Autopsy pix-X-rays hearing 2/14.69 Harold Weisberg
conversation with Dr. Rhoads-my unanswered
Archives requests.

The government observed Valentine's Day by dispatching not fewer than seven lawyers to the hearing. Sitting with them was Dr. Rhoads. In the courtroom, looking gloomy, was Marion Johnson. At the first hearing, Rhoads had been there from the beginning. Johnson arrived later. I then had the impression he was there because they saw I was.

At the first recess, because I had no cigarettes and there was not enough time for a cigar, I looked around to see who was smoking. I thereupon asked Rhoads for one. Without smiling, he offered it. At the end of the day, when I happened to be near him, I suggested the record already looked bad enough for government scholarship, that I didn't want to have to take the time to write specifying what I had requested that had not been sent, why didn't they clean this up. He said he was under the impression there remained no unanswered requests from me. I assured him there were and these were specific. His reply rather surprised me, for it was to the effect (Ihad sai why did he not have the file of my correspondence checked for this) that this had just been done. The clear import is that he had either ordered it or it had been done and he had been informed of it.

I suggested he have it done again, for I know there remain requests not yet responded to. He said he would.

From this I gathered they had expected me to be used as a witness to testify to Archives slowdowns and failures to supply what had been requested. I also gathered that they expected to be called upon to answer for such a charge, in one form or another. It is certainly strenge that the head of an agency who is in court because he says his numerous duties weigh so heavily upon him he would find going to New Orleans a hardship, is informed in such minor detail of the requests of an unimportant individual. Up tight?

During the discussion I said there was a request more than three weeks old, for the transfer papers of 4/65 relating to the pictures and X-rays still not responded to. I told him I had not been given this material, that I had not been told I would not get it, that I had not been told why I didn t have it or whether I could not. I declared this was not properly subject to withholding. His reply was almost verbatim that of Johnson of two weeks earlier: I would soon be informed. I suggested the correlation between the hearing of that date and the failure to respond. He ignored it.

I told him it was largely meaningless for them to tell me I could examine the files in their search room, for in that enormity there is little means of knowing or selecting the proper ones. I also told him I was aware of their problem because I was aware of the Willens intercession in the early Commission days to block indexing. He replied "We have received files in better condition". One was that I would accept this as one of his larger understatements, at which he smiled. He nodded his head when I mentioned "pennypinching", affirmatively.

As we were leaving the coyrt building. Hannon, the assistant DA, come up to us. In a friendly chat with Numa he suggested that he did not know what would ensure 9which neither he nor we believed) , but he would not be surprised to see us Thursday "on the third floor". He told Numa he knew Numa would not want to do unnecessary travelling, though he might want to be at the Mardi Gras. He explained the court of appeals is on the third floor....Strange twist: the government its initial appeal on the basis Halleck had no jurisdiction. Its final one was that he could not allow decision on privelege to vest in Judge Haggerty; that was and he had to assume his responsibility!