit in the remarks I did make. I would like to make it clear now that I do not believe for a moment that she ever does anything which she consciously knows to be unprincipled...but I do think that her thinking sometimes is confused, and that her loyalty to people like Lane leads her into inconsistent behavior and to a double standard which leads her to condone or to minimize on Lane's part what she would fiercely denounce on the part of others.

You say that it may turn out that I am wrong about Garrison because there is so much that I do not know: but what about the things that I DO know, as does everyone else, because he has made public pronouncements about these matters? No matter what he may come up with in due course of time, it will not convert a "DD" into a "PO" nor will it erase from my recollection the fact that Garrison privately admitted in May that his so-called "code" was mistaken but that he would not retract it because it was an innocent mistake; and then, not only did he not retract it, but he had the temerity to reiterate it, in July, to Playboy. Is that an honest man? That code is no less dishonest and contrived than the single-missile hypothesis to which Specter gave birth. Is it okay to use Specter's methods to fight Specter? I would like to think that there is an unreconcilable, irreversible difference between us (the critics) and the authors of a dirty fraud, the WR, and that the difference involves meticulous respect for fact and detail, total integrity (or at least a commitment to strive for it), and contempt for lies and inventions, for WHATEVER purpose they are used. (Don't you suppose that the WC lawyers managed to persuade themselves that their lies and inventions were in "a good cause"?)

Since Maggie was not willing even to discuss this with me, I could not see, as I said to her, that we could discuss anything. Much the same is true of Salandria, with whom I am no longer in touch, although we did not have an explicit break in so many words. I cannot accept the servile, unreasoning, adulation of Garrison by those who say they are committed to the truth and nothing but the truth, but excuse his outright lies as mere "errors." (Ray Marcus is different--he at least acknowledges readily that he believes that the ends justify the means.) Above all, I cannot understand how the critics fail to see the extent to which Garrison is jeopardizing everything accomplished so laboriously and painfully, at the expense of health and friends and normal living, by his very acts of grandiose pronouncements and claims, by his actual errors (those he does not intend but which result from carelessness and inadequate study of the records), and by his irresponsible charges. This "cry wolf" exercise may well deprive legitimate criticism of all credibility, even of a hearing. We critics have by and large stated the facts, and stated them meticulously, allowing others to draw the necessary conclusions; Garrison states the conclusions, and when he deigns to offer "facts" they are inaccurate or even invented. Incidentally, I just heard the other day that he served as assistant DA under Leon Hubert, at the end of the 1950's, for a short while. That's interesting! As you know, two States-Item reporters have rushed out a book on Garrison; Joesten is also advertising one; and now you tell me that Turner is doing one for Award Books. He has certainly emerged from obscurity.

All the best, Harold, I am looking forward to your book as soon as it comes out.

As ever,

Sylvia

Excerpts from tape of the Mike Wallace program, Tuesday, 26 September 1967, 11:05 pm
Jim Garrison, interviewed by Joe Wershba

Garrison Actually, Joe, you finished up with several questions, so if I may, I'll answer them in this order, why the engines of government, as you say, have opposed us, and why Bobby Kennedy has, at least through Walter Sheridan and other indirect methods, opposed us. The government, elements of government, have no alternative, because the United States government is party to a major fraud. The Warren Commission inquiry is in actuality a cover-up of a conspiracy, and a rather apparent conspiracy which I think elements, major officials in the U.S. government, have to be aware of now. But the Warren Commission inquiry is a concealment, and nothing more, and the United States government is a party to the fraud, has participated, in effect, in the biggest fix in the human race. It is apparently in a position now where it has to, it's stuck with it--it has to defend the line regardless of what the facts were.

We have had a terrible problem moving forward because of the interference and complications caused by the United States Government. But the U.S. government, while it certainly was not a party to the plans for the assassination, is a party, an accessory after the fact, to the concealment of the real truth from the people. So this is why we have a problem here.

Now with regard to Kennedy, Senator Kennedy, I cannot go into his mind and I cannot say with certitude what motivates this man. I can only say that if my brother was killed, I would be interested in getting the individuals involved, no matter who they were, and I wouldn't be interested in any way in the political aspects. It may be that Bobby Kennedy is more interested in politics than I am. I happen to think that the only thing's that's important is finding out the truth. If our government has tremendous complications, as a result of it, then let the government have complications. If the Central Intelligence Agency and its mode of operating under the motto the end justifies the means, becomes embarrassed as a result of the truth, then let the CIA be embarrassed. Let the chips fall where they may. But this is not the attitude of the government, nor is it the attitude of Senator Kennedy, as far as I can see. But again I must say in all fairness to Senator Kennedy, I do not know the man and I have to speculate there.

