

Memo to Janie,

Whether it accomplishes its purpose in a satisfactory way or not - and on this I have to defer to your judgement - as drafted the book follows the outline agreed upon ~~kxx~~ from the very beginning. As you asked, I'll try and explain the rationale.

It was under no circumstances to be a book on the assassination, a solution to the crimes or a justification of Oswald. It was to be a Report on the Warren Report, an analysis of what it did and did not do and insofar as possible, an analysis and explanation of ~~who~~ how it was pulled off. It was to show ~~a~~ essentially that the job had not been done and remained to be done.

The first part was to be a tracing of the events as reflected in the ~~Warren~~ Report and hearings and the second an analysis of how the Commission performed its function, as reflected in the Report. This was to include ~~xxxxxxxxxxxx~~ an exposition of how such an eminent and competent Commission and staff could arrive at conclusions so obviously in contradiction to its own information and how it avoided the gathering of information not consistent with its pre-ordained conclusions.

I believe that essentially I followed the form but it is

clear you feel with less success than is possible. On this, as I told you, I have to defer to your judgement, and do.

Entirely aside from time considerations, which I regard as vital, there are other reasons why I believe this scheme is desirable if not essential to the concept of the book. No one else appears to be addressing himself to the Report or, insofar as I know, has used this approach. Everything that has appeared so far has been shot down as soon as it appeared. Perhaps it is because of my own deep immersion in the facts that I see things this way, but I think the nature of the book, a report on the Report, requires separate handling of the Commission and the way it did its job. Unless the reader and, we hope Congress, understand this, I do not believe the book can succeed in its major purpose.

There are some things that do not fit in a chronological treatment of the assassination. This includes a large part, if not most, of the later chapters. They are things that came to pass after the assassination. This involves the police, the Commission and the medical and autopsy. In a sense they are chronological for this reason.

There were two other strictures that were imposed at the beginning. These were that as far as possible we would present this book in the manner of the Report itself and we would use the Commission's words wherever possible instead of our own. The first is in keeping with the scheme of the book, a Report on the Report. The second is, I believe not only desirable but essential for safety.

To begin with, let us see how far ~~xxx~~ we can get, or how close to satisfying what you believe is necessary, but a reorganization of what we have. Let us consider the book in two parts, what I believe you had in mind. The first part deals with the Report's handling of the crimes and the second with the Report.

My reason for putting "The Number of Shots" toward the end was because I believe it destroys the Report and I thought it might be unwise to have it too early in the book. I also thought delaying it helped let the ~~xxxx~~ book build up, without reaching too early a climax. But in a more chronological treatment, I believe it could fit between "At the Depository: The Assassination" and "The Tippit Murder" /

As you have expressed it, your greatest objection seems

to be to the chapter "The Witnesses". You feel that there is need ~~x~~ for the reader to refer back to this later chapter in the Tippit chapter to understand the story. I admit I am too close to be impartial, but I believe without any reference to the chapter on the witnesses, enough of their testimony is included so that it is, in fact, not necessary to refer back. If you feel otherwise, it is, of course, possible to move to the Tippit chapter what ~~xxxxxxx~~ you believe necessary, or to add more of the testimony from "The Witnesses" to "Tippit". I had several reason for not doing so to begin with. I think it clutters that chapter up too much and detracts from that part of the story. Also, it is not possible to address the performance of a ~~KNHX~~ a Commission all of whose knowledge comes from witnesses. The kind of witnesses, the way they ~~se~~ treated and how they are examined or not examined is therefore vital to an examination of The Report, in which the Commission presents the conclusions it had drawn from the testimony of these witnesses. Also, the conclusions it has avoided.

