

Dear Jim, Dallas trip and 67-206

3/29/77

Last night's phone conversation with Jim Tague and this morning's Post story on the assassinations committee are among the considerations that lead me to believe I should not now take the time for a trip to Dallas for affidavits to be used in this litigation.

There are others we can talk about. You time, mine, your belief that the judge will want to rush this along. Basically, though, there is a question of real need.

I would welcome a little trip and the change of means and the opportunity to develop more evidence.

I do not believe it is urgent and I think the time can better be spent in other ways, by both of us.

What made me think this way began when Tague told me that Dillard has been backing off. He has not returned Tague's call after first expressing indignation that he had been misrepresented by the FBI, meaning the sanctimonious Shaneyfelt.

Pressures remain in Dallas, apparently. I do not believe it is necessary to confront them, that other confrontation is preferable. In addition, if these pressures exist, there may be retribution against decent people willing to execute affidavits.

The deal on the committee is exactly the one I forecast, Sprague is the lightning rod, he'll go and all will be rosy with the House.

So let us forgo these affidavits now unless I can work one out with Tague by phone and let it hang on your depositing of me.

If we spend just the time I'd spent in travelling in preparing your questions we'll have one hell of a record, under oath and in direct confrontation, with me again subject to cross examination.

We can't do this until the transcript of these depositions are signed but we can be ready for that time. I now think that unless you want to give the government a goat we might dispense with deposing Kilty. You might substitute a simple interrogatory now asking only what files he searched. I'd be inclined to skip that, too and save that time. I can now give first-person testimony on other sources to be searched, not only from the testimony we have but from FBI HQ file 44-38861.

My idea is to tackle the evidence in the context of the absence of reports provided and show the need for suppressing them. This does not prove they existed. They should have. Let the FBI say it did not do what it should have - today with a nut committee of the wildes and most irresponsible anxious for headlines.

When we file the depositions we can put it up to Pratt and the government- if they don't believe me Pratt can hold an evidentiary hearing and call live witnesses for public testimony. Under these conditions there is no chance some of these made important

by what I would testify to would not stand up. I mean in particular Barrico and probably Perry. There is no authentic photoexpert who would not testify that the Dillard and under-wood pictures do not show what the curbstone shows today.

We have testimony on the ordering of examinations of which we have no results, of the pro forma making of examinations of which they say there is no record, of still more Kilty false swearing (and Dugan can decide whether he wants to depose Kilty to rebut) about the most relevant, his expert's search. We can pick and chose, we have that much in the record. We even have Gallagher vo,unteering that he talked to other people on this when they swore they had to mask names to protect the Gallaghers of the Pennsylvania Avenue Hurenburg from harassment by me.

I'd also like to take Shaneyfelt on head on because of his volunteering he had considered suing me over whatever I said about him in Photographic Whitewash. I'm not even bothering to look it up. It has to be understated. And I can say and prove more. What he testified to about the Zapruder film, the re-enactment and the pictures of Oswald and the rifle used by Time, ~~xxx~~ etc is more than I need. It enables us to make a sworn record of total destruction of both the official explanation of the crime and the FBI in it all in the context of the withholding of the records sought. We can add to this with a few samples of Shaneyfelt's expert photography, like his non-color color pix of the JFK clothing. I can't find my slides or film strip now but we can get these from the Archives or maybe better the FBI. I suggest that you ask Ryan to provide them. Let him refuse if he will. There will then be no testing the testimony I will give about them. We'll also have a chance to get into the record much else of significance. Even on such a matter as testifying it was all possible with the magic bullet by the reduction

told me that the holes in the shirt were impossible for a projectile unless it was at so slow a velocity the damage to Gonnally was impossible, something like 600-800 fps, much slower than the speed of sