WALKER, JP, Martin, JW, HR, SM, PH

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1/16/72

Mr. Fred Graham
The New York Times
1920 F. St., NW
Washington, D.C.

Dear Fred,

As I wrote you several days ago, I am asking the following questions of you in connection with my book on the subject of your Lattimer article and for the purpose of making a record. So that they will be in the proper context, I record that we had three conversations prior to your writing of the article that appeared a week ago (and I have waited more than a week for your promised call), that I offered you a complete backgrounding prior to your writing the article and prior to Lattimer's access to what had been suppressed, and that this specifically included acces to my file of his writing and our correspondence, which I particularly urged upon you. You accepyed none of my offers.

Who first informed you that Lattimer was being given exclusive access to this suppressed evidence, under what conditions or limitations? Who promised and arranged this exclusive for you? Were you told why you and the Times were so carefully fed this leak? Did your editors approve the exclusive leak and the exclusive access to Lattimer? Was the latter part of the deal?

Who promised you access, with the dodge you explained to me? If it is going to be consummated, when and under what circumstances and restrictions, if any? Have your editors been informaned and have they approved?

Prior to his seeing this evidence, had Lattimer expressed to you what you would describe as great interest in other than the brace and bandage? If so, which, and for what reasons? You should recall that you indicated to me his interest seemed to be in the brace and bandage only. I suggest what I then told you of this preconception of his is reflected in your article, where you covered him as best you could. If this is in your opinion an unfair conclusion, I would appreciate expression of it. Did you communicate ~~xxxxx~~ to him or to anyone else my refuation of his published belief "that it was physically impossible for him to have bent over" in reference to the President's "more than his usual lumbar brace" (Medical World News 12/12/69); or as he put it in JAMA 10/24/66, "after he was struck by the first (sic) bullet, he did not topple or crumple forward or laterally... could only tilt stiffly and slightly to his left?" (More if you'd like.)

Your authentication of Lattimer's credentials as a genuine expert is presented on your own authority, in these words, widely repeated since publication:"...has written a series of articles in medical journals..." and "has written and lectured extensively about the assassination." In your opinion, do talking and writing make expertise? Do you have any personal knowledge of any substantial research into the fact of the assassination, particularly the medical fact, by Lattimer? Did you ask him about this before certifying him such an eminent expert in your name and that of the Times? (To give you a minor examle to illustrate that this is not a frivolous question, more than four years after the assassination, of the investigation of which the murder of Policeman J.D. Tippit was part, he asked another critic of the official explanation, "do you know anything about the location and nature of the fatal wounds (sic) of Officer Tippit"? To add another, five years after the assassination, asked about the amateur movie of it, which he had already described in public, he admitted

"[I] did not even see the motion picture to which you refer.") If you did ask this question, what in the response do you consider justifies your description of his alleged credentials? Does he in your opinion (and I note that you are also a lawyer) meet the definition of the contract of a medical expert qualified for access? When I expressed shock that a urologist, who obviously did not meet these prerequisites, was to be given exclusive access, you said you would reread the contract. You did not offer any opinion on his suitability under the contract, instead quoting it in a way that makes it appear to the layman that he is, in fact, qualified. Prior to this you describe him as a physician, as head of his department at Columbia, as an expert in gunshot wounds because of wartime experience (in the forensic sense an utter falsehood), and only at the end, after failing to note at any point what you did know, that he is not a pathologist and is not qualified in pathology, do you quote the clause "or related areas of science or technology." When, as you must know, his field of genuine expertise, urology, is not within the definition of this clause, the President's urinary system not being involved in the assassination in any way, you conclude with the highly selective quotation from Burke Marshall on "recognized experts", were you to judge the writing of another, would you consider this fair, honest and straightforward journalisism or a contrived justification of the unjustifiable, what to me is a deliberate deception? Do you, of your own knowledge or as a result of normal reportorial questioning, know it to be a fact that Lattimer has read the medical testimony and evidence and that which is relevant? (Again, I can give you quotations persuading he had not as recently as less than a week ago.)