Question: (Does Garrison believe Marina Oswald's testimony that her husband tried to kill General Walker?)

Garrison Lee Oswald had about as much connection, Joe, with the so-called attmpt to kill General Walker, as you did. The role of Marina Oswald and her testimony has to be viewed in a different light from the more objective witnesses. Marina Oswald had long since been taken over and controlled, literally, by elements of the White Russian community in Dallas; and there are individuals in the White Russian community in Dallas who are involved in the assassination. As a matter of fact, this is the sort of thing that I was not able to say in the Playboy interview because we still had people in Dallas, so I'm really just talking about a corner of the entire conspiracy. But there are elements of the Dallas establishment that are deeply involved, and some of the members of the White Russian community are part of it. Now, they had total control of Marina; and Marina said, in many cases, what she was supposed to say, and instructed to say.

Question: What about the Dallas police?

Garrison Elements of the Dallas police are deeply involved in the assassination, and provably involved in the assassination. Again, this is a statement that I could not make at the time, because I had a man in Dallas for months, and I wanted him to be able to come back to New Orleans with his head still attached to his body. But when I say that, I have to add this: that I don't like, one of the reasons I dislike being compared to McCarthy, besides the fact that I think he was a dangerous man, is that he had a tendency to use guilt by association, and to indict an entire group with the sweep of a hand. I am convinced that the majority of the Dallas police force was made up of honest, capable police officers. But the fact remains that you have a small hard core which is unlike most police forces in the rest of the country —essentially a Minuteman-controlled element. The Minutemen as individuals are involved in the assassination, I might add that the central structure, the control down to the anti-Castro Latins who worked at the operational level in Dealey Plaza, from the insanely patriotic oil millionaires sponsoring this, the connecting link really, the machinery which is making it work, are the Minutemen elements of the Dallas police force. And Jack Ruby should be regarded as a functionary of the Dallas police force. Now, I'm not saying a word here that we can't prove. [illegible] I don't think it will come up necessarily in the Shaw case, but in time we will prove it, and in some cases it can be proved by the records themselves.

But, just to make one more point, Jack Ruby—to appreciate Jack Ruby's role, all you have to do is—well, let me give you an example. I don't want to indict the John Birch Society as an entire Society because there are many individuals who are members of the John Birch Society for idealistic reasons, and a few of them have helped. I don't like the concept of the Minutemen, because I don't like violence, I think it's really, although it's in the name of patriotism, I think it's really quite the opposite, but there are Minutemen involved, so I must say so. The fact remains that there are other individuals who were members of the Minutemen that we have persuaded to help, and some even in Dallas. Now that I've made that saving point, you might say, I must point out that there are individuals very much involved in the John Birch Society, and the Minutemen of Dallas who were active in this thing.

The point about Ruby is that, if you want to get a picture of Jack Ruby's orientation, all you have to do is get his address book. And if you go through his adress book, among the names you will find the name "Tom Hill," and if you look behind "Tom Hill" you will see an address in Massachusetts; and that address actually is the address of Robert Welch, the president of the John Birch Society.

Now, again, that doesn't mean that the Society itself was in any way involved, but it gives you an idea of Jack Ruby's orientation.

Question: We have your simple statement that these are your charges, but where is the corroborating evidence?

Garrison Well, the corroborating evidence is in our files, Joe; but I don't quite know what I'm going to do with it before trial. If we can get the Shaw people to trial—they make periodic announcements that they're ready to go to trial, but then they file new pleadings; and now they've filed new pleadings, we can't set the case for trial.

Question: This is normal, isn't it?

Garrison Oh, yes, it's normal...Shaw has to be presumed innocent until he's proved guilty and because of that I am not going to bring anything out regarding Mr. Shaw, and I haven't mentioned his name yet.

Question: What happened in Dealey Plaza?

Garrison Joe, this is a question I would rather avoid in detail, because in the last six weeks we have been preparing our case in detail, and this is now an opening part of our case.

Question: What I was referring to--in your Playboy interview you refer to an assassination team of seven, if you can give us that in summary form...

Garrison I don't want to get into anything about precise details in Dealey Plaza because we've now made a decision that the first week or so of trial is going to go into Dealey Plaza.