As this chapter now stands, I believe that to anyone reading the book, there will be no doubt that the Commission built its case on witnesses who would have been laughed out of any court,

on witnesses no reasonable person could credit, and on witnesses who committed the crime of perjury and who were protected in the commission of this crime by the Commission because it served the purposes of the Commission for them to commit perjury. It is for this reason that I gave Markham no more treatment than I believed necessary under Tipbit. For the same reason the clear evidence of both perjury and subornation of perjury by the doctors is in this chapter. While the words "perjury" and "subornation of perjury" are not used, I believe John as a lawyer will find this chaacter presents a prima facia case for both.

Again, there is the simply unbelievable situation in which a chief justice and former solicitor general, men running such a Commission, the likes of which we have never had in our entire history, being party to such a truly monstrous offense. Among those who are willing to listen, and especially among lawyers and Congressmen, this should have strong impact. I believe it will with the average reader, too. This is all done with the testimony and the Report and I believe it is unassailable. Mrs. Markham never jurged herself of the perjury, even when confronted with it. With the doctors the Commission just ignored the whole thing and went into

into a hysterical, almost childish evasion. I believe this is clear. It is, I think, devastating.

Let me digress for a minute and suggest the purpose of the first half of the book is to set the stage for the last half, to tell the story and make the last half understandable and more meaningful

"The Oswald's Government Relations" is grossly distorted and misrepresented in the Report. It is essential to both Oswalds. The Government violated and stretched the laws and regulations to bring Oswald back and get Marina in. Marina, this chapter shows, was never eligible to enter the United States under any circumstances. She is also eligible for immediate and automatic deportation (I felt it would be persecution to present this aspect any stronger). Instead, in the testimony quoted, she admits she was pressured into becoming a willing tool of the Commission because she was essential to the phoney case the Commission and the agencies were building. This is the woman who said to begin with she would not become an agent of the FBI. This is the woman who admits pressure from both the FBI and the Immigration and Naturalization service.

Let me cite this as an example of what I meant in telling

you that evaluating anything like the Commission like the Commission is not ducks in a row. This is not part of the story of the assassination, Working it in any chronological handling would louse up that part, for its importance is in relation to the government, of which the Commission is part, and the Report, much of which is based upon Marina's testimony. The entire preposterous Walker incident, for example, is 100% Marina. Oswald's alleged state of mind- the entire "motive" for the crimes, is Marina. This is, I believe the most telling indictment of the government and the Commission and it is unanswerable, even by the plea of human considerations, for none of this addresses itself to Marina as a witness or to her relations with the government. In short, I think this is vital and I think it can fit only with "Government Relations" or "Witnesses".

How else can the nature of Oswald's relationship with the government be considered? Or understood? Or the question of whether or not he was an agent, addresses as it was in the most meaningless possible way by the Report?

The chapter on "Legal Rights", especially when taken with "The Police and the Press", show how the whole thing was

engineered first by the police and then by the Commission, which knew and understood everything presented in this chapter. All of it except the introduction comes from the Report and hearings. The introduction was intended to put it in perspective. Step by step, this chapter shows not only the deliberate denial of all legality but also how it was accomplished. Beginning with the lack of any kind of transcript (for which it shows there could be no excuse) it shows the Commission even lied about the few records that were kept. It shows that although the purpose of the interrogations was to get information that could be used and that, as presented by the Report, it got no information that could be used. Item by item it establishes the impossibility of using anything obtained in the interrogations in court because all the police contradicted each other. It even shows that some versions agree with what the Commission said Oswald ~~xx~~ said, yet they call him, not the police and Federal agents liars. It shows how he was effectively denied counsel which in itself could have prevented his ever being tried. It shows how the police went out of their way to engineer a search for evidence in a manner that would have led inevitably to a probably

successful effort to preclude ~~ix~~ the use of what was seized in court. It shows that the lineups were an unabashed frameup. I dont see how this content can be either avoided or used elsewhere.

