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The Horse Latitudes

In its July 13, 1968 issue, The New Yorker published a 35-page article, facile and obfuscatory, demeaning yet lacking in the most basic documentation. The article was entitled "Garrison" authored by first generation Warren Commission critic, Edward Jay Epstein.

Jim Garrison will stand or fall on the evidence which he has compiled, a fact that apparently escaped Mr. Epstein in his lengthy article. In the interest of an informed public, we now present another side to some of the 'points' raised by Mr. Epstein. The author of the following is Mrs. Marjorie Field, early and continuing Warren Commission critic and an expert on the material contained within the 26 volumes. ajs.

Conclusion of Marjorie Field's Article On Epstein

EPSTEIN

On page 54, Epstein says, "after discussing the case with Weisberg," (Harold Weisberg, author of the WHITE-WASH series and OSWALD IN NEW ORLEANS) "Garrison . . . exonerated Oswald from having fired any of the shots." In point of fact, it was on FEBRUARY 23, 1967 that Garrison told reporters, "I have no reason to believe that Lee Harvey Oswald killed anybody in Dallas on Nov. 22, 1963" and it was not until the later part of April, two months after Garrison 'exonerated' Oswald that Garrison had even met Weisberg. (In the Introduction to OSWALD IN NEW ORLEANS, page 26, Weisberg writes, "To date, I have had no contact with the D.A. himself and do not seek any." The date of that Introduction is APRIL 18, 1967, two months after Garrison had made the state-

ment. (A most un-scholarly gaffe on Mr. Epstein's part!)

On page 64, Epstein discusses the June 19, 1967 one-hour NBC television program, (conceived for the purpose of discrediting Garrison), and finds no quarrel with the fact that the NBC spokesman told the audience that they (NBC) knew who the real CLAY BERTRAND is. That man, identified by Dean Andrews and, by implication NBC, turned out to be a bartender, Eugene Davis, who vigorously denied the charge. (L. A. Times, 6-30-67).

Mr. Epstein tells us that the Government is not hiding anything concerning President Kennedy's assassination, except for those documents which deal directly with 'national security' or with the names of innocent persons. According to a numerical compilation of unavoidable documents in the National Archives (submitted to me from B. Fensterwold in Arlington, Va. and dated July 1968), there are a minimum of 200 documents, which remain classified (i.e. not available), to say nothing of hundreds of others which have never been printed.

Mr. Epstein scoffs at Garrison's allegations that Lee Harvey Oswald had connections with the CIA or with the FBI. In Commission Exhibit No. 835, Vol. XVII, however, is the following letter from the FBI to the Commission: "Mr. Henry Wade, a former Special Agent of the FBI and currently the District Attorney of Dallas County, Texas, reportedly testified previously to the Commission that he had heard that Lee Harvey Oswald was an FBI informant with the symbol number of '179' and was being paid \$200

monthly." The very next sentence assures the Commission that "As the facts clearly show, this is not true. The facts are never revealed or explained but it should come as no surprise to anyone that the FBI would deny such an allegation. What must be considered, however, is that the aforementioned FBI letter is dated February 6, 1964. On June 8, 1964, four months later, Mr. Wade testified before the Warren Commission and repeated his information about the voucher number and the amount of salary! Of further interest is the first chapter in Warren Commission member, Gerald Ford's book, "Portrait of the Assassin." For it is there that one learns of the clandestine meeting which was called by the Warren Commission on January 22, 1964. Both D. A. Henry Wade and the Atty. General of Texas, Waggoner Carr, had been flown from Texas to Washington, at the behest of the Commission, in order to explore this disturbing question. Ford says of the meeting, "I cannot recall attending a meeting more tense and hushed",* and he labels the discussion regarding Oswald's alleged link to the FBI as: "The Commission Gets Its First Shock"*! One is led to believe that, as a result of that meeting, every lead would be exhausted and every rumor dispelled. The chapter ends, however, without the question having been resolved in the least. Curiously, not one of the sources of the allegation—and they include, Att'y Gen. Waggoner Carr, D. A. Assistant, William Alexander, and writers Lonnie Hudkins, Joe Goulden and Harold Feldman—was ever called to testify before the Warren Commission. Thus, although the Commission had numerous people from whom it could have acquired important information on this question it contented itself with the predictable denials emphatically made by both Mr. Hoover of the FBI and Mr. McCone of the CIA. And Mr. Epstein derides Mr. Garrison for not being satisfied with the Com-

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mission's outrageously careless handling of this matter.

Mr. Epstein's crescendo of contempt for the New Orleans D. A. reaches a new level, when he ridicules any suggestion on Garrison's part that the Federal Government or its agencies were guilty of obfuscation of the truth or dereliction of duty. Epstein neglects to mention the following manifestation of gross negligence and ineptitude by an agency of the Federal Government; Los Angeles Herald Examiner, Friday Feb. 3, 1967: "Secret Tape Told 'Ways To Kill JFK'—Miami, Feb. 3 (UPI) — Thirteen days before the assassination of President Kennedy a man told a police informant in Miami the President was a 'marked

*"Portrait of the Assassin"—G. Ford, J. R. Stiles, Simon & Schuster, N. Y. '65, Chapter I, pages 13, 14, 15 & 25

man' and that one way to kill him would be 'from an office building with a high-powered rifle.' The unidentified man also told the informer in the conversation, which police secretly recorded, that a plot against Kennedy's life was in the works."

