

10/10/67

Dear Sylvia,

Your 10/6 letter arrived yesterday. It is getting too late for full response, and tomorrow and the next day will be taken up with plumbers (no hot water for 10 days) and electricians, so briefly:

Shirley Martin's Vickie was killed in a terrible auto accident. Shirley's description. I have no details. Postmark 10/3.

Thanks for the legible copy of the Liebler memo. Now I understand.

I'll be back at the Archives very briefly if at all Friday. I hope another day next week, and then I do not know when again. I continue to get good material, fear that in my haste I also miss much, for there is so much my slow eyes must fly. I'm in the material I recommended to you if you went there on your vacation. I must tell you of what I have when I'm in NYC, for at the moment, we can't do no more on POST MORTEM, which is write and partly typed for offset and I seriously doubt I can risk the additional debt it involves. How I regret it, for I regard it as very important. I have very much new material in it.

What I was asking you to think about is simply this: when I have finished the writing I have outlined to you, I will have to finish with this subject, with the possible exception of a "j'accuse" my Italian publisher wants me to do. I will then have a considerable amount of unpublished material. Its historic future does not concern me, for that is arranged. What does concern me is the possibility of any immediate use, by others. Some of it is of a character that permits misuse by those whose doctrine is contrary to ours. Those who I would trust with it are you and Maggie, but I have no reason to presume either of you is not finished writing also. I find myself wondering if any of it might be useful to those who might be able to do good with it, and who these might be. It all requires a thorough grounding in the subject. It is not a question of paying the Archives, or anything like that.

I now have good pictures of the bullets used in tests and 399. Got them today. I think that with the other material I have, there is now photographic disqualification of the report. An immediate problem, when the necessities of life permit return to POST MORTEM, is can I afford this additional debt. It now seems that Dell has been persuaded to withhold all royalties due me. This, perhaps, also accounts for their breaking their contract on the New Orleans book. It makes the most serious new problems for us. And very dirty things are happening to PHOTOWW. I do hope the BM attitude is Ockene's. (He and I may go to jail together for refusing the Vietnam tax.) Aside from the reduced market and the confusing effect of the coordinated whitewashes, there seems to me to now be a real campaign directed by a conscious fear of what continued revelations mean to the power structure. Please excuse the uncorrected awful typing.

Best regards,

10/6/67

Dear Harold,

My warm congratulations and very best wishes to you and your wife on the move into your new house, may you both enjoy the best of health and all good fortune and happiness there.

Replying to your letter of 10/2/67, more briefly than I would like: I did not make a copy for you of the Liebelier memo to Rankin--I retyped it for myself, so that I could consult a legible version, and thought you might like a legible copy for yourself too.

I can't throw any light on the Joesten ad--I was so disgusted with him that I gave it to an acquaintance who had expressed some interest in his works. My rather dim recollection is that it advertises his past and forthcoming works, including a book on Garrison; some of these works, both past and forthcoming, are being published by Peter Dawnay of London. But I don't remember whether the Garrison book is to be put out by Dawnay. I think Shirely Martin is on Joesten's mailing list--maybe she can let you have a copy of his ad.

About the contents of my book: you will have a copy, in a matter of weeks. Meanwhile, don't take any trouble with Archives stuff when you are uncertain of its relevance.

I do not know what you mean by "the Robert Oswald Times clipping." You may be referring to his piece in the current LOOK, in which he says that if he had been allowed to spend half an hour (instead of ten minutes) with Lee that Saturday "and then continue our talk over the next day or two," he believes he would have been able to arrive at final answers to two questions--was he guilty, and if he was, what were his motives? (LOOK 10/17/67 page 65 column 2)

You referred to Robert Oswald's statement in the context of Garrison and his views on Oswald's innocence or guilt. Harold, I am aware, fully aware, that neither I nor anyone else "has a license to be only right"--but this is a truism, or a philosophical remark, and not a reply to any of the specific questions in my letter of 9/30/67, page 1, para. 5. It is not enough to say that I have no license to be only right: if I am wrong in my reasoning or my facts as set forth in that paragraph, please address yourself explicitly to those errors.