Question: But you're not retracting what you said in Playboy about this team of two men behind the picket fence?

Garrison The only thing I have to say about that is that there are actually considerably more than seven men at Dealey Plaza. Seven is an inadequate description.

Question: And this will come up at the trial?

Garrison Dealey Plaza, yes. Not necessarily everything you have in mind, but the fact that there were a number of men at Dealey Plaza, including radio communication, use of transistor radios, to tell when the parade was coming, at what point it was turning, to signal when the guns were to be picked up, to indicate when the coast was clear--the Dealey Plaza operation will now be part of the trial.

Question: (Re: Lou Harris poll, 60 per cent think not much will come of his investigation)

Garrison It was not too long ago that many people would have fought you if you said the world was round...so I'm not greatly impressed by opinion as a device for determining the truth. The truth in this case depends on the evidence that objectively inquiring individuals develop, and has no logical relation at all to the opinions of individuals at large.

But this poll is a significant thing, nevertheless: What this poll means is that the establishment press, in their pounding away, in their hammering away at the fictions which have been contrived to try to discredit our investigation, has been successful to some extent. Again, it doesn't bother me, because it will be the establishment press's problem to try to readjust after we have convictions and after we continue to move forward. To appreciate the impact of the image-making machinery, once it understands how the Washington establishment feels, and how the Eastern New York establishment feels about something--to appreciate the impact, you must understand that we have not failed to clear a single hurdle in this case...We will be proved right, and it won't even be close. And I just wonder what they are going to say about it then.

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COPY

WJLiebeler/smh

MEMORANDUM

August 23, 1964

To: J. Lee Rankin

From: Wesley J. Liebeler

Messrs. Griffin and Slawson and I raise questions covering the palmprint which Lt. Day of the Dallas Police Department testified he lifted from the underside of the barrel of the K-1 rifle on November 22, 1963. That story is set forth on pages 7-10 of the proposed final draft of Chapter IV of the Report, copies of which are attached.

We suggest that additional investigation be conducted to determine with greater certainty that the palmprint was actually lifted from the rifle as Lt. Day has testified. The only evidence we presently have on that print is the testimony of Lt. Day himself. He has stated that although he lifted the palmprint on November 22, 1963, he did not provide a copy of the lift to the FBI until November 26, 1963 (9H 260-61). He also testified that after the lift he "could still see traces of the print under the barrel and was going to try to use photography to bring off or bring out a better print." Mr. Latona of the FBI testified with respect to the lift of the palmprint, that "evidently the lifting had been so complete that there was nothing left to show any marking on the gun itself as to the existence of such--even an attempt on the part of anyone else to process the rifle" (Id. at 24).

Additional problems are raised by the fact that:

1) Mr. Latona testified that the poor finish of the K-1 rifle made it absorbent and not conducive to getting a good print;

2) None of the other prints on the rifle could be identified because they were of such poor quality;

3) The other prints on the rifle were protected by cellophane while the area where the palmprint had been lifted was not, even though Lt. Day testified that after the lift the "[palm] print on gun was their best bet, still remained on there," when he was asked why he had not released the lift to the FBI on November 22, 1963.

cc: Mr. Willens
Mr. Liebeler
Mr. Slawson

We should review the above circumstances at our conference with Agent Latona and Inspector Malley. The configuration of the palmprint should be reviewed to determine, if possible, whether or not it was removed from a cylindrical surface. The possibility that the palmprint or evidence of the lift was destroyed while the rifle was in transit should be reviewed with them. The exact condition of the rifle at the time it was turned over to the FBI Dallas office should be ascertained. Agent Latona should be asked if he can think of any explanation for the apparent conflict in the above testimony.

We should also:

1) Determine whether or not Lt. Day had assistance when he worked with the prints on the rifle. If he did, we should obtain statements from those who assisted him.

2) Lt. Day should be asked why he preserved the fingerprints on the rifle, which were sufficiently clear to make positive identification, and yet did not preserve the palmprint, which was clear enough for that purpose.

3) Lt. Day should also be asked why he removed only the palmprint and should be requestioned covering his recollection that he saw the palmprint still on the rifle after he made the lift.

4) Lt. Day should be asked if he took any photographs of the palmprint on the rifle after the lift. He may have done so, since he did photograph the less valuable fingerprints, and the palmprint on the rifle, according to his testimony, was still the "best bet" for identification. It is also significant that Lt. Day stated that he was going to attempt to get a better print through use of photography.

Wesley J. Liebeler

Attachment