

Questions for Mr. Burke Marshall

Under the contract which you engaged with the General Services Administration, your approval is required for access to the evidence relating to the assassination of President Kennedy covered or alleged to be covered by this contract. How many requests for access have been made, by whom and when? On what basis did you make exclusive selection of the urologist Dr. John K. Lattimer? On what basis did you give him this exclusive access in preference to other applicants? On what basis did you reject the others? On what basis did you refuse joint access by all applicants? What investigation did you conduct of Dr. Lattimer's qualification or lack of qualification? Did you have any such investigations conducted for you, and if so, by whom? Did you inquire into or have previous knowledge of any preconceptions by Dr. Lattimer, or into his political beliefs (in the broad, not the political-party sense - see his enclosed letter) If so, did you find these in any way persuaded your selection of him for this exclusive access? How do you consider that Dr. Lattimer meets the definitions and requirements of this contract? How do you consider that Dr. Lattimer meets the definitions and requirements of this contract? How do you consider him qualified at all, leave alone be qualified to exclusive access? (See your letter to me of January 12). Was he recommended to you, and if so, by whom? Did you seek advice and recommendations on selection and rejection, and if so, from whom?

You are aware that ultimately, after you refused me access to any of this evidence and after you refused me pictures of the clothing, which is official evidence, meaning under the law, public information, I sued for them. In that proceeding, it was sworn that under this contract no one may be permitted to see the clothing itself. According to the exclusive story you arranged for The New York Times, you gave access to this clothing to Dr. Lattimer. (Dr. Lattimer was also allowed to see...the President's bloody and bullet-punctured clothing ...") On January 10, Dr. Lattimer said, "They let me examine everything I wanted to examine, without any restrictions (Emphasis added)." In view of this and under the contract how can you justify letting Dr. Lattimer see the clothing itself while I was denied any single meaningful picture showing any of the mate evidence of this clothing? Because you are a signatory to this contract, a former Assistant Attorney General of the United States and an official of a major law school, I would welcome an opinion from you as to whether this could be a perjurious oath and whether the perjury could have been suborned.

Without copies of pictures of the clothing, meaning as I specified with care, only the damage to it, can you tell me how I could have had independent examination of it by independent criminalists, or how anyone could? Is it your purpose to prevent independent examinations of any of the evidence by independent criminalists engaged by those who have made legitimate and extensive personal investigations of all ~~xxx~~ the evidence?

Directly or indirectly:

Did Senator Kennedy direct you to make this material available at this time? Did you seek his permission or agreement, or did you recommend it to him? Did you in any way represent to him what Dr. Lattimer's qualifications or lack of qualifications are or seemed to be? (Dr. Lattimer admits he is not qualified in pathology or in forensic pathology). Therefore, if you informed Senator Kennedy that Dr. Lattimer was the most qualified single man to have access to this evidence, I again ask the basis of any such recommendation.)

Are you familiar with Dr. Lattimer's published writing on the assassination of the President, if it can really be so described? Are you aware of more than two very short articles and the enclosed letter he has written on the subject, and if so, what? Do you know of anyone who has written on this subject with real or pretended seriousness who has written less on it or in a more restrictive or narrow way? In your capacity as the representative of the executors, are you aware of any writing that might be considered more sycophantic? Have you any comment on the political content of some of this writing?

Was there any real pressure on you for you to make this material available at this time?

If so, from whom, and for what reasons? Has there to your knowledge ever been a time when there has been less demand for the release of any of the suppressed evidence? Has there ever to your knowledge been a time of less interest in the entire subject? Do you find any legal compulsion in the contract for the release of this materials at this or any other time? If you answer this affirmatively, would you please cite the provision? Why did you decide to do this now? Was it suggested or pressed upon you by anyone, including the federal government or any official or employee, including the Archivist, or anyone you had reason to believe or suspect conveyed such an interest?

Why did you give or permit an exclusive to The New York Times? Have you offered, permitted to be offered or heard of the offer of any further exclusive, specifically to Fred Graham and The New York Times, other, of any personal or publication of any of the material over which you exercise any control? On what legal basis did you arrange or permit such an exclusive and why? In your legal opinion, can you exercise such control over items of official evidence, not fewer than three of which are herein involved, those three bearing and identified by you in that contract by their official exhibit numbers? Does this not bring them under the Freedom of Information Act and make of them "public information"? If you hold otherwise, I would welcome an explanation, their incorporation into the official record of the official proceedings having been more than two and a half years prior to the execution of the contract.

Did you make, permit to be made or know of any other special access or publicity arrangements having to do with this material, including but not limited to the Columbia Broadcasting System? Will you, with anyone? If so, with whom and when and why.

What would be your position and your feeling if it were or could be shown that Dr. Lattimer lied, or erred, or said what is impossible and attributed any or all of these things to his exclusive access to this evidence under your control? Or used it for any kind of personal gain? Or said that he was not qualified under the definitions of the contract?

