

10/8/71

Dear Cyril,

It was my intent to get an early start this morning so I could write you without interruption and at some length, but yesterday I slipped out whatever it is that has caused my lower-back trouble since 1959 and at 4 and 5 a.m. I felt I'd best stay in bed because a rough day lies ahead. You may not know it, but we have established one of the basic principles of ecological law relating to noise. From what our enemies and such stout-hearted and loyal friends as Mark Lane have written, you'd not know it. A second suit, with the principle already established in the first, has been stalled for years. For the past two years the government has been stalling an agreed-to promise of good-faith, out-of-court negotiation looking to an amicable settlement. I have had to keep pressure on them. I think the judge is now, too, and they have finally promised to begin. The assistant U.S. Attorney is due here from Baltimore early this morning, to spend the day here working on this.

From this explanation, you should be able to understand two things: my mind and my time should at this moment, were I to serve my own selfish interest, be on that, not this letter; and the added cost to me of the work I do on the assassination.

There should be another explanation at the outset. I am not known among "critics" as a man undeviatingly diplomatic on delicate subjects. This is a legitimate criticism. Sometimes it is because I lose my cool, but more often it is deliberate, for sometimes I think directness and forcefulness is required, not subtleties.

The small group of us who say we seek the truth about the assassinations (and some, believing it, really have something else uppermost in their minds) are in some respects strange to most people. In varying degrees, most of us have some common characteristics, and, again varying with the individual, these are manifested in different ways. Some of us are outright nuts. Others, rational on everything else, are on this subject irrational. A few are genuine paranoids. There are those who are honest and incorruptable in every other aspect of their lives but on this are as straight as a coiled cobra. I use this figure not by accident, for I have in mind also the usual consequences of the dishonesties and breaches of trust I have in mind. Without giving you any names, for my purpose is illumination, not defamation, I'll give you two illustrations.

With the benefit of sage counsel from one of the more quiet of us I was able to obtain absolute proof of the destruction of some of the most delicate evidence. Another of us, who I trusted and to whom I told this, said he could do certain things that might advance my knowledge. I told him that, as I had in preface, I wanted this information to go no further, that it was to him alone in strictest confidence. He agreed. Later he was here, having asked to copy some of my pictures. I had agreed and turned him loose in my office, showing him where the things he wanted are. It wasn't too long before he was showing slides of what he had copied here to some of the most irresponsible of us, including one certified sick man - including this thing he had promised to keep confidential. Do you think there is now any prospect of carrying this further?

Several of us had been working, very quietly, on another extremely delicate element of suppressed evidence having to do with a possible Oswald intelligence connection prior to the assassination. There is one of us who has connections in a distant city, and I have no funds for travel, as you know. I asked this "critic" if he could keep something in closest secrecy and if he could help me carry this forward, would he promise to make no use, mention or distribution of what I would tell him. He agreed. All I asked of him, and I was quite explicit in this, is that he use his connection in that city to get for me the contents of the newspaper morgues on a certain name. He had so little intention of keeping his word that he didn't even remember giving it, and some time later he showed me a copy of a report made to him by the incompetent and uninformed man he had actually sent to interview the man in question. His agent hadn't the slightest idea of what he was into, naturally, he got no information from the suspect, and another of the more promising and important elements of a full investigation is blown forever. These are not the only such cases I can cite.

While in each of these cases a lack of personal integrity is flagrant, I assure you the intent was not evil if the results were, that in each case the ambition was to develop truth. But in neither case could it have, as an intelligent child should have know, and what dominated, what caused the foolish decisions, was personal ambition, that insatiable taste so many have to get the great credit of being the one who solved the crime. This, of course, is something we all want, even the nuts, and it is a worthwhile thing. Nor is there anything wrong in desiring credit for it. I resent what is so often stolen from me simply because it is stolen, not because it hurts me. Sometimes it is hurtful to me and to the work, but even when it is not, I tell you quite frankly I resent it. On the other hand, there are few things I have developed that I would not give others were they to ask for it, there is no single thing I have that I have replicated in other hands, and there is nothing I have that I do not show those I trust. You well know that I have been after you for three years for you to come here and see what I have in the field of your expertise.

Some of us have criticized me for being too open this way, and I fear that in at least some cases they are right. Because I really can't afford to make copies, too often I lend files to people who do not return them. I'm too busy to take the time to make a record of what I lend, too busy to remember all of it, and the next time someone comes and a file is not here, usually I can't remember who got it or how long ago. If you can take this as a measure of my foolishness, you can also get a reading on the integrity of some of us.

We all do things we shouldn't do, and not necessarily from bad intentions. I suppose one of my more serious sins is trusting too many people. Another is wasting time that I could use for productive purposes helping others who would not or trying to avoid potential disasters, as with John Nichols. I spent more time trying to straighten him out after he filed his first suit that it would have taken me to write one of the books I have researched and is ready for the writing. There are quite a few of these. Some have little commercial prospect and can but serve to make and leave a record. Others have great promise, but I am of serious purpose and have to assign my own priorities. Ted Kupperman told me in 1967 when I described one of them to him that if I did it immediately in his opinion it would sell 400,000 copies in hardback. Now this is a fantastic sale, and his field before Congress was publishing law, but I did not write that book, despite my urgent need for money for living and to make the work easier to accomplish simply because at that time I thought other things more important.

And thus I write you instead of the thing in which I should so obviously be engaged, because I think writing you is more important than money. When you stay as broke as I have been for so many years, when you once adjust to poverty and come to realize that it will probably be a permanent fate, it is like the numbing of excessive cold, and money, despite the urgent need for it, doesn't have the value it has to those who have an ample supply of it. At this point, and this is the truth, not dramatic effect, I was reminded to phone the vice-president of my bank to see him tonight about the payment on the principle on my indebtedness due today, and I don't have it. To those of you who enjoy a good life, this may seem incomprehensible, but I have adjusted to it. By the end of next week, unless some of those who owe us money, who are a goodly number and the sum is of considerable (for us) size, pay us, we will, quite literally, be penniless. Of course, this louses up a life. It has been ruinous to my wife, whose hiatal hernia has been tormenting her for about two months now. I don't have to tell you the inevitable consequences of such nervous torment as she suffers from the kind of life we lead on such an affliction. But I have adjusted to this kind of existence, and I am aware that psychiatrists might consider this an abnormality.

The things I have not adjusted to and thing I'll never be able to is the paving of so many roads to a single hell by those of the best intention who do not realize what they are or may be doing. The one laid down by the government was one too many. We should not be paving more of them. But we are, as from the beginning at almost all times some of us have been.

As you know, because of the regard and trust I have for you and because of your pre-eminent qualifications in your specialty, I have tried to keep you informed of what I have developed that should interest you. I have had no secrets from you and have, in fact, regularly encouraged you to come here so you could study all of it. In some cases I have sent you sample. You have never had time. When I asked that you be an expert witness for me in court, you also had no time for that. This I could understand, for I know you are busy and I recognize that one who spends the hours working each day that I do certainly, at the very least, shortens his life, and that each thing he does is at the cost of something he does not do. But what has perplexed me for some time is that you have not kept the one promise you have made me, one so easy for you to keep. You agreed to have your criminalist xerox for me from a standard text dependable descriptions of the capabilities and limitations of spectrographic and neutron-activation tests. And each time I remind you I get a letter telling me how great and dedicated I am and how fortunate the critical community is that I have been willing to apply myself to this work. I have as much ego as the next, but I have not been fishing for compliments. I get enough of them without solicitation from strangers who write to tell me I am not without some appreciation, but your unsolicited praises did not fill my need to have a dependable reflection of this technical knowledge I lacked. I have just checked the file. It is four weeks ago today that I reminded you of this. I have had no reply. And I have completed that part of my writing. If there is error in what can be the most significant work to date, I'll share it with you. The tragedy is that I can't share credit for anything good with you, for you have remained unhelpful and unwilling to learn. And what I think you do not know is what at this moment trouble me most.

Almost everyone I know has told me that when the anniversary of the Kennedy family-GSA contract comes, when the fifth year has expired, you are proceeding to get access to the pictures and X-rays. I can understand this. I began the effort the first of November, 1966, officially, and much earlier unofficially. I am the first person turned down, both officially and, I think, unofficially. What I can't understand is that you would keep this secret from me alone. At least I can't understand in any way I'd like to. I have heard it from those not really worthy of trust. You have much to learn about this. I hope it doesn't come to you with the unpleasantness it has to me.

When I sought to have copies of pictures of the clothing made for me, I had Burke Marshall's assent. But the government went to court to refuse it. You can take this as a reading of Marshall, of the government's intent, or both. But it tells you one thing: that the government does what serves its interest, not that of the Kennedy family or ours or that of truth, which it does not want established.

Ask yourself why, when it has published so many pictures, the government, even with Marshall having no objection, would not give me pictures of the clothing I ask for?