In connection with your saying on your own authority that he has written "extensively", I ask if you have seen more than two articles in medical journals not dealing with the medical evidence plus a letter likewise devoted to other topics? To put this another way, can you name anyone you would describe as an expert of any kind on the Kennedy assassination who has written less than Lattimer? Unless you can, would you care to offer me an explanation of your personal authentication of his expertise so that I may regard this as other than what without such explanation I will have to regard and call it, propaganda?

In connection with these and other questions, I would like to point out that when you knew in advance that he was being given exclusive access and that you were having an exclusive story arranged for you, you had ample time to do any checking you desired or considered incumbent upon you, including acceptance of my offer of his writing and of correspondence with him (one exchange in which I will enclose).

Yours is the longest story I have seen. It is also the only one I have seen not to report what you should have know is a lie, his pretense that until seeing this evidence he had had doubts about Oswald's guilt. Why did you not report this statement every other reporter did? If you have any familiarity with his writing, you should know that the very first sentence in the earliest he has acknowledged to me, JAMA 10/14/66, opens with "the assassin Lee Harvey Oswald". I enclose his letter to Medical World News of 3/13/70 where he repeats this in a political context. I ask why you omitted any reference to this extremist political self-description, and I ask if you would describe it as other than paranoid?

You wrote that according to him seeing the pictures, X-rays and clothing "'eliminates any doubt completely' about the viability of the Warren Commission's conclusion that Lee Harvey Oswald fired all the shots that struck the President." So you would have more time to think about it, I wrote you previously to say I would be asking about this writing. I ask first how you could omit any reference to Governor Connaly's wounds, all of which from the official account and Lattimer's earlier one have to have been caused by Bullet 399. Are you now aware that since appearance of your article he has conceded that it could have missed the President entirely and have hit the governor only? Have you any comment on this and its total and irreparable destruction of the Warren Report, rather that the affirmation you report? Did he acknowledge this to you, or did you ask him about it, knowing as you do that it is central to the official case and as you should, that it is central to his, among other places reflected in his article "The Kennedy-Connally Single Bullet Theory", International

Surgery, 12/68? I would welcome explanation of this particularly in connection with the Times' head, Upholds Warren Report. Did you ask Lattimer how in his medical opinion this evidence has the capability he attributes to it and you repeat without any question? Can you personally understand how such evidence could in any way prove who fired what or how many shots? Did you, if you had any doubt of the total and complete impossibility of your own words, ask any other expert, any pathologist, for example? Did you, in fact, not know without question that this is impossible, and if you did not, I ask you to explain now how it is so that I may use your own words. Do you not think it was your obligation to check this sort of thing and not report what is at best dubious, especially when from your own considerable experience you had to know the international attention your words would and did attract and the play your own paper would give it?

On your own authority you report that the Kennedys denied access to the film to the Warren Commission. I ask for your authority or proof or any checking you did before publishing what amount to the statement that the family of the murdered President denied its most important evidence to the official investigation. You say the "photographs were suppressed to avoid anguish to the family of the President." Can this relate to more than publication, which is unrelated to examination by the Commission? From your own training and experience, can you tell me of any way in which this evidence could have been denied to an official investigation with the power of subpena, which it did use? Do you know that physical possession of the evidence was, during the investigation, by any Kennedy? You make a point which is partly valid, attributing it to Lattimer, that publication of the picture of the fatal wound would be "horrible". (I remind you that the Commission did publish the picture of the President's head exploding when it served official purposes.) Would this be true of any X-rays? Were not the X-rays of others, in fact, officially publoshed? Why did you omit reference to X-rays at this point? Or of their publication? Did you ask Dattimer how he knows the Commission staff did not have "access to the puctures and X-rays"?

On what basis did you report only four requests for access to this evidence?

