

Mr. Henry Wade
District Attorney
Dallas County Government Center
Dallas, TX 75202

8/7/81

Dear friend Henry,

Within a few days my lawyer will be filing a very long affidavit I've prepared, 112 pages and 82 exhibits, in the oldest of all FOIA cases, mine for the JFK assassination scientific tests. I had no choice but to get the affidavit drafted as rapidly as possible, so my poor wife was retyping it while I was still drafting it. There was no chance to edit and condense. So it is longer than I'd have liked. I know much longer than the judge prefers. In it I use the Jackson notes for the first time. Because a copy of the affidavit will go to Earl Golz after it is filed I'm enclosing the few pages that include Jackson and a reference to you and Alan Sweatt believing that no one man could have pulled it off. Jackson's notes, without being touched in any way, are an exhibit.

There is much that is new in the affidavit. I'll take your time for only a few of those things. I did get to depose some of the Lab agents, the last one after going back to the appeals court all over again for that. The depositions are filed but I'd prefer that you keep this to yourself until whatever my lawyer files is filed. The judge is rather pro FBI and against me. I fought him too successfully.

The FBI never performed quantitative spectrographic analyses on any of the JFK evidence. Doing qualitative analyses told them little more than what they knew - that bullet metal is bullet metal.

They destroyed all the specimens submitted to neutron activation analyses or have cooked up an elaborate lie. The destruction is not testified to or sworn to. It is the supposed recollection of the agent who did the NAAs and, if the FBI is to be believed, then filed no report ~~etc~~ of any kind on any of that testing. The supposed explanation is false and knowingly false - that they were "radioactive trash." Not so. The almost microscopic sized specimens were subjected to low level radiation that decayed rapidly. The decay rate is measured in NAA.

The curbstone, where a missed shot hit and Jim Tague got that minor wound, was patched, as I wrote in 1975. Now I have the proof that Gemberling was aware of it and actually reported it to FBIHQ on the synopsis of the investigative report that they withheld from the Commission. Meaning withheld synopsis only. They withheld some of the inadequate reporting of the curbstone testing from me in this litigation but slipped up and did not take it out of an EBF, so I also attach those pages, where SA Frazier said that what ~~XXXXXXXX~~ made the mark there now could have been an automobile wheel weight. ~~For~~ cry from a rifle bullet, no?

Although under FOIA all you can get is existing records, we will be asking the judge

to order tests because the FBI, again unsworn, claims that of all the spectro plates the only one they destroyed is of the curbstone. To save space, less than an eight of an inch.

The damage to the collar of JFK's shirt was not of ballistics origin. It was done by the nurses' scalpel and the holes they made do not overlap, as with a bullet they had to. SA Frazier noticed this and asked for a test by the hair and fibers man. We got Frazier to testify to this and to that agent (Stombaugh) having filed a written report. The judge went way out on a limb to help his FBI friends only to have them undercut him now. He made up the notion that Frazier was wrong about ordering the additional test and had covered the content of that test in his Commission testimony.

The appeals court didn't buy that and now, after remand, the FBI cooked up a new and transparently false story: that a report they produced is that Stombaugh report. This, of course, admits that he did make the test and report on it. Only they have not come up with anything except the letter to the Commission. No Lab work at all. What they are trying to palm off as Stombaugh's report is the report Frazier prepared, based on which he asked for Stombaugh's further examination. With that report also missing, we will ask the judge for that very simple test: button the shirt collar and see if the holes overlap.

If any of your people think this might relieve that Washington defamation, that the spirit of Dallas did the job, they are welcome to any of this that might interest them.

Of course there is more. What I'm also telling you is that there was a crime within your jurisdiction, as you well knew, because more than one man was involved. Now there is proof of it and of co-conspirator acts. (There was also an effort to patch the scar on the Elm Street paving Gene Aldredge reported. The FBI did test that but still withhold the results) Problem is, we have no idea who the co-conspirator(s) are (is).

The curbstone was patched before the end of May, 1964, when Tagus went back to take movies to show his folks. Nobody knew he took the movies but in some strange way Commission counsel believe he had that film and showed some prints to Tagus when he deposed him. Then that reel was stolen. Nothing of value taken.

A copy of all the court records is going to the university where my records will be deposited. I can't afford the cost of xeroxing something this long for extra copies so I've arranged for the university's copy to go to Earl Golz first. He will make a copy for himself, from which anyone who later wants a copy can get one. Then he'll forward it.

I don't recommend preparing affidavits the way I've had to since first taken ill, but there was no real choice. I had a close call this past April, a total blockage of circulation in the left leg and thigh. Fortunately, I was able to get back to Georgetown

Hospital that night and the surgeon was there, working late. So I have the leg and thigh, at least, and maybe more. I'm a bit more limited and a lot heavier because I can't walk much yet. But I did get an OK to saw wood and would you believe it, in the past 10 days I've sawed up a cord, ~~diameters~~ diameters up to six inches, with a pruning saw not quite as long as a carpenter's saw? I used a sawbuck and did some of the sawing while I was sitting in an old lawn chair I have in the woods near the house. I've done some splitting, too, up to 18 inch diameters. Makes me feel good, as maybe you've now learned from your own experiences.

I'm happy the baseball strike is over. That means I'll get a lot more walking in, but in short bursts. If I read or do other things I get engrossed and forget to get up and walk around. I feel this much now from the time I sat preparing that long affidavit. But, with baseball, the end of each half inning and each break for a commercial, each change of pitchers, gives me something to remind me to get up and walk!

Hope you are getting along well. If any of this is of interest and you want to know more, please ask.

Best wishes,

Harold Weisberg