With but a single exception I can recall, I have been refused everything that to the government could have significant evidentiary value that was withheld and that I asked for. I have exhausted my administrative remedies on many things for which I can sue, including the pictures and X-rays. Unless you have done that of which I do not know, I think also that I have done all the basic new work on them. As Jim Lesar, who has been privy to what I have sought, told a reporter here two days ago, in each case where I had been pushing for suppressed evidence, where the government could, it included relevant crap in the 1970 declassification. Even when they were refusing me they were declassifying what they were refusing. In some cases it seems that the declassification preceded the rejection. Fortunately, some of the bureaucrats lack understanding, and I did get some significant new information even after being refused.

I began asking Burke to represent me in a suit for the pictures and X-rays before he left the Senate, that long ago. There came a time when he agreed. I spent most of two months merely making copies of my correspondence and related materials so he could file. Then he changed his mind, wasting all this time for me and what for me is a great cost in copying paper for my 34 machine. Then he changed his mind again and said he would and encouraged me to. He went farther, and said the formula I had worked out for the suit is by far the best and one for which there is ample legal precedent, which I knew, for that was the reason I took this approach. I could also at any time have filed for myself. But I didn't do either. With cause.

I would encourage you to ponder the philosophy of Ecclesiastes, that there is a time and a place for everything. As my knowledge and understanding grew, I came to realize that one of the worst things we can do at this juncture is to press for the pictures and X-rays. This is one of the reasons I filed, for example, for the pictures of the clothing and not for those you seek to see and not for the memorandum of transfer. I would prefer very much not to help our enemies, and where I see the possibility, I do avoid it. I could have filed for the pictures and X-rays the day the Freedom of Information law became effective. Had it been possible for me without acting as my own lawyer, I then would have. But as I have developed and accumulated more evidence and with it more understanding, it became increasingly clear to me that of all the things we can today do, this may well be the most counter-productive. With it has come a political understanding I think you lack. As a boy I worked in a political environment. Before I cast my first vote I held a responsible position with the United States Senate. As a reporter and correspondent I also acquired some political understanding. This was augmented by many other experiences, including my service in intelligence, both for our government and, before we entered World War II, as an unpaid agent for a friendly power, England. This is a part of my past few know. Although I was not registered, it also was not criminal, for a part of the Department of Justice, composed of people not of the kind we today deal with, asked me to do it, to do what they could not and dared not.

With the law and decisions as they now are, I have as close to an open-and-shut case as there can be, yet I refuse to file. It is so simple that although ordinarily I would fear it, I am not afraid of being pro se in this action. Depending on the corruption of the judge, there should be little doubt of the outcome, at least on the lower level.

But as things are today, I simply dare not file for either these pictures and X-rays or for the memo of transfer. As you realize, were there ego considerations, I could do this before the end of the month. But I do not and I will not. I can beat you to it now as I could have at any time, for you have to rely on the provision of the contract that merely permit you to see them if everybody involved -not just Marshall - agrees.

Have you asked yourself what could persuade the government to let you see them? Can you conceive that they will do this unless they can see a benefit for them? Why do you think they rigged this whole deal, the illegality of which I established, not you or Bud or any pathologist or lawyer? Are you aware that no representative of the family or the estate drafted or participated in the drafting of the contract? Are you aware that during the long period of time it was alleged the family had possession of this evidence it didn't, and that it never at any time, from exposure to this moment, ever did? I have, among other things, developed a complete chain of possession that you will not find in the Archives. I have it officially but entirely outside the Archives. In fact, I have it despite the Archives and despite the Department of Justice.

So suppose they do decide to give you access to this evidence, and suppose it is inconsistent with the protocol and the report? What then? First of all you will know nothing I do not have from what can better stand examination than the pictures and X-rays, incredible as this may seem to you, for they are tainted, as perhaps you do not understand. and suppose you then hold a press conference or something similar, and you get great attention and you emerge a hero, have you considered what will then follow? What I think most likely is what I am confident has not occurred to you, for I do not believe what I think is inevitable is what you would want. It is why I have not filed for them for so long and what you do not understand. Your life has made it impossible for you to do the work by which this understanding could come to you. The consequences could be terrible.

Ask yourself further, do you really know enough to know whether you would see all of them? Do you know how many or what were made? Even from what I have shown you from my work you cannot, for I have learned much since I did that work.