Miami police played the taped recording of the conversation for newsmen Thursday but without comment on it or any attempt to evaluate it.

They said the conversation was held in an apartment here Nov. 9, 1963, and that the recording was turned over to the U. S. Secret Service Nov. 15, three days before the President addressed the Inter-American Press Association at Miami Beach.

On Nov. 22, 1963, Kennedy was slain in Dallas, but the recording makes no mention of Dallas or of Lee Harvey Oswald, the man who killed the President with shots from a high-powered rifle from the Texas school book depository. Neither of the men involved in the conversation is identified.

THE BEST WAY—The man discussing assassinating the President was asked by the informer interrogator what could be 'the best way' to kill the President. The man answered from an office building with a high-powered rifle. The secret service never covers all the office buildings where he is going, the man said.

He also mentioned the possibility of using a rifle to kill the president when he came onto a White House balcony. The man said that although November was the wrong time of year for this, "if he comes out during pleasant weather on the veranda, you could pick him off from a hotel across the way."

JFK KNOWS—The conversation about methods of killing the President is sketchy and not specific. The reference to the existence of a plan to assassinate Kennedy follows the comment of the man that Kennedy "knows he is a marked man—sure he does." Asked if an assassination is planned, the man answered, "oh yes, it's in the works."

The man refers in the recording to a 'Brown' who is not otherwise identified except as an apparent organizer of a 'constitutional party.'

The man calls 'Brown' a person who 'operates strong' and then refers to the still unsolved bombing of a Negro church in Birmingham, Ala. Sept. 15, 1963, in which four children were killed and 19 people injured.

From the way he talked to me there is no question in my mind that he knocked off the children in Birmingham, the man said of Brown. (end of news article).

Clearly, this tape, containing what amounts to almost a blue-print for the assassination of President Kennedy,

was 'turned over to the U. S. Secret Service November 15', one week before a nearly exact duplication of the heinous plan was carried out in Dallas. Yet, although the tape mentioned that the best way to kill the President would be 'from an office building with a high-powered rifle', no attempt was made by the Secret Service or the FBI to seal off or to search any of the buildings along the President's route, no special precautions were taken to safeguard the President's life, only one week after the tape was in the possession of the Secret Service.

Mr. Epstein ridicules Garrison's charges that the Federal Government is attempting to obstruct his case. Regis Kennedy and Warren DeBrueys are two FBI agents who figured prominently in the New Orleans investigation of the Kennedy assassination. Mr. Garrison issued orders for Messrs. Kennedy and DeBrueys to be subpoenaed for questioning. Attorney General Ramsey Clark, however, refused to allow them to be questioned on the grounds of 'executive immunity'! (See L. A. Times 5-11-67 'FBI Fights Subpoena in Assassination Probe' and L. A. Times 5-18-67: 'Agent Refuses to Testify for Grand Jurors'). Does this not constitute obstruction on the part of a Governmental agency? Why hasn't Mr. Epstein mentioned this unprecedented example of interference on the part of the Federal Government?

On page 73, Epstein says, 'most CIA reports were prepared to answer specific questions put to the Agency by Commission lawyers'. What Mr. Epstein should know, as an authority on the Warren Commission, is that on February 24, 1964 the Warren Commission submitted a list of names to the CIA in connection with its investigation of Jack Ruby (Commission Exhibit No. 2980, Vol. XXVI). The Commission listed, among others, the following people as being 'CLOSE FRIENDS' of Ruby's: H. L. Hunt, Leopoldo Ramos Ducas, J. Thomas Hill, 'name found in Ruby's notebook. Official of John Birch Society.' Commission Gen. Counsel, J. Lee Rankin, requested that the CIA provide the Commission with information concerning these individuals. By May 19th, 3 months later, the Commission had not received any response from the CIA and wrote them again, stating, "As you know, this Commission is nearing the end of its investigation. We would appreciate

hearing from you as soon as possible whether you are in a position to comply with this request in the near future." It was not until Sept. 15th, however — nearly 7 months after the initial request had been made and just two weeks before the Warren Report was released for public consumption—that an answer from the CIA was finally forth-coming. The final paragraph of the answer says, "The records of this Agency were reviewed for information about the relatives, friends and associates of RUBY named in your summary of his background. Our records do not reflect any information pertaining to these persons'. How is it possible that the CIA would not have been able to supply any information regarding these individuals and why did the Agency take so long to honor the request? Yet, Mr. Epstein tells us that 'most CIA reports were prepared to answer specific questions put to the Agency by Commission lawyers'.

Epstein speaks of how Garrison succeeded in convincing the public about the existence of a conspiracy and cites recent polls as examples. In his bias, Epstein at-

tributes all public doubt about the Commission's conclusions to Garrison's alleged paranoia, demagoguery and demonology. He doesn't say that the shockingly prejudiced NBC and CBS television programs dealing with the assassination helped to build rather than to destroy public suspicion and that the 'credibility gap' created by the present government in many other areas has also been an important contributing factor.

