

1/3/74

Dear Harvey,

My first reaction on a hasty reading of your letter of yesterday when I read it at the post office this morning is that I must remember to express my appreciation of your patience. Then I went to my wife's office (her seasonal employment began yesterday) to tell her. As I told you, her attitude had changed. First she was shocked at the figure, then less than happy and finally she agreed when I explained that together with the settlement I accepted from one of those who owed me money this puts us about \$1,000 from paying the bank off.

As I reread it, I find myself wondering all over again what kind of people these are (not Better), your words, "his contact suspected I would not follow through." By the way, if you have any doubts send me whatever you want signed. I think you have no doubt. Oh, I see he meant you.

Your second paragraph, in essence, tells it as it is. You are not correct on the chicken part, as you would have known before you went to trial, for the few health problems we had were exceptionally few. It was a conspicuously good health record and there are official veterinary certifications of it as well as witnesses to testify to it. The real problem for me was what Williams and Taft did to us not only by letting the statute run, which I would suppose has no excuse, but also by dragging this thing out and thereby complicating what had happened to my wife, for she began to react to that and to them for doing nothing. Even that miserable way of abandoning us after stalling so long and not filing what they had agreed to file in I think Taft said the court of claims.

But we have to cope with the present, and that is not easy, not even now, for this does not end our debt. It merely eliminates the immediate prospect of our being sold out. We still have debts and are without any resources should we face any emergency.

I do want it explicit in whatever form this settlement takes, and I don't care what form it is if you are satisfied, that the government is not going to take any of this back in taxes. That would mean we would have to go back to the bank and borrow to pay the taxes without any assurance that we can collect other monies due us, the only way we can expect to pay indebtedness off. This is why from the first I have insisted on a net figure. If I had not just made a payment to the bank I would not have accepted this. It is all one government and it can arrange its affairs and bookkeeping any way it wants so long as it is clearly understood that it will not now be trying to take some of this back from us. We won't have it. When I deposited the last check I also gave the same bank my check against it. That is what I will do with this, only instead of holding \$200 back for urgent needs, in this case I will hold back not a penny. Not even for needed house repairs. They can arrange the wording so there is no tax liability and I expect this. It is, you will realize, the one condition I have stipulated and that it has never deviated. I regard this as to

coming back for more blood or doing anything that will in any way remind my wife about any of this. What the operating people did was terrible. What the legal people did is subhuman and I don't want them not to be doing anything that will keep this from being over with this understanding that we will have no tax liability for it.

This leads to "a statement for the record" that you indicate I can make. I don't really know what you mean by this. I have nothing vindictive to say and I see no way of accomplishing the other things I would like to accomplish. I do wish there were some way some of them could be done.

I had hoped that in a new decision there would be a wiping out of Judge Thomsen's opinion of my veracity in the first case. What he said was, from the record, justified, so I have no complaint about him. But it was not factual and it is an imperishable record. Silard merely didn't prepare the case. As I told you, I didn't learn the phrase "proof of loss" until I was in Judge Thomsen's courtroom. As our books show and I think you have seen, we had a loss equal to our income but I was in shock and Johnny had not gone over the books and had never discussed this with my wife. So it looked like I was lying and exaggerating. Because I am aware that I was in a state of shock I can't be sure but I am confident that in my testimony I did not exaggerate and probably did understate.

My concern here is not the normal one, over credit rating or what those who know me will think of me. It is rather the future and how this language can be used to undermine what I regard as an important work I have undertaken. I believe in the future it will have importance, I will be content for it to stand on its own, but there is no way of countering the things that government can do and this provides a means for destroying the credibility of that work.

I see no way in which if he has the disposition Judge Thomsen can do anything about this except one I believe he will not consider.

For years I have lived and worked with and produced the incredible. I am aware of how the sophisticated mind cannot accept that the incredible is the reality and that it makes me appear to be exaggerating or lying. So I have no trouble believing that the judge may feel that in fact I have exaggerated, perhaps more so because in his decision he did call me a liar.

