

Rt. 8, Frederick, Md. 21701

2/8/75

Dear Peter, *Rhss, NYTMS*

Thanks for taking the time. You confirm what I suspected, to the degree you know it. If it was about that particular incident, it was this strange character Lifton. I have a copy of what he sent the Times (not you personally) and it was in 1963.

I am quite proud that even behind my back so few claims of inaccuracy have been made. To date not one to my face and no single complaint of unfairness. With the volume of work I've printed and with the like of Hule in direct confrontation and Foreman fleeing it, not a bad record.

And I'm glad that there was no problem for you, that Jerry got it twisted. That is what bothered me.

I'm glad you included a copy of the story because while I remember it well, with your usual care you had picked up the confirmation I had. I did not single-source.

It was accurate. The FBI was not. Their other inaccuracies precluded a definitive denial to you because it would have made a controversy about the other errors.

And in all of this nobody asked how the FBI could have been so wrong, or was this a way to run an investigation, with so many unasked and unanswered questions.

This has gotten me to thinking. I read the mail when it came after midday and the recollections are on my mind. I want to record them because I do not keep a journal and some of it is topical today. It will also be a way of saying that while I am taken to be one who overstates, the contrary is generally true. Those knowing less about the data are not always in a good position to evaluate.

I remember not only the story but the circumstances surrounding it. I did not tell this in the next book, which recounts in xeroxes of the official documents the sudden rush to get that camera back into official hands and in the Archives, whence none could get it save by suit. However, when it was relevant to nothing the same government that seized Ruth Paine's camera refused to return it to her.

There was a Minority Report show on Channel 5, later syndicated, to which all the Commission members and most of the lawyers had been asked. All declined. But the show had such impact and was syndicated. Prior to the syndication the staff asked for and was given a Majority Report show. Fairness doctrine notion.

I learned about it, knew of the rejected invitations, and wrote WNEW-TV that when reciprocal courtesies were extended, as the senior member of the minority I would accept.

They called me up laughing and said if I really wanted to face a gang-up I was on. Same ground rules, preliminary discussion to agree the night of December 5, taping the next night. I broke off a pleasant evening with *Giorgio Meltrinelli* and *Ruggiero Orlando* and went to the station to find myself alone. The Commission staff refused to debate me in a gang-up.

But I'd expected this to happen. So, I arranged two things: not to release the book prior to the taping so I'd not blow what I had, of which this FBI report and the pictures were not in my view the most significant; and to give the break to a friend who had been kinder to me than any other communicator, *Jack McInerney*, then of WCAU, Philadelphia. His show was aired the night before your story appeared. And I did it.

But at the time the government decided that it just had to get that camera in its hands the book was not out. The printer had it and prior to that there had been only four xerox copies. I know where they went. I did not send one to J. Edgar Hoover. However, before the printer had copy Hoover undertook to respond to charges I'd not yet made. I never could get a copy of his release from the FBI, but the Times printed it verbatim.

The timing of the rush to get the camera is in these documents in *Photographic Whitewash*. You will see there that blank receipts were signed for it and it was hand-carried. They just did get it into official hands before the book was out. Just.

Hoover knew in advance the content of that book. I can't believe that *Harrison Salisbury*, "like *Cooney*", all or Channel 5 gave him a copy. It is easier to believe that there was fooling with the mail. The copies I sent my London agent had these problems. What I sent first class never did reach him. What I sent insured never failed. I have communications with him on this. Pretty much the same cost me British publication of the first book, also established by dated communications from him and a publisher.

→ *Survival*

There was a fair amount of this. Twice with two German publishers.

The late Saint Edgar was pretty uptight about it. I did not then know that the CIA was curious enough to take its own steps. I learned this the next years, as I now recall. I have records of the entire business.

So, if I can't be certain about the source, I am of the fact, that Hoover knew the content of the new book and undertook to answer it while it was unpublished and when it was in publisher hands; and that the rush to get the camera was so great, the procedures so unorthodox, they had to know their deadline, which I'd not announced.

Your story reports part of this rush. The next book published all the records I could get.

The inference of surveillance and interference is not, I think, unreasonable. In other cases I know it is fact.

It was impossible to do more checking than I did, in part because the government had gotten rid of the camera. In the next book you'll find one particular picture with the same history only with that they had to get it back several times. It has never been published. I could not locate a duplicate of the camera. Finally I did, after much more than a year. I did check with my camera shop. The FBI would not even give me a published press release. Hoover never answered me on anything. What I wrote was accurate. The re-enactment by the FBI was a third less in time than the time attributed to the crime. The FBI knew the Zapruder film had been cut and frames removed. It was silent about it, before I brought it to light and afterward. Liebler at least on the Commission staff knew it and he, too, was silent. I have since learned of other and vital excisions.

Understand these are in the original, after it left Dallas.

The man is dead and it now makes no difference, but Zapruder lied to you. He gave me an accurate account of those things of which he'd talk, like the number of showings he had for agents and when they brought people in to see the copy he had, one of the original Dallas dupes. (Copies appeared to have been pirated in the original processing.) Where he wouldn't talk is about money, how much he got. It was more than the official story of \$25,000, which he gave away. He would not say how much and he would not produce his contract and life had already confirmed to me that it was enormously more. He would not let me tape the interview and I didn't sneak a tape but I made notes immediately.

You correctly understand my intention, to present the evidence I can and to let people do their own thinking. I know of nobody who has ever presented as much in facsimile. I would do more if it were possible. I mean financially possible. I have the stuff in hand and it is irrefutable. Especially what the Commission did not have.

Perfection is not a state of man. On fact I do strive for it. My books are rough drafts because there is too much I feel won't get done unless I do it, so I press on to other matters. I never avoid confrontation on fact and in recent years I have been doing my best to arrange it. You should have seen this in Whitewash IV, where I dared charges of perjury against me. Not, I add, for the first time. In confidence until it happens I now tell you of the next. It is less than two weeks away.

In Civil Action 2301-70 I sued for the spectrographic analyses. In what is not perjury only if it is all semantics, the government deceived Sirica, who was willing enough to be deceived. This case went to the Supreme Court and is one of four cited in the Senate debates on amending the law (1/30/74) as requiring change in that exemption. The Senate is specific: it is overriding that decision.

As soon as I get the more immediate of the Ray work off my back I started exhausting my administrative remedies all over again. They have been stonewalling. If we do not have ~~the money to pay the attorneys' fees and the costs of the suit~~ what I seek the day the amended law becomes effective, that day I will file a new suit. If I can find the money I'll have a press conference and copies of all the papers I'll be

giving the court. Lesar is doing his preparatory work now and I've drafted for him a lengthy affidavit to be attached. Attached to the affidavit will be documents, proofs.

The government will have and now has what I regard as serious problems. If they give me what I ask for they admit deliberate fraud in the Warren Report and on the basis of all the records outside the FBI (those I've not seen) deception of the Commission. The whole thing will come apart.

If they give me what seems to support the official mythology, I have in my possession more than enough to prove they have contrived another face. And if they refuse they fly into the face of the Congress, which was explicit on this particular suit.

Meanwhile, I'm going to dump a load of solid proof on them in the court record and they'll have a difficult time pulling more false swearing.

The FBI always knew I never made a false claim or charge and probably knew I had the proof. How the lawyers know it. This is the only one of the four I've lost. Where I've seemed to lose it is because they gave me what I wanted. I did get a summary judgment once.

They have power and I don't. But what are they now going to do?

Bo Waldron has his answer: they'll take care of me.

I don't expect it. But he saw what I've done in the Ray case. It includes proving that the FBI agent who swore in both cases swore falsely in the Ray case. He did not appear to defend himself and the State did not even consider trying to rebut. It had neither his nor another rebuttal witness and did not cross our witness on this point.

I'm building a hell of a record in court, Peter. The papers are not reporting it, but it is there, subject to challenge and without any challenge.

Despite all our considerable handicaps we did much in the Ray evidentiary hearing. We made each of the State's rebuttal witnesses our own. Kidnaped them, each and every one, and each and every one was a major surprise witness. (The state finally gave us a fake list, not one of whom it called on rebuttal.) It got so rough on the State they took a recess to deliberate their course. I had hardly gotten into the corridor and lit up when that bear arm of "Martin's was hugging me and asking, "Harold, you old bastard, don't you know what overkill is?"

In the end you will find it this way with my JFK work.

I'm getting tired and I'm weary of being broke, so I hope it is soon!

When I met with you and Gene Roberts there was another man. He sat opposite you, I think was shorter and chunky, with gray hair and I think an accent. And wasn't Corry on the crew, too? I didn't meet him but I heard he was. If Gene is the one who was at the Archives. Without a seeing-eye dog he did not distinguish himself.

I've wavered again to inform you. If the papers - and it will be for the first time - pay any attention to this new suit it might be the end of a national travail and it will be the end of the gruesome fiction. The first case went to the Supreme Court without a single news story, and without testimony from a single witness, either. This time I'm starting to make the record before the beginning.

Best wishes,

Harold Weisberg