As for his charges against Minutemen or Birchers or Dallas cops, or Penn's claims, or even your own statements that you have given him enough to justify Garrison's claims of "corroborating evidence in his files," I do not take Garrison or Penn on faith, any more than I take Warren on faith. I never will. In your own case, you have always published with explicit documentation or citations and I have great confidence in your extreme care and conscientiousness as a researcher and your attention to detail; so I would be inclined to treat any claim you made very very seriously, subject of course of later elaboration and substantiation. Even so, judgmental factors might produce a difference of opinion, at the stage of detailed elaboration. Penn, unfortunately, does not always document his statements--something which (between you and me) causes me serious problems, especially in his new Forgive My Grief II, which cites no sources on Cherami, Kupcinet, or Underhill, inter alia. But when it comes to Garrison, I have absolutely no confidence in his incessant grandiose pronouncements, which are either totally unaccompanied by any evidence of any kind (i.e., the oil millionaires or for that matter the Dallas cops) or by "evidence" which is wildly non-valid ("P.D. 19106") or testimony that is inherently bereft of credibility (e.g., Russo and Bundy).

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But I have gone over this so often that it must have become as tiresome to you as to me. I will only ask you, please, if you want to pursue this further, then please respond to the points I have made, instead of giving me a summary of your own reasoning and writing, which culminates with the statement (and you may agree that it is a non sequitur) that Garrison is convinced that Oswald was framed. If you maintain that Oswald was not necessarily aware of the existence of the plot to murder the President, you cannot believe (as I do not) Russo's testimony that Oswald was discussing the details of the murder with Shaw and Ferrie. If you want to consider that Oswald as an imposter-Oswald, well and good, but then you would have to join me in rejecting the so-called "code" which links him to Shaw and to Ruby in something so clandestine and sinister as to require cryptography to conceal the links. After all, Garrison (and you) cannot have it both ways: if the incriminated Oswald is always a false Oswald, then the real Oswald should not have in his address book the allegedly incriminating codes and phone numbers, etc. But if such incriminating entries do exist in his papers, then he is implicated and logically he himself was the Oswald with Shaw at Lake Ponchatrain, with Ferrie and Shaw in New Orleans, and with Shaw and Ruby in Baton Rouge. Which brings us full circle to what I said to start with: that Garrison is incriminating Oswald on "evidence" no less malodorous than the Commission's.

You say, apropos of Epstein's book, that I need not explain anything, and that when you "say things like this" I need not feel called upon to defend myself. Well, Harold, suppose you discontinue saying "things like this" and I will discontinue explaining (not "defending") myself, okay? (But if you continue, I am afraid my reflexive reaction will be to resume also.)

Now, Harold, you really do upset me--I won't say "offend," because I am sure it was not intended that way--when you question my views on the adversary procedure. It is the one thing above all others on which I would absolutely insist in any new investigation, as you will see in my book. I am irreversibly and totally wedded to the adversary system, never doubt that. But even under the adversary method, there have been appalling and dreadful miscarriages of justice, as a result of which men have actually spent years in the death house. That they were finally proven to be completely innocent (and in several cases, framed by the police or by a district attorney--as in one recent case involving a paint stain on underwear that was said by a DA to be blood, when he knew it was paint, you must have read about it) and set free, with the regrets of the State, was due to the efforts and dedication of those who refused to abdicate personal judgment and responsibility even in the face of due process. Thank God for such sceptics and such independent spirits--but for them, wholly innocent men (usually or invariably with the wrong skin, the wrong religion, or the sin of poverty and obscurity) would have been executed.

I reserve my right to think that even a judge, even a jury, has been wrong--I reserve my right to make an independent judgment of evidence, and to give the accused the benefit of doubt and his due presumption of innocence. Most especially do I insist on that after hearing Messrs. Russo and Bundy, and after hearing the numerous errors of the prosecutor in his references to the contents of the 26 volumes, and after repeated and undeniable misstatements and self-contradictions on his part. Now, the only part of Garrison's "case" that will get into court is the charge against Clay Shaw. His other accusations---against White Russians, Dallas cops, oilmen, etc.--will NOT be tested in a court of law, nor has he presented a scrap of evidence to substantiate his charges. ### In the space that remains, I am very sorry to say that I did not grasp the final paragraph of your 10/2/67 letter. I'd be happy to think about the problem if I understood what you had in mind, when you refer to "a feasible, safe mechanism." If it is only a question of funds for copies of the documents, that could certainly be discussed; but I am not clear when you say "feasible, safe mechanism."

All the best, Sylvia

