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 DeLoach \_\_\_\_\_  
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WEISBERG 11/15 WA

ADV FOR AMS-SUN NOV. 19 OR THEREAFTER

(EDITOR'S NOTE: HAROLD WEISBERG, A FORMER INVESTIGATOR AND INTELLIGENCE ANALYST, IS CONVINCED THAT THE WARREN COMMISSION CONDUCTED A "WHITEWASH" OF THE KENNEDY ASSASSINATION. HE HAS WRITTEN FIVE BOOKS IN A PLANNED SERIES OF SEVEN EXPLAINING HOW HE REACHED HIS CONCLUSIONS. THE MOST RECENT BEING "OSWALD IN NEW ORLEANS: CASE FOR CONSPIRACY WITH THE CIA." THE FOLLOWING ARTICLE, WRITTEN FOR UPI, DESCRIBES WHAT HE CONSIDERS GAPS IN THE WARREN COMMISSION'S INVESTIGATION.)

BY HAROLD WEISBERG

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CAN A PRESIDENT BE KILLED AND CONSIGNED TO HISTORY WITH THE DUBIOUS EPITAPH OF A FAKE INQUEST? IF THIS HAPPENS, IS THE COUNTRY SAFE? IS THE INSTITUTION OF THE PRESIDENCY SECURE? CAN ANY PRESIDENT THEREAFTER BE WITHOUT APPREHENSION THAT THE SAME THING CAN HAPPEN TO HIM?

THE ANSWER OF THE GOVERNMENT IS "YES" TO ALL THESE AND THE MANY MORE QUESTIONS LEFT WHEN PRESIDENT JOHN F. KENNEDY WAS SO COLDLY MURDERED FOUR YEARS AGO. THE OFFICIAL INVESTIGATION LEFT MORE QUESTIONS UNANSWERED THAN IT BEGAN WITH AND ANSWERED NONE WITH FINALITY.

I AM ONE OF A SMALL BAND WHO INSIST THAT THE KINDEST DESCRIPTION OF THE WARREN COMMISSION REPORT IS THAT IT IS ERRONEOUS. NEW ORLEANS DISTRICT ATTORNEY JIM GARRISON, WHO IS CONDUCTING HIS OWN INVESTIGATION OF LOCAL ASPECTS OF THE ASSASSINATION, DESCRIBES THE MURDER AS AN "EXECUTION." DAILY, AS I CONTINUE MY OWN INVESTIGATION, I AM INCREASINGLY IN ACCORD WITH THIS DESCRIPTION.

THE MORE ONE STUDIES THE OFFICIAL PRINTED EVIDENCE -- THE WORD IS ENTIRELY INAPPROPRIATE AS LAWYERS USE IT -- THE MORE IT APPEARS THAT THERE WAS, INDEED, A "COVERUP," AS GARRISON PUTS IT. THE MORE ONE PRIES LOOSE EVIDENCE IGNORED BY THE COMMISSION, THE MORE UNAVOIDABLE IS THE CONCLUSION THAT ONE REASON FOR THIS COVERUP IS TO PROTECT THE CIA.

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 ENCLOSURE

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Rel: Sullivan

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I WOULD LIKE TO GIVE A FEW SAMPLES OF THE KIND OF EVIDENCE WHICH MAKES AN ENTIRELY PUBLIC INVESTIGATION (THE WARREN PROCEEDINGS WERE ENTIRELY IN SECRET) A MINIMUM CONDITION FOR THE SURVIVAL OF DEMOCRATIC SOCIETY.

CONTRARY TO WHAT SOME SAY, TO CONCLUDE THAT THE WARREN REPORT IS WRONG DOES NOT REQUIRE BELIEF THAT THE COMMISSIONERS AND EVERY DEPARTMENT OF JUSTICE EMPLOYEE DOWN TO THE CHAIRMEN WERE PART OF A GRAND CONSPIRACY. I BELIEVE THE MEMBERS OF THE COMMISSION, MEN ALREADY OVERLY COMMITTED TO THE PUBLIC SERVICE, DID NOT HAVE THE TIME TO REALLY RUN THE INVESTIGATION. FEWER THAN A SIXTH OF WHAT WERE EUPHEMISTICALLY CALLED "HEARINGS" HAD EVEN A SINGLE COMMISSIONER IN ATTENDANCE.

MOST WERE CONDUCTED IN WHAT AMOUNT TO BACK ROOMS IN DALLAS AND NEW ORLEANS, WITH A STAFF LAWYER EMPOWERED TO ADMINISTER OATHS, A STENOGRAPHER AND A WITNESS HAPPY AT THE EXCLUSION OF THE PRESS, ALONE PRESENT. THIS IS A MECHANISM GUARANTEED TO PRESENT TEMPTATIONS THAT AMERICAN LAWYERS, TRAINED IN THE ADVERSARY SYSTEM OF JUSTICE, ARE ILL PREPARED TO COPE WITH.

OUR JUDICIAL SYSTEM PRESUPPOSES THE ACTIVE OPPOSITION OF ANOTHER SIDE, THE CONTROL OF A JUDGE WHO INTERPRETS THE RULES CALLED LAWS AND PROCEDURES, AND CROSS-EXAMINATION, TRULY DESCRIBED AS THE GREATEST MACHINE FOR THE DISCOVERY OF TRUTH.

ALL OF THESE WERE MISSING WHEN THE GOVERNMENT INVESTIGATED THE MURDER OF PRESIDENT KENNEDY. HERE IS A SAMPLE OF THE CONSEQUENCES, FROM A DOCUMENT FOR WHICH THE COMMISSION FOUND NO SPACE.

ANNA MELLER IS ONE OF THE WOMEN IN THE DALLAS-FORT WORTH RUSSIAN-EXILE COMMUNITY WHO SOUGHT TO HELP MARINA OSWALD. NOTING THE WRITINGS OF KARL MARX IN THE OSWALD APARTMENT, SHE EXPRESSED HER CONCERN TO HER HUSBAND. HE PHONED THE FBI.

ASSISTANT COUNSEL WESLEY J. LIEBELER (NOW A PROFESSOR OF LAW AT THE UNIVERSITY OF CALIFORNIA AT LOS ANGELES) QUESTIONED MRS. MELLER IN A DALLAS "BACK ROOM" BEGINNING 9 A.M. MARCH 25, 1964. FROM HIS GREETING, "COME IN, MR. AND MRS. MELLER, AND SIT DOWN," HE KNOW THAT TEOFIL MELLER WAS PRESENT. LIEBELER ASKED NOT A SINGLE QUESTION OF HIM.

INSTEAD, HE REDUNDANTLY INQUIRED ABOUT THE NUMBER OF LOAVES OF BREAD MARINA HAD BEEN GIVEN, AS THOUGH THIS WAS THE ESSENCE OF THE ASSASSINATION. HE ALSO IGNORED A DOCUMENT IN HIS POSSESSION, THE OFFICIAL REPORT OF DALLAS DETECTIVES F. A. WELINGHAUSEN AND P. M. PARKS, DATED FEB. 17, 1964.

THIS DOCUMENT SAYS THAT WHEN TEOFIL MELLER "CHECKED WITH THE FBI ... THEY TOLD HIM THAT OSWALD WAS ALL RIGHT."

BEFORE THE ASSASSINATION, OSWALD, THE "DEFECTOR" TO RUSSIA, WAS "ALL RIGHT" TO THE FBI? AND THE COMMISSION HAD NO INTEREST IN IT, ASKED NO QUESTIONS -- MADE NO REFERENCE TO THIS IN ITS REPORT, WHICH IMPLIES THE OPPOSITE?

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