

Lisa

11/3/73

This, I know, is much more than you will include in the affidavit. It is not only to permit you to select what you want. I think it is possible that at some point you may be making an argument or an appearance in court, so what it says can then be of value to you. I can, in fact, expand on all parts of it.

So you will understand what is not spelled out:

Of the two hidden Oswald films, the first is the Doyle film and the second was taken by Jack Martin. I have a print and some stills, one of which seems to show a signal to Oswald. This can be interpreted otherwise.

The two men referred to in the part about the WDSU footage are Ed Planer and Jesse Core. Jesse was then public-relations director of the Trade Mart. He was arguing with Oswald, really trying to chase him. He did chase the missing man shown in the missing footage, and Ed Planer and he both confirmed this to me. This missing man was also described to me by several witnesses I found. I also interviewed Charles Hall Steels on tape in Garrison's office after showing him the WDSU footage, which I have. He confirms the whole thing. Note that the Commission and the FBI did not do this.

Bearing on this is the mysterious fingerprint, not Oswald's, on one of his handbills obtained ostensibly from him by the New Orleans police in the picketing of the carrier Wasp at the Dumaine Street Wharf. I have the whole story on this but not the identification of the owner of the print. The FBI is explicit in saying it is not Oswald's print. I do not anticipate they will open all this up, but I do believe a very direct and forceful challenge could serve a number of legitimate purposes for I can offer solid evidence until the court can't resist the dictates of its collective bladders.

If the opportunity I do not anticipate offers itself - and this is in the unlikely event it does - make a dramatic gesture of saying that I do have official evidence officially withheld from the Warren Commission that I will show to the Chief Judge only, in camera, unless he wants to invite the former Chief Justice. I do have it and it destroys the whole fiction.

Remember that I have proof of the destruction of evidence that is criminal. I charge it in Post Mortem. I charged it to Specter and dared him to sue me. I would also give this in camera but not now in public, at least not voluntarily.

I don't know how this will go. I do not believe anything like conditions that would permit this will eventuate. But there is no reason not to be ready.

We all tend to forget. There is one simple thing I hope you will keep in mind for possible extemporaneous use. It is at the end of Whitewash. Hoover's definitive report to the President, who sent it to the Commission, five volumes, no less, has almost nothing on the crime and accounts for it without accounting for all the injuries inflicted on the President or all the shots known to have been fired. This, of course, is relevant in a suit for the spectro. In the Commission's files, this is CD 1. I use facsimiles on 195. If this comes up, don't forget 187a either, Humes' certification of destruction (and I can prove it is of notes, despite the Lane fiction and Humes').

In short, on the chance that Danaher has opened the door, be ready to walk in.

HW

11/2/72

I presume you would not prefer what I do (I am alleging denial of my rights, whether or not you make it explicit), to preface this with a crack about judicial presumptions that are untruthful and are directly opposed to the reality.

Quite the contrary to the presumptions of the decision in this matter, federal authority, rather than helping the prosecution, to affiant's personal knowledge withheld and intended to withhold evidence from the prosecution to the degree that whatever federal authority obtained from Texas officials the said Texas officials could not recover. This case had more than one aspect. There was the trial of Jack Ruby also part of it. Moreover, evidence obtained by the FBI was deliberately withheld from the Warren Commission and in some cases was deliberately distorted when it was given to the said Commission, again to affiant's personal knowledge.

The beliefs of the prosecution in this case were not the same as those of all federal authority nor are they those of the conclusions of the Warren Report. What federal authorities did not want, was avoided. An example of this is the clothing worn by then Texas Governor John B. Connally. A spectrographic analysis of the traces on these said garments is indispensable to proving that a single bullet transited both victims, inflicting seven non-fatal injuries and from this spectacular career emerging unscathed, entirely unutilized and deformed only slight, with no deformity at all on the markings imparted by the rifling of the barrel. Therefore, the clothing of the Governor was avoided for a long time, until after they had been washed, which removed all the evidence and thus they contain no traces for spectrographic analysis and thus affiant has not asked for the spectrographic analyses of them. The wife of the governor made a lengthy statement on this in 1967 which, on request, affiant will produce.