You report Lattimer's comment on the alleged angle of the non-fatal bullet, 399, as depicted in a drawing. You do not report the testimony, which gives this angle in a number. Did Dattimer give you either angle, this or his? His prior to "study" of the evidence is enclosed, printed with his quoted letter. Is his preconception in any way different than what he reports as a result of his "study"? Have you made any effort to determine, as is possible from the readily-available evidence, whether his present reporting can be accurate? Or whether he could have confused two different bullet holes? Or if his present account is possible, the rest of the official account is possible? He seems to be saying what confuses me, and I solicit your explanation because of your reporting. The Warren Commission was right, this single bullet did inflict all seven non-fatal wounds. But it was wrong in locating the point of entry. Now how can it be right for two different points of entry separate by several inches, and by how many, have you asked yourself, when this angle is projected to the end of the imputed trajectory? How does this relate to the official positioning of the other six wounds, if at all? Or their possibility? Did it not occur to you to ask Lattimer anything about this? Did he say what you did not report? You report nothing from him on the alleged lateral path of this bullet. Can it be so ignored when clearly his lateral location of the alleged point of entry is different that that of the Commission and everyone else? Did he explain anything to kake credible his representation of the official trajectory through the President as "almost parallel to the ground"? Did you check this and if you did, are it satisfied it is a fair representation? Are you aware or did he tell you that the street at the point of murder has a four degree decline?

Without question you quote him as saying "a circular bruise (which) is typical of wounds of entry". Is it not true that exit wound also show such bruising?

If you did not do any independent checking on what you attribute to Lattimer and what you say in your own name and on your own authority, I solicit your comment on how this conforms to Times and other journalistic practises? Do you ordinarily do no checking on such stories? Do you ordinarily refuse in advance access to evidence you know is certain to at least contradict what you are going to write?

Can you tell me how Dr. Lattimer proved that the front and rear non-fatal wounds were caused by the same bullet? Did you consult any authority to learn whether, when it is alleged that no bone is struck, it can be said with positiveness that "the X-rays prove that the front and rear holes were made by the same bullet"? Did he cite any picture showing this, or any surgery during the autopsy to establish it, the normal practise, or any picture of such surgery?

Lattimer is quoted as saying that the similarities between the Lincoln and the JFK assassinations is what immediately captured his interest in the more recent one. Didyou ask him to reconcile this with his own position, that Lincoln was killed by a conspiracy and JFK was not, in your own words (put more strongly by him elsewhere)? Do you not think you should have if you did not? Can you reconcile this?

You say that only twice after the autopsy film was deposited in the Archives, according to its records, were they every examined for the government. There had to have been at least one other time, for the government itself reports examination after return by the autopsy doctors, then by the autopsy doctors in preparation of their report for the Attorney General so long kept secret, then for the Attorney General's second panel, again kept secret. Does not your own reporting confirm this?

Enclosed is my 3/23/69 letter to Dr. Lattimer. I have just marked on my carbon certain questions I then asked of him. To this day he has made no response. Instead he wrote what could not be more inappropriate, that my inquiring, really challenging letter, was "enthusiastic". When you see some of the questions he refused to answer and consider their applicability to the present situation he and you have brought to pass, even if you do not have or seek answers to these question, you can decide how applicable the designation "enthusiastic" is and, indeed, if it is rational. And what it says of his impartiality, expertise or as I suggest, competence to hold any opinion. His letter also is attached. Because of his enclosed political commentary, and here I dispute urology as accreditation also, I provide page 122 of my book WHITEWASH. If you are unwilling to believe what it represents of the official evidence and Lattimer's interpretation of it, if you will permit a kindness, I invite your checking of my citations in the 26 volumes. which the Times has. And any comment on the injection of such politics, its relevance and honesty. I cannot give you the correspondence of another, but in connection with this letter of his delving into politics, you might want to appraise his criticism of another, saying that person's monumental work (in my opinion) was "undercut" by "the vigor and extreme enthusiasm" of the writing, as he interpreted it.

There is much more that bears on Lattimer's credibility. If I spare you all of it, I provide an example you can see in the New York Post of 10/14/69, reporting of a speech in which, among other things, he reported that at the moment the President was struck the car "was turned a bit to the right and going up" (emphasis added). Both directions are wrong. Were our positions reversed, would you find it easy to ignore the possibility that refusal to examine what what offered was deliberate because it would have precluded the possilibity of such a story as you wrote?

I now ask you the circumstances of your having been GIVEN exclusively a copy of the contract under which all of this was possible, whether you have reread what you then wrote and regard it as fair and complete reporting, whether you requested it on your own or at the suggestion of another (if so, whose), whether you were officially briefed on its meaning, and whether it would ever have been suppressed because not suppressing it would cause undignified and sensational publicity? I look forward to response. Sincerely, Harold Weisberg