On page 70 of the article, Epstein quotes Garrison as saying, 'they do not tell you that Lee Harvey Oswald fingerprints were not found on the gun which was supposed to have killed the President'. Along with other charges made by Garrison on the nitrate tests, etc., Epstein calls this charge about the fingerprints 'false captious'. I suggest that it is Mr. Epstein who is guilty of both. Mr. Epstein says, fingerprints were found on the rifle . . . but could not be positively identified." This is a captious statement, indeed. If fingerprints were found on the murder weapon and **COULD NOT BE IDENTIFIED**, of what possible consequence are they in linking Oswald or anyone else with the assassination rifle? Epstein then proceeds to chastise Garrison for not saying that a palm print was discovered on the underside of the gun barrel of the rifle, and that 'three different experts positively identified it as Oswald's'. With regard to the palm-print, I would like to quote from a recently declassified document from the National Archives, the Wesley J. Liebeler Memorandum. (Mr. Liebeler was an Asst. Counsel for the Warren Commission, who interviewed scores of witnesses

and helped draft portions of the Warren Report.) In his discussion of the palm-print, Mr. Liebeler says, "The most it does is show that Oswald had possession of the rifle **AT SOME TIME**". In commenting on the Commission's galley proofs, Liebeler continues, "It may be noted that the conclusion for this section on rifle ownership, that appears on galley page 39, states that the presence of the palmprint on the rifle shows that Oswald 'had disassembled it.'" That conclusion is not warranted from the existence of the palmprint on the rifle. The only valid and supportable conclusion that can be drawn about Oswald's palmprint on the rifle, says Liebeler, is that he **HANDLED** it when it was disassembled; **NOT**, as the Warren Commission would have one believe, that he had actually disassembled it. The distinction is clear and Mr. Liebeler is adamant that it must be made. (The Commission, for reasons of its own, chose to ignore the point.) So that, whether or not the palmprint on the underside of the gun barrel was positively identified as Oswald's, the fact remains that the information proves nothing about Oswald's having fired or even owned the weapon. Mr. Epstein must be well aware of that fact but he chooses, instead, to cast onus on Mr. Garrison for not mentioning the palmprint. As has been shown, the existence of the palmprint is insignificant when compared with the non-existence of Oswald's fingerprints on the rifle, for the palmprint proves only that Oswald had handled the disassembled rifle **AT SOME TIME**. On page 647 of the Warren Report the Commission says, "There is no evidence that Oswald wore gloves or that he wiped prints off the rifle. How is it possible, then, for a man to have handled the stock, the barrel, the bolt action, and the telescopic sight of a weapon, without leaving a single identifiable fingerprint any-

where? Mr. Epstein doesn't even attempt to deal with that dilemma!

Finally, nowhere in the article does Mr. Epstein more clearly reveal the spurious nature of his attack on Garrison than in his complete omission of any reference to an extraordinary sequence of events concerning the case against Clay Shaw and the bizarre behavior of the Attn. Gen. of the U. S. On March 1, 1967, less than two weeks after Jim Garrison first shook the world with the announcements from New Orleans that he had reason to suspect a conspiracy in the Kennedy assassination, he booked Clay Shaw and charged him with 'conspiracy to commit murder'. Those individuals who are familiar with the Commission's case, by means of the 26 volumes, were as startled by this news as were the press and the public; for, nowhere, in the staggering assortment of documents, exhibits, reports or testimonies did the name of Clay Shaw ever appear. Thus, it was to be expected that the news media and the members of the press would immediately confront the new Attn. Gen. with questions about the identity of Mr. Shaw and his possible involvement in the case. I shall now refer to a United Press International dispatch from New Orleans, which appeared across the nation on March 27th, 1963, to the effect that, "In Washington Acting Attorney General Ramsey Clark told reporters the FBI investigated Shaw in November and December 1963 and concluded he had no connection with the Nov. 22, 1963 assassination in Dallas." The obvious reaction to this unbelievable admission by Mr. Clark was to question the reasons for which the FBI had seen fit to investigate Clay Shaw over a period of two months, immediately following the assassination. On what pretext was he investigated? Why was he suspected at all? How had the FBI learned of his existence, especially in connection with the murder in Dallas? Another obvious reaction was that this admission lent substantial credence to Garrison's charges.

Thereafter, however, the Government remained strangely silent on this question until exactly three months later. On June 2nd, the New Orleans States-Item and most other newspapers carried the following story: "FBI NEVER INVESTIGATED SHAW—CLARK," and underneath this enigmatic headline the news story continued, "Attn. Gen. Ramsey Clark says he was in error in stating an FBI investigation cleared Clay Shaw of involvement in the assassination of Pres. John F. Kennedy. Actually, the Justice Department said yesterday in Washington, the FBI had not even investigated Shaw . . ." Mr. Epstein is so obsessed with the need to attack Jim Garrison that he isn't even concerned over the highly questionable tactics of the Attn. Gen. of the U. S. in this most unusual and perplexing contradiction!