If Dr. Lattimer erred in any way, is there anything that can now be done to undo any harm therefrom? Would you regard any such error of any nature or description as proper? In the national interest? In that of your clients? In yours? In anyone's? If anything, what do you believe the impact of error or worse, deception, misrepresentation and falsehood, will or can be upon society, especially the young; attitudes toward and respect for the law, especially upon student lawyers?

If what Dr. Lattimer has said or will say is in any sense erroneous or worse, what, if anything, do you consider will be its effects upon the reputations of your clients, the Kennedy family and particularly the present Senator Kennedy and his political future or that of any other Kennedy? Do you consider or have you considered that it might have any effect, directly or indirectly, on any danger in which he may be (as is regularly reported in the public press, including currently?)

Are you aware that almost immediately after the late Robert Kennedy endorsed the official account of his brother's assassination, something he had refused to do when it was asked of him officially, he, in turn, was killed, although he had long enjoyed many enemies and had, from public reports, been the recipient of many threats none of which had been executed?

Were you now to grant access to this same evidence, this time to a qualified expert of any kind, one familiar with all the other relevant evidence, especially as it relates to this, and were such a person then to declare that what he had seen does not support the official account of the assassination of the President Kennedy, can you conceive of anyone being blamed for this suppression other than a Kennedy, living or dead? Can you conceive that anyone other than a Kennedy would be blamed for all the suppression and all the untruths about the assassination of the President Kennedy? For example, can you conceive of anyone in the government (especially Mr. Hoover, who you so recently defended) anyone speaking for the government would say that the untruths and suppressions should be blamed on officials, not the Kennedys? Can you conceive of any editorial or new

writer saying otherwise, particularly when as recently as the current controversy full blame has been placed upon the Kennedy family, without any dissent or protest from its counsel? Can you cite any legal means by which any of this evidence could have been held from the federal government by any Kennedy if the government had desired it? Can you or do you dispute that during all the period of the official investigation and long thereafter all of this material was never in Kennedy possession and was constantly in federal possession?

In the context of the foregoing, what would you expect to be the effect, if any, on the career of the present Senator Kennedy were you now to grant access to one who would say this suppressed evidence contradiction or disputes the official amount of the crime?

Can you tell me how the law permits the transfer of title to property from one to another if the one making the transfer does not hold title to this property? If you cannot, how could you have signed such a contract for your clients or urged its acceptance upon them, or do you hold that it was all property to which they held legal title?

Is it only a coincidence that only those like Dr. Lattimer, Fred Graham and The New York Times, who support the official account of the assassination and comment adversely on those critical of it, have been given such exclusives, even after earlier denial of some of the identical evidence to others known not to be official apologists; and that all the other applicants all of whom are qualified and are known not to support the official position? Would you care to consult one of the mathematicians at your university for the odds against this being no more than a coincidence?

Have you consulted anyone not known to support the official position on the fact of the assassination so that you might better make unbiased, advise your clients and have regard for the national interests involved in that which you have controlled and released exclusively? We both know that you have rejected each of my many written offers to show you disproof of the official account, but have you sought the counsel of others who have done original research and serious work and can give you an understanding of a version other than the official one?

With regard to the denial of the contract itself to me and its later being given exclusively to Fred Graham and The New York Times, were you consulted in either of these matters, did you make the decisions in either or give any advice in either? Can you explain how the reasons given for denying it to me could ever have changed, how they, if true, did not required permanent withholding of that contract?

With regard to what you have made it possible for Dr. Lattimer to say, and in a context that has been taken to mean with your sanction and that of the Kennedy family, can you explain ^{how} pictures and x-rays of bullet wounds and the clothing of the victim enable positive determination of who fired how many shots if allegedly soft tissue only was hit?

How saying the Warren Commission made a serious error in locating the initial entrance point of a bullet said to have inflicted a total of seven wounds on two men makes the Warren Commission right in its conclusions? To put this another way, how is an alleged trajectory proved to be correct when it is said to be a straight-line trajectory and when the new "proof" of its correctness is that the first part of this straight-line trajectory was radically different? Is it rational to say the Commission was right because it was wrong? Your "expert" confuses me.

"...if anyone were to have shot him from the front, they would have to be squatting on the floor of the car in front of him", your expert said after "studying" this new evidence (a statement differing in no way from his enclosed ~~statements~~ prior statements. Was Governor Connally "on the floor" in front of the President? All the time I trusted the contemporaneous pictures, which show the Governor sitting in a ~~car seat, all~~ ~~wound~~

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jump seat, all wounded parts of him - his chest, his wrist and his thigh - well above
"the floor of the car in front of"the President.

My hope is not that you can teach me this special kind of simple geometry I appear
to have failed to learn in high school, but can you tell me how you found so unique
a genius, how you consider such consummate "science" befitting the death of a President
and/ ~~the~~ honor and perhaps futures of his family when they are entrusted unto you?

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