The rifle itself, as well as the shells, were seized and never returned to the State of Texas, the only ~~state~~ only jurisdiction with a law-enforcement responsibility. When FBI agents failed to take from the Chief of Police of Dallas one of the three shells involved, the said Chief of Police having retained it as evidence, he was awakened in the middle of the night by agents of the FBI, who took that shell from him. These shells have never been returned, despite the fact that prosecutorial interest in them still exists in Texas.

There was an official Texas Court of Inquiry whose operations were frustrated from the first by federal authorities whose intent to frustrate it is apparent in those of the files in this matter that have not suffered an official disappearance and by other records, some extraordinarily voluminous because they relate mostly to other matters. The end result of this was that when the Texas Court of Inquiry finally issued its report, the said report was a farce. (The special counsel to this Texas Court of Inquiry was just appointed Special Prosecutor in the matter known as The Watergate.)

Attorney General, complained to federal authorities that he had received from them "only thanks," no evidence (See Exhibit attached). In fact, the said Texas Court of Inquiry was denied copies of the transcripts of the testimony taken, even that taken and transcribed within the State of Texas, and was, to the extent possible, impeded in its examination of the said transcripts of evidence. (See Exhibit attached)

The extent to which federal authority withheld evidence from authorities of the State of Texas may be impossible for this honorable court to comprehend, but affiant does have first-hand knowledge of this also. Affiant has provided Texas authorities with a fraction of the evidence withheld from them on learning that it was withheld. (See Exhibit) Affiant has spent several days examining the records of the District Attorney who prosecuted the case against Jack Ruby. Affiant has countless pages of FBI evidence that, contrary to popular assumption and misrepresentations made to this honorable court are not secret. While affiant does not have all the pages of these FBI reports dealing with Jack Ruby, his file of them is more extensive than what the FBI provided to the said District Attorney and affiant has read even more of these FBI Jack Ruby reports, also not in these Texas files.

Bearing on this, the former Chief Counsel of the Warren Commission, who had been Solicitor General of the United States, intimidated the Members of the Warren Commission into delaying the discharge of their obligations and not making a personal investigation in Dallas by telling them that they would be subpoenaed and their evidence would be demanded. This is set forth in sufficient detail in the Executive Sessions of the Warren Commission, which, it is not irrelevant to note in this case, were classified "Top Secret" whereas under prevailing law and regulation this was an illegal classification. Because of the time required for obtaining the pages of these transcripts, which affiant has except for those still withheld from him, they cannot be provided within the time permitted for the filing of this affidavit. However, on the request of this honorable court, affiant will provide them, and while the Members of the Warren Commission were thus being deterred from their responsibilities, the evidence at the scene of the crime was also being altered, permanently and to the end that among other things photographic intelligence and a precise reconstruction of the crime of the assassination both became a complete impossibility.

Nor was the FBI diligent in seeking other relevant evidence some of which affiant seeks in this litigation. It pretended there was no "missed" bullet and that it could not find the impact of this bullet on a distant curbstone. When forced to seek it more than a half year after the crime, it was exactly where the existing photographs showed it to be. Prior to this, when under compulsion, the FBI argued falsely and knowingly falsely that weather and street-cleaning would have removed the spectrographic traces

by then, a fact proven false by the FBI itself. None of this would today be public knowledge except for affiant's personal work for which it was suppressed.

There is almost no end to the evidence like the foregoing that affiant can provide this honorable court, of the official, federal avoidance of evidence and witnesses, some of whom affiant thereafter interviewed, of official reluctance to accept evidence it expected to be inconsistent with the official preconceptions; and of the withholding from the Warren Commission of essential evidence some of which affiant has obtained. One instance that can illuminate this and its importance in terms of the preconception of Oswald's solitary guilt is a motion picture of Oswald being arrested in New Orleans just before the assassination. Affiant had discovered three such motion pictures, possession of only one of which was admitted to the Warren Commission by the FBI. That a second was taken the Commission was permitted to know. That it had been seized by the FBI it was never told, nor was it ever shown this motion picture. Of the third it was not even told. Affiant learned of the first of these two by the father of the boy who took it when the family was on vacation. This man told affiant that when the film was returned by the FBI some of it had been excised. Affiant was given a copy of the second of these two by the college student who took it. This student told affiant that his film also had been edited and that a copy rather than the original had been returned. Both of these motion pictures show Oswald in the presence of others who enjoy no official existence in the so-called investigation.

