

If it is too early to gauge the entire defense and its effect, it is not too early to evaluate the cross-examinations, as reflected in the press. It is, of course, certain that the press cannot be trusted on this issue, but it seems inconceivable that if cross-examinations were at all effective there could be so total a misrepresentation.

I note that I have not had a single question asked of me to ask any of the witnesses Dymond has used. With two I had been asked earlier to prepare questions that would destroy them. With one of the other I had sent in a memo that would have had this effect. With another, without being asked, I had left such a memo, without being asked. More, just before the end of the prosecution case, I had phoned Moo to beg that the case not be concluded before the government had to answer in Appeals court in Washington, yet this was done without calling the most effective witness on the nature of the wounds, Dr. Wecht. In sneaking to Moo I had said that, with Frazier having been abandoned by the prosecution and immediately subpoenaed by the defense, whoever cross-examined him need spend but five minutes with me on the phone. This didn't happen.

With Marine and Frazier, reading WHITEWASH is all needed to ruin both. I had given them a brief memo on Marine explaining this and on Frazier had send a good memo by Bernabei proving what I did not go into in WHITEWASH, that he had lied, consciously, in saying that the defect in the sight improved the shot, for the contrary was, to his knowledge, true. Aside from what is in WHITEWASH, I had given Oser and Bill copies of the limited edition of PSST MORTEM, which goes into the bullet and the residues - and the Connally fragment. With these witnesses, the minimum expectable headlines are that Marine was a liar who knew she was a liar who lied because of government pressures, one being deportation and from corruption, one influence being the promise of wealth. With Frazier, there should have been nothing left at all.

With Lee Cobb, whose headline was how hard Shaw worked and how he was so busy working hard at the time in question, the truth should have been the headline: Shaw never worked hard and rather than a devotion to him because of this alleged hard work, Cobb personally, fired him, giving him the choice between a fine sendoff when he resigned or being fired. In addition, Cobb is said by those in a position to know that he profiteered on the new ITM.

The questions arises, why so incompetent a cross-examination? Lane and Salandria are both there. Vince, of course, dedicated his early writing to Frazier, but that does not destroy his basic understanding of the simpler fact of the ballistics. Lane, while he may know none of them, has read competitive books well and used them often, so he certainly is in a position to give the lawyers at the least leads they seem not to have followed. There may be a strange notion, that the case put in is strong enough to withstand this defense, in the jury's mind, but that seems irrational (as everything does). "One of this, with the attitude Moo has so often expressed, explains why I have not received a single phone call, or single request for a single question to ask a single witness. Just two nights ago, when I phoned Art Kevin, Barbara was with him. She has a great personal devotion to Garrison. Both said they need me urgently. I told each there was no problem getting me there. All I required was the repayment of my expenses and some indication I would be listened to, if not followed. Before that I had reached the conclusion that Jim just didn't want me there. I have reason to believe the others do. With their free use of phones, it is unlike them not to have made a single call - unless told not to. Barbara and Art were both unpleasant on the subject of Lane. This was before Salandria left, pursuant to a call asking him to go there. In fact, the request that Vince go there is in itself a very bad sign to me, a conscious act on Garrison's part to involve the critical community in his work in court. He thus has two, one very publicly and the other by request.

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I phoned Art last night, but I waiting until too far into the dinner hour and he was not in. I will attempt to phone him and others this morning, it is possible that the prosecution is doing better than the press indicates, but it cannot be it is doing as well as possible with this gross a press misrepresentation. If it is hard to believe the case is being thrown, it is hard to avoid consideration that this is the superficial appearance. It is one thing not to be able to put on a good case, but it is entirely another not to be able to destroy weak, false-swearing witnesses when the date needed to destroy them is at hand. I gave them \$250.00 worth of books in mid-January because that large number I had earlier given had all been stolen from the office! And I told each of the lawyers involved who had them (Nuna), told Nuna to give them to Ivon, and told all where copies of the indexes in the two books published without indexes would be found. It is more than apparent there has been a decision not to use anything originating from me. It is impossible to reach Jim by phone, for he will not use it. However, when I was speaking to Vince I believe the night of 1/31, Jim phoned him on Vince's other line. I asked Vince to ask Jim to phone me after he finished with Vince. Jim said he was too tired and rushed, but would phoned the next day. He has not, and I did not expect him to.

This is only part of what is in my mind at this juncture. If Garrison has, ~~xxx~~ as I have long suspected, psychiatric problems, can this influence the entire case, the every act of every lawyer? Has his possible tendency for self-destruction taken command, has he determined to lose so it will look to him and those blind followers that the government rigged it so? Is it his vanity and the fear of that great amount he can do that dominates the staff? Oser and Ward are due for judgeships, at his arranging, and I believe another. Oser and Alford know little about the case, but each knows enough to use the phone unless ordered otherwise, and each was told he could if need be. Can it be that Garrison is determined to ruin the opposition to the Warren Report because of his own failure to make a single dent in it? He has done it none but a public-relations harm.

What that is not irrational can possibly explain this strange state of affairs, this permeating incompetence by those not at all incompetent? Ignorance can be crippling. It cannot be excused that the lawyers who it was known who have to do the court work were kept in ignorance until the last minute, but the handicaps of this ignorance could, to a large degree, have been overcome and the readily-available means have been deliberately avoided.

I note also that Penn has been in New Orleans, from what I have been told "helping" with the witnesses. I suspect his greater interest is in going through the files to prove that there was a outup job on Boxley.

I have spoken to Art Kevin, which is even more dispirited. He says the press has not unfairly represented what is happening, that it has become a very boring proceeding. He had spoken to Louis and asked why I was not there because they needed me and got no response. He asked why Mark was not cancelled as a witness, for the few seconds of tape he has to offer are not that important, and finally, indirectly got word from Jim that is he had Mark in court and used the advice and knowledge he could get, "you have no idea the morale problem I would have" Mark, apparently, has prepared a long memo on Marina that was not used.

Art says there are 5-6 US attorneys a day in court. He agrees that what has actually happened would be laughed out of Hollywood, that no one would believe such a script. They have Vince at the NOAC and are foing over things with him. Had they not, the Frazier disaster would be even worse. Jim has been interviewing potential witnesses there and staying too busy to see even friends like Art.

Art has heard that Lee Cobb's brother Alvin is a Klan leader in Shreveport. No questions were asked of Cobb from the memo I left. Nothing along that line, either. He finds everything incompetent, not done well at all.

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