

1/25/71

Mr. F. Lee Bailey
1 Center Plaza
Boston, Mass.

Dear Mr. Bailey,

A friend has just sent me a copy of pp. 362-3 of your article "Investigation and Preparation of Criminal Cases." From the appearance this could also be from a book. If it is, of course I cannot ask you for copies of that. But if it is a reprint of which you have copies you can spare, I would very much appreciate one and several other researchers I know would also find them useful in their work.

Perhaps you will not recall it, but some years ago mutual news-media friends tried unsuccessfully to interest you in my investigations and writings about the assassinations, particularly that of John Kennedy.

There are several points on these pages where you are less than completely accurate. It was more than a mistake, more than even an unfairness, to assign unprepared pathologists to such an autopsy. Much of what is wrong is not as simple as their lack of technical preparation. Nor are the "mistakes" no more than that. This is not to dispute the comment of my friend Dr. Wecht, which was and remains relevant. But it is to say that in the rather large study I have made of this autopsy and what I believe is relevant, two of the three planned books being completed, I have learned much not generally known, some not ever known, and I now have in my possession official evidence that had, actually, been withheld from the Warren Commission itself. (One of my great regrets is that those with influence who consider themselves Mr. Warren's friends have never interested themselves in the facts, have pretended that he can be "protected" by mere denials, and may thus have made impossible that defense of him which can be made. He refuses to answer any letters, to look at any evidence he did not see, but has not eschewed complaining that there is no "new evidence".)

You err in saying the pathologists "had the undeveloped X-rays turned over to the F.B.I. and probably never studied them until after the autopsy was completed." The X-rays were studied during the autopsy, additional X-rays were taken at that time, and they were turned over to the Secret Service (the receipt has disappeared) with the undeveloped pictures some of which are said to be described as "exposed but showing no image" from records I now have. The X-rays were not in the possession of the doctors when the protocol was written, but there also is no evidence they asked for them. The X-rays were, despite the official mythology you may have read, examined by these doctors prior to their testimony before the Warren Commission. My source on this is unimpeachable.

I would welcome your belated interest in these matters and your examination of what was withheld from the Commission. I think you will find it incredible but quite official.

At the time James Earl Ray was arrested, the press reported he had wanted you to represent him. It is, I think you will, in the end, agree, a great tragedy that you felt your friendship with the victim precluded this. Your position was honorable and proper, and his representation was, despite the reputation of counsel, both incompetent and so complicated with incredible conflicts that it amounted to worse than no representation. I have completed a large study of this crime and its "solution" that will appear in two months. I'd be happy to get an advance copy for you, if you'd like. I think, after reading

it, you might agree that friendship for the victim today might impel participation in the belated defense of the sole accused, so that the truth might at last be established, the crime solved, and justice made a reality. I have reason to believe that present (unpaid) counsel would welcome your joining the defense.

In any event, if you do read my book, you will find enough of the evidence in facsimile form to, at the very least, raise substantial doubts and I think make improbable conviction with the standard required "beyond reasonable doubt". I have all of the evidence cited in my possession, but there was not space for all of it in an already large book. I had to file against the Departments of Justice and State for the confiscated and suppressed records of the British court. After consistently denying possession of these records, immediately before the scheduled hearing Justice did make them available to me, although so reluctantly that in the end they forced district court to issue a summary judgement against them. I think a reading of the correspondence and court documents on this aspect alone would be quite illuminating to you.

In closing, I would like to ask you to consider the state of the law and of justice in our land when the discovery of truth with crimes of such magnitude must fall the lot of the uninfluential and unknown such as me, who must then confront the ill-informed and the sycophants, who have influence and do get attention, sustaining the vilest libels and, as in my case, virtually bankrupting themselves only to be called "Scavengers" and "profiteers".

Sincerely,

Harold Weisberg