The other of these motion pictures, taken by one Johann Rush, a photographer for Television Station WDSU-TV, was edited after it was given to the FBI and before it was returned. Affiant's independent proof of this was substantiated by two witnesses with personal knowledge, the news director for the station at that time and a man who was originally in the film. Both men saw the sequence in which the second man was on viewing the film before it was given to the FBI. In editing this film, what was eliminated is established in another piece of suppressed evidence long denied affiant. A copy of this film was made for the Secret Service. The wrapper the Secret Service itself placed on this footage clearly states there was an unidentified man associated with Oswald, which bears heavily on whether there was a conspiracy. Moreover, Johann Rush made and delivered personally to federal rather than local investigators 17 still pictures made from this footage, of which affiant can with time produce this court with proof from federal files of which he has copies. In the course of interviewing witnesses, the FBI showed them as many as six different still pictures provided by Johann Rush, of which affiant also proffers the same proof, the official reports. However, rather than giving the Warren Commission these 17 still pictures made from the Rush film and consistent with the excisions from this film, the FBI gave out but two, pretending three. The third is a picture taken from 16mm footage belonging to Television

belonging to ~~XXXXX~~ Television Station WWL-TV, In New Orleans, which has permitted examination of its still-remaining footage to affiant.

The foregoing does not begin to ~~mx~~ address the catalogue of horrors investigatory, evidentiary and legal that are the result of a truly exhaustive personal investigation affiant has made in this matter. Nor does it begin to address that part of this extensive investigation that is relevant to what is at issue in this litigation.

For a reason that seems to be consistent with prejudice against affiant, this decision was written by a judge who for reasons not relevant in this matter made what affiant takes as insulting professional reference and therefore elects to make direct challenge to this insult.

In the complaint, to identify affiant and to let the court know that in addition to the clear intent of 5 U.S.C. 552 a first-amendment right and the right of the people to know, a right the people enjoy largely through writers, were involved, affiant merely stated a simple fact, that he is a writer.

~~affiant's~~ When affiant was in high school, he edited the school papers that won the All-American honor rating of the annual competition of the Columbia University School of Journalism. When affiant was in college, he began writing for newspapers. Before affiant was old enough to cast his first vote he was a syndicated feature writer for the forerunner of today's Sunday Supplement's like Parade, the old Philadelphia "edger" Syndicate. As a magazine correspondent, prior to World War II, affiant's work was of help to the government, resulting in prosecutions and convictions of those serving enemy interest. His work of that period was praised by many, including the late J. Edgar Hoover, the White House, a number of cabinet officers, and members of the Congress, who praised affiant's writing on the floor and in committee hearings, to several of which in both Houses affiant contributed. In the 1930 affiant made it possible for another to win the Pulitzer Prize. And two successful motion pictures, O.S.. and Gung Ho! come from affiant's original writing. Affiant's first book was a finalist in a prestigious literary composition. After its original success, it was reprinted in a mass form in which the first of a series of reprints was for a quarter of a million copies.

As a writer affiant has worked with a number of dereral agencies, including the Department of Justice. Official reports of the United States Senate bear the identification of affiant as editor, pre-dating the service in the Senate of a member of this honorable court.

^{the subject of}
^{and on what is} at issue before this court affiant sent a copy of his work to each member of the Warren Commission and to the heads of the federal investigative services soliciting criticism without complaint about a single factual error from any.

"in, there is so much more than meets the eye in the en banc decision, if you agree, after the immediate pressure is off I'd like you to send a copy of all that we file to Kaufman with a letter saying that it is at my request and saying that I have expressed interest in his comment on me as a writer and wonder at why he found the question worth addressing and why he did in the words he used. If there is nothing improper in this, it might tell you a bit about Danaher. I imagine Kaufman is outraged at this decision and was at Danaher's minority in the panel's. I have in mind more than our immediate interest in decision and Danaher's words. HW 11/3/73