

9/27/69

Dear Bud,

On Wednesday, from Bevan's office, in your absence, I phoned the Archives for a copy of the afternoon session in Judge Hellick's court. In Rhoads' absence (making speeches in Europe), I spoke to his secretary. She said they do have a copy of the transcript, as I presumed, and she said she would refer my request for a copy of the afternoon session to their legal and diplomatic branch. On Thursday, remarkably rapidly, from my experience of the past year or so, the enclosed reply was dictated. I got it Saturday.

As you can see, government and suppression by semantics have not ended. Angel does not say that he, the Archives, GSA or the government do not have the transcript. He says only it is not "in our office files".

Therefore, I have written him, copy enclosed, renewing my request, from whatever source or file or temporary repository.

I remind you I have made the same request of the Department of Justice which has failed to respond in any way at all. The NY request is in writing and repeated when it was ignored.

Paul Hoch has sent me a copy of the Attorney General's memorandum on the Freedom of Information Act. If you do not have your own copy, I will provide this one. I have merely glanced at the opening pages. However, they include statements of national policy, by the President and by the then attorney general. I believe you will find useful. I have marked them, underlining what seems to address our position in the matter.

I look forward to hearing of your New Orleans trip, anything you may have learned of what was represented of present plans, and what transcripts you get copies.

Since speaking to you, in the course of going over some files, I learned that the lawyer to whom I referred you on Reul was once an associate in the Council of Peaceful Alternatives of Leonard Reisman. If I didn't tell you, Reisman has returned to N.O. and is reluctant to talk, saying he is content to leave the record where the government (not in the Warren Report but in its files) left it. My recollection is it is a record showing he was at Stanford and was not in N.O. at the time Oswald's handbill was found near his home (and no less near Kent Courtney's home and then plant, as my investigation shows).

Sincerely,

Harold Weisberg

September 27, 1969

Mr. Herbert E. Angel  
Acting Archivist of the United States  
The National Archives  
Washington, D. C. 20540

Dear Mr. Angel,

I appreciate very much the promptness of your reply to my inquiry about the court transcript the day after I made it. I do thank you for this consideration.

However, your letter leaves me with questions.

Your agency and Dr. Boardman were the defendants in this action in Judge Hallack's court. His decision was against you. You appealed. It is my understanding, perhaps incorrect (and if it is, please correct me), that to appeal the defendant requires the transcript.

Your letter says (my emphasis), "I have had our office files checked for a copy of the transcript you requested" and "We do not have this transcript". This is less than saying the National Archives, the General Services Administration or the government does not have a copy of this transcript. It could very well be elsewhere and not in "our office files".

It is difficult to believe the National Archives can be without the first and successful challenge to the arrangement under which government property of the significance of the prime evidence of the assassination of a President was restored to government possession. It is also difficult to believe there can be a complete archive on this assassination without this transcript. Furthermore, because there is reason to believe and because you do know this is not the only challenge to the aforementioned arrangement, another now pending in another jurisdiction, it is logical to assume that perhaps elsewhere, not "in our office files", the government does have your copy of this transcript. I therefore renew my request for it, from whatever file it may now temporarily reside.

Let me explain further that the part I seek is the side of the government. - I have obtained the other side. It is the government's defense that I lack. For my work to be balanced and complete I want to study and present the defendant's case. If and when you locate the transcript - understand the government does have, all I want is the afternoon session. I would prefer to come in and examine it and order the pages I will want copied, but if this presents any problem, I will buy a copy of the entire afternoon session.

It is not possible to impose on the official reporter, to go into that office and make this study, and the charges made per page by the reporter preclude the possibility of buying a copy this way. These charges are prohibitive to researchers and writers. In any event, I believe it is incumbent upon the government to make this government record available to me.

Sincerely,

Harold ...