One thing from the past might in a way illuminate this for you. I asked for a copy of the family-GSA contract the day after it was announced, the day it appeared in the morning papers, and now recall. I was refused. But when the government saw a chance of having it used the way it wanted it used, it did two things: it gave them on an exclusive basis to Fred Graham, who, with or without their guidance, used in exactly the way they wanted and killed that for any other use at that time while getting the most enormous attention for a corrupt and incomplete and inadequate story. He is a lawyer and a proficient and experienced reporter. But the reason given for refusing me precluded any release of that contract, ever. The same thing happened with the executive sessions and with edited-out portions of the testimony. I had asked for certain of the executive sessions and this edited-out testimony. I was, naturally, refused. But when the executive sessions—meaning those the government wanted released only (some are still withheld for spurious reasons and I have these reasons in writing after long and persistent effort extending over the years) were released they were fed to one of the best investigative reporters in the country, the man who has done the best single job of exposing the CIA. Yet even he was not astute enough to see through how he was being used and again the result was a net propaganda victory for the government in a magazine that was read by something like 20,000,000 or more people and in the unusually extensive newspaper, radio and TV coverage of it, in the secondary uses even more helpful to those who would hide the truth.

I have been led into this seeming digression by a disappointment. More than an hour after he was due, the federal attorney phoned to say he cannot come today.

In his field Fred Graham is as competent as you are in yours. The same is true of David Wise, the two men exploited by the government. They were had. If you get to see these pictures and X-rays or if you are refused and do the natural, make a stink over it, as you can and almost everyone would at least try, you may well be in the same position and accomplish the same counter-productive end.

Cyril, you have been consulting the wrong people. And you are taking what Belin calls a "sensationalist" approach. You regard, as is natural for one from your discipline, this essential evidence as a thing unto itself. It is not. It cannot be. And I don't think you have a glimmer of the harm you can do if you "succeed". I am not now going to take the time to spell this out. You can believe me or not. I am taking the time to warn you. And now that my day will not be occupied by the missing louse, I will try to preside my bank to patience and get this in the mail to you today.

There is an aspect of this that may surprise you. If you do what you plan, and if I take a narrow, restrictive view of it, a selfish view, you may do me a great favor. I have completed a book on this. I have not tried to place it. Instead, a friend is about to begin its condensation and popularization, which has a better commercial prospect. You will make my work a hot literary property. And yet I discourage you. Or try.

At the risk of my reputation as a prophet, I make this prediction to you: you will learn little or nothing from an examination of this evidence that I do not already have in the most probative possible form. With the most important of it more probative than the film itself. This may seem impossible to you, but I tell you now that some of the film was so arranged to mislocate. And it does.

Since I have come to a personal question, let me before closing, for I have much work to do also, raise a special kind of personal point, and I think you and others might well do some soul-searching on it. I alone among the critics are and have been without means. I borrowed \$500 as a down payment to get WHITEWASH printed and went into debt for the rest. I alone have gone into debt to do this work. Recently, in preparing to file an oath in forma pauperis in connection with an appeal, I stopped computing the extent of this debt when it exceeded the assessed value of all of my property, and that is over \$30,000. When I began dredging the Archives, I was without the cash to buy pages at 20¢ each. Then, later, when I decided that I had to do this, that nobody else really was (and then almost nobody was), I couldn't find the notes I made of the pages I'd want to buy. Some of these may now be permanent.