Of all the dirty things that happened to us, the judge is aware of one, whether or not he believes it. It is the kind of thing I would hope he would want to do whatever he might be able to do ~~something~~ about, beginning with whether or not it is true. There are means by which he can authenticate this and I believe that what was done to us was criminal. Because my wife knows the family relationships, she may be able to provide names. I am sure the records that might have existed have long since been destroyed.

Horace Thompson, who is now dead, was a retired farmer in whose home Lil had played as a girl. At the time of the trial he was our helper. Because someone had to take care of the chickens (another defamation if unintended in the decision) Johnny elected to use Horace rather than Lil as a witness. I don't know why he didn't use one one day and the other the next. These things were then foreign to me. Johnny interviewed no single witness in advance of the trial. On the stand Horace suddenly developed a very bad memory or worse, swore falsely. As we drove home I questioned him about this because, like so many farmers, he had had to have a good memory and to my knowledge he did. His explanation amounts to here he was, a simple countryman, in court for the first time, and he hardly recalled his own name, he was so terrified. I was unhappy but I could believe it.

Months later - and with the trial he stopped helping us, his decision, not ours - he stopped in one day to confess to Lil and me that this relative, an FBI agent, had persuaded him to just develop a poor memory, telling him that nobody could know what he did or did not remember, so nothing could happen to him, and giving him some reason for doing it. I am sure the log you have will reflect essentially what he did say and the date on which he said it.

This FBI agent suborned perjury, in my opinion, and I believe that if anyone had the disposition it could be proven today. Of course, it also hurt us much, ~~even more than it did~~. With what happened to us in the courtroom I didn't expect to win a penny.

From your experience it may boggle the mind to think that an FBI agent would do anything like this. It is common in my experience, including in documents I have. I can give you FBI files in which the original reports are turned exactly 100% around and I have both versions.

I do not expect that Judge Thomsen would want to do anything about this. I tell you about it with no insistence at all in case you want to raise it with him. It did happen in his court. It represent what I believe is one of the major causes of repetitive crime. If anything were ever done about it there would be more reluctance by those who do it. It is not generally known, but the FBI even had a staff of agents trained to be crooks. They actually broke into homes and offices and burglarized them. I know one.

As I said, I deal with daily what most people regard as the incredible, impossible.

Another thing I would like I regard as unlikely if not impossible and I don't know what, if he is willing, Judge Thomsen can do about it. I know what we went through and I know that others have. If there is anything he can do to deter this, so that others will not have their lives ruined, that I would want. Colonel Boyer, now in the White House helicopter detail as boss and then just in it, told me he knew these things were being done to us deliberately. So did Colonel Low. Horse at least suspected it. If something happened to just one of those who did this deliberately, it would reduce the chances of it happening to others.

I can't detach myself from this and what it has done to us. I have an emotional involvement that perhaps blinds me to what you may have had in mind in suggesting that I can make a statement. You know what is in my mind so if you think there is one I should make, please suggest or draft it for the record.

Unless it is necessary for my wife to be in court I believe it would be better if she were not. Not only because she gets busy this time of the year and her boss, who is also ill and may have to be hospitalized, is short-handed. I think it would be hard on her. If her signature is required on anything, I hope it can be arranged without her presence and that you can draft whatever paper it might require. That way she would be busy at work and this would not be on her mind and pain her needlessly.

If you do not need her, I will come by bus. One of our residual problems is a car with more than 110,000 miles on it and no means of replacing it. So, I remind you that I have been saving for your boy two things, one light as a feather and the other weighing 10 pounds or more. A dehydrated bird's egg and a quartz rock with a natural cave in it. I don't have to ask you about the egg and the rock is no burden for me, but what will you do with it if you think he doesn't want it? It is about a foot in diameter and maybe 4 1/2 inches high.

I have just remembered all those files. Perhaps I should drive if you will want to unload them then.

Thanks and I'll await further word from you on when, etc.

Sincerely,

Harold Weisberg