Taken with the chapter on the "Police and the Press", it tells more, without spelling it out. It shows that there was a prima facie case of the police first doing all they could to prevent Oswald ever being tried because of the impossibility of impanneling a jury. Then it shows that in the remote event a jury was ~~impannelled~~ impanelled, he had an excellent chance of never coming to trial because of the denial of his most elemental legal rights, especially of counsel. And if that failed, and he ^{still} ~~came~~ ^{to} ~~trial~~ the crucial evidence could not be used because it was the fruit of an unnecessarily illegal search. Especially because of the Texas decision handed down by the Supreme Court, declaring that there must be a search warrant and it must specify what is being sought, does this show that the police did everything possible to make the trial of Oswald impossible. It even shows that the Secret Service suspected this.

What did the Report do about this? The chapter on "The Police and Press" shows that in discussing whether or not Oswald

10

was denied his legal rights (never considered in the context of a solution to the assassination) it was content to say he wasn't beaten up and had been "told" he could have a lawyer, completely meaningless as its own record and the two chapters show. In another context, it actually admits there might have been a problem getting a jury. But here it goes out of its way to exonerate the police, who engineered the entire thing, and balmes the press.

These two chapters show the Commission never dreamed of its most obvious need, to investigate the police. If anything shows at least the possibility of police complicity in the crimes (not mentioned in the book), this unmistakably suggests it in a way no investigation could ignore. This one did, and that is the subject of the book, not the assassination.

Again, I may be blinded by my closeness to the material and my involvement, but I believe these are so clear, so thoroughly documented and so vital to an understanding of what happened in Dallas and what the Report did that they are essential. I do not see how they can fit elsewhere, although I shall be thinking of this with respect to the entire last half of the book.

Only two chapters remain. "The False Oswald"~~xxxxxxxx~~ shows a possible solution to the crimes. It shows the diligence with which the Commission and all its agents avoided the inescapable meaning of its own evidence. It shows that from the very earliest days - before the Commission even existed, in fact - there was evidence of a person/^{mis}representing himself as Oswald. Not until nine months after it got unshakeable proof of this fact did the Commission even attempt to trace it - and then not in context, but only to see if there was part of Oswald's life they didn't know! The FBI had the same information and did nothing until asked to do so by the Commission - nothing on its own. A week before the completed, printed Report was delivered to the President the Commission the Commission got verbal confirmation of the identity of at least one false Oswald. Not until three days before the printed Report was delivered did it get this in writing.

And here it lets it drbp - storing its files for 75 years of denied access!

This, to me, is the most compelling and powerful indictment - yet completely a self-indictment, because it is established entirely from the Commission own evidence.

The chapter on "The Autopsy" Proves the suppression of the most vital evidence, the manufacture of invalid evidence by the government, probably a dishonest autopsy, and a misrepresentation of the autopsy evidence of the crucial non-fatal injury of the President. The Commission had the original chart of the autopsy examination showing a back wound. ^{Yet it} ~~and~~ made all its reconstructions, took all of its medical testimony and postulated all of its hypothetical medical questions, on which it built its medical case, and in its Report described this as a "neck" wound. With the total suppression of the only better evidence of the location of the wounds, the pictures, and the almost as total suppression of the X-rays, the government is in the position of keeping secret the only evidence that can contradict what the hearings show and the Report does not

Rather than say what this chapter on the autopsy means I rather have John, with whom I have discussed this, tell you.

The chapter on "The Autopsy" Proves the suppression of the most vital evidence, the manufacture of invalid evidence by the government, probably a dishonest autopsy, and a misrepresentation of the autopsy evidence of the crucial non-fatal injury of the President. The Commission had the original chart of the autopsy examination showing a back wound. ^{Yet it} ~~and~~ made all its reconstructions, took all of its medical testimony and postulated all of its hypothetical medical questions, on which it built its medical case, and in its Report described this as a "neck" wound. With the total suppression of the only better evidence of the location of the wounds, the pictures, and the almost as total suppression of the X-rays, the government is in the position of keeping secret the only evidence that can contradict what the hearings show and the Report does not

Rather than say what this chapter on the autopsy means I rather have John, with whom I have discussed this, tell you.