lost to us. But even in those days, when others asked thing of me, I did and paid for them. If may have happened, but I don't recall anyone repaying me the actual cost voluntarily and only one when I asked it, and then, after months of asking and finally only in part. I think that has I asked, all the others would have. Now we had along us millionaires. And from the outset everyone know how broke I was. Sylvia, for example, is a wonderful a person as she is brilliant. She is the first of the critics I met, and she knew my conditions. She, in her passion and her intense hatred fo Garrison, found money to contribute to the rascal "bornley" for his "defense" (he actually used it in a campaign against me because he knew I was onto things about him - and if you have doubts, the proof of this you can also see), but it never occurred to her to offer me what for her would have been an insignificant sum so that I could buy things from the Archives. I do not say this in criticism of Sylvia. My respect for her is boundless. It just didn't occur to her. If it had, I am certain she would have been generous. Jones Harris, of whom we know to little, asked that I undertake certain work for him, including getting color picture, which in the terms of my life) costly. I did. It took me months of hounding before he returned, to the penny, the cost of the pictures only. But he never repaid the cost of getting them, never suggested that he could make a contribution to my work in return for the time it took. These things I tell you about people I expect you to keep to yourself, for my purpose is not personal criticism. I got May as Bud's client. It took me a year. Bud thought it was impossible, equating it with getting him on the next rocket to the moon. But I did it, with certain agreements made in advance, one being that I would be the investigator on t e case. Once when I was flat broke I asked Bud to repay me only the cost on phone bills of accomplishing this, and he said he didn't have the money! He never, to this day, has kept that agreement based on which I did so much. But he had money for futilities, like taking the unspeakable and incompetent Flamonde to Europe. In 1968, before our penniless Bud left for a European vacation and when he was zany on the subject of Garrison, he asked two things of me: that I go to New Orleans while he was away and that I arrange to return there with him and spend two weeks working there with him beginning the first of December. I did both. He gave me then and there the extra fare to go to New Orleans, but not the rest of the costs. I am still stuck for that as I am for more than \$1,000 of the ~~extra~~ money I spent for Garrison. And the December trip? After I made all the arrangements he changed his mind. When for other reasons it was then necessary that I go to New Orleans to prevent another disaster (and what that cost me besides money I can't recover), Bud did not provide the money. He also went. He took me out to dinner one night and took a bottle of Scotch to the man with whom I had a pad when he was a dinner guest. This was the extent of his help. More, he ran out on the dirty chore that fell entirely to me once his own guts got tangled. Salandria paid my fare that time, and what he then did is perhaps the greatest single humiliation of the many to which critics have, intentionally or otherwise, subjected me. There is no assassination committee that doesn't owe me money except Bud, and they owe me other things, like the return of my papers that Bud agreed would never get into their files (and I've been trying to get them back for two years once they were publicly misused. Wealth Magies Fields and others begged me to go to California when Liebeler had Lane on the ropes 'incredibly, he really did). I abandoned my second book on publication to do this. They never repaid even my fare. When on another trip the people who had made the arrangements made none for a place for me to sleep, with that quarter-of-a-million dollar home, Magic made no offer of a pad. Late that night I found it in the home of a divorced young woman who risked her reputation to let me use her couch. I could go on and on. I don't usually mention such things, but I am leading to a different point, not just that various critics and committees are the cause of almost 10% of my debt. The other side is this: with so many of the critics in a position to help, who do you think has every thought to voluntarily send me small sums with which to buy things at the Archives or has provided them in response to requests the infrequent times I make them? Not those established in life, not those who are without means, of whom you are one, but students! A few thoughtful people have sent me minor contributions for me to live on. The total sum over the years is insignificant, but because it happened, it was significant as a gesture. In no case that I can recall has any one of the critics all of whom know my condition ever asked, do you need help?

And by help I do not mean the necessities of life, but merely paying for copies of documents and pictures from the Archives or, by extension, the money to pay for the gas it takes me to get there and the parking charges. I go there little any more, for the Archives has, to a large degree, converted this into a facility and I have other things to do. Besides, my car has almost 100,000 miles on it, and if anything happens to it I cannot replace it. I can't even have the spots that are rusting painted. Yet when I am asked, I have always provided copies of these documents. But I can't remember when anyone but a student, for the most part those least able to, have ever provided any help.

Is this not a fine commentary on the senior members of the critical community?

Let me add to it: You all know I have unpublished works. Some of you have flipped over them. There is no prospect of the private publication of any making a profit for me. But their publication could have made an available record, and one in particular, now more than two years old, could have had a considerable impact in the right places. At that time, the cost of printing 5,000 copies would have been less than 5,000. Where is all this selfless dedication of the senior critics? Not one even suggested that any should get together or seek other help to bring this work out. Again, the younger ones thought of it, and some did try. They know the wrong people and are themselves without means.

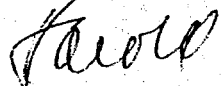
So, what I am asking you to do is something else, to probe and see if your purposes in your present plans, is really selfless, is really for the sole purpose of helping establish truth. Frankly, Vyril, regardless of what you may think, I do not think this is the case. The two small points I have already made do, I think, bear on this: you have told almost everyone except me of your plans (they may not all be blabbermouths, but enough ~~six~~ are, so you might consider that I am not alone among those you haven't told who know and have long known) and you have persistently failed to give me the simple thing I asked of you, the xeroxing of a couple of pages of texts readily available to you.

All of this is separate from the more serious, the possibility that you may in reality accomplish the opposite of what you intend if you do "succeed".

I think you can realize several things. This has taken me much time, and there is no possible gain in it for me. If anything, the opposite. So, believe me or not, my purposes are not other than I represent them to be: I would hate very much for you, without the intention, winding up another Garrison or what might be worse, in the end so regarding yourself.

My apologies for inflicting all these typographical errors on you and my expression of deepest disappointment.

Sincerely,

  
Harold Weisberg