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September 10, 1968

Editor, The Times-Picayune  
Lafayette Square  
New Orleans, La. 70140

Sir:

If I, in a 200,000-word manuscript, were as inaccurate as you in a 10-line squib, I would have trouble.

Your unending campaign to defame me and my book, the existence of which you would not even acknowledge, manifests itself in the Times-Picayune of September 8 wherein you say two things that are entirely false: that "... Carlos Bringuer ... won a \$5000 award ... against author Harold Weisberg ..." and "Judge David Gertler ... did not rule against Weisberg for lack of jurisdiction".

As you should have known and as I told you in a previous letter, to begin with, although Bringuer had ample opportunity to serve me, he did not; and it is not for "lack of jurisdiction" but only because I was not served, hence, not in reality a defendant.

This is not the first occasion on which you have gleefully engaged in libel behind judicial skirts. When Clay Shaw's lawyer alleged, knowing it was false, that I was part of a non-existent conspiracy to deny his client his rights and with no limit on the number of witnesses he could summon and take testimony from, he failed to subpoena me - and again at that time I was in New Orleans - and you never noted his failure to produce his so-called co-conspirator in court.

The reason there was obvious: he knew it was false.

The reason in the Bringuer case is identical.

Again I must ask you to cease these endless defamations and, to the degree possible, rectify them.

Yours truly,

Harold Weisberg

Publ. Health, Am B, Iron, U.S.A.

September 14, 1968

Mr. George W. Healy, Jr.  
Executive Editor  
The Times-Picayune  
3800 Howard Avenue  
New Orleans, Louisiana 70140

Dear Mr. Healy:

Your September 12 letter is not responsive to most of the subject matter of my letters of September 6 and 10. However, you offer this opinion: "I ... consider it a fair report of the action in the Civil District Court ... you were a co-defendant with the Canyon interests ..." and include a memorandum by your reporter which, rather than refuting or responding to my complaint, establishes its validity. From this I can better understand your papers, when their publisher finds inaccuracy "fair" reporting.

It is and to the knowledge available to you was inaccurate to say that I was "beyond the reach of his (Judge Gertler's) jurisdiction". I repeat, this was known to your reporter. Yet, aside from publishing it, with consequent damage to me, you send me a memo from your Mr. Howard Jacobs which reiterates it.

I was not in any real sense a defendant for the very simple reason that Mr. Bringuier and his lawyers deliberately did not serve me. It must be obvious to you, particularly with your own recent experience with other such creatures, that this is a device to misuse the courts. You made yourself part of it. Your own court reporters should have known of the order by Federal Court to Bringuier that he must effect proper service. My letter to you called this to your attention. You ignore it. Had your reporting not been so biased to begin with, had it not had this obvious partisan intent, you would have reported all the other developments, knowledge of which was denied your readers - and those of your staff who read your papers and rewrite from them.

How dependable, how fair and dispassionate, a source do you consider the unopposed attorney for one litigant, and why was it necessary to quote him on this subject at all? Mr. Jacobs' memo says, "Also, the quote that Judge Gertler 'did not rule against Weisberg for lack of jurisdiction' came from Bringuier's attorneys, and not from Judge Gertler. It was quoted because that seemed the logical explanation."

It is not "the logical explanation" at all, for there is nothing logical about it. But what did you expect the man who was responsible for my not being in court to say, that he was responsible for it?

The reason, I repeat for emphasis, I was not in court is because Bringuier and his attorneys saw to it by not making me part of it, by not making me a defendant rather than the victim of their endless anti-American propaganda, when it was repeatedly possible for them to have served me, to the knowledge of your own staff, including your court reporters.

Mr. Healy - 2

The service on Canyon is not legal, not a proper one, under Louisiana law, as your papers should know. Had you not avoided all mention of those decisions adverse to Bringuier, you would have reported and your rewrite men might have known this. However, you report that case only when you can make it seem defamatory to me, but never when, as has happened in every decision, it has gone against Bringuier. Entirely aside from the obvious realities, did it never strike you as at all peculiar that there was "service" on Canyon, a foreign corporation not doing any business in Louisiana, whose officials have never been in the State, whereas none was attempted on a man known to you and to plaintiff to have been repeatedly in the state and at a time when service was possible?

The facts are other than Mr. Jacobs' assumption (which does disclose what he really said in his story), "that the author was equally guilty". Is this the basis of New Orleans reporting, New Orleans "justice", New Orleans "guilt", an uninformed assumption? Rather than in any way relieving the damage done me by your reporting, the memo from Mr. Jacobs to you makes it clear that this was the intent. You and he just assumed guilt and on this basis alone so published your damaging writing.

There are a few other things I hope you will note in Mr. Jacobs' memo. He tells you that I was not a defendant, that I was not sued, in this language, "Bringuier brought suit against Weisberg's publishers", yet he assumed that, not a defendant, not sued, I was nonetheless "guilty". May I, at the same time, call to your attention that your own papers repeatedly did say that I was sued, was a defendant. The Times-Picayune of June 1, in a story that used my name in the headline, says in its lead that Bringuier "sued author Harold Weisberg and Canyon Books ..." The September 5 story says Bringuier sued Canyon "and also author Harold Weisberg". This kind of memo is hardly adequately described with Mr. Jacobs' light-hearted designation, "here are the facts". This same paragraph, the first, also goes into whether or not I had been in New Orleans and whether or not I could have been in court in New Orleans. Here Mr. Jacobs attributes this false opinion to the man I think examination of your papers and its reporting warrants calling your darling, none other than the plaintiff, Carlos Bringuier!

In your columns, Mr. Jacobs has already established himself as an expert in tortured language. He attempts to extend this in the memo. In so doing, he quite wrongly asserts that I quoted "out of context". I left out certain words, and to you indicated their omission, so I could make more comprehensible to you what you published. That is that the decision was "against author Harold Weisberg". It is utter nonsense to give it the only other possible interpretation, that there was an "unwarranted, false, malicious and libelous attack" against the author, Harold Weisberg". Come now, Mr. Healy, not even New Orleans journalism is capable of this!

It does not relieve the damage to me to suggest, as Mr. Jacobs does, the ungrammatical change of a word. In any event, what you did publish, not what you might have, is the issue. What you did publish is defamatory to me. This intent is consistent with the most haphazard examination of your papers, which have been partisan in this matter. Mr. Jacobs' own memo, making clear he, and you through him, assumed my guilt, leaves little doubt about it.

I therefore call upon you to make meaningful response to all the questions I have raised.

Yours truly,

Harold Weisberg

T-P 9/8/68

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Cuban exile Carlos Bringuier, local businessman and a figure in the Kennedy assassination probe, won a \$5000 award against Canyon Books and Canyon Distributing Co. of New York for alleged "unwarranted, false, malicious and libelous attack" against author Harold Weisberg for his book "Oswald in New Orleans—Case for Conspiracy with the C.I.A." Judge David Gertler in Civil District Court, in ruling for Bringuier, did not rule against Weisberg for lack of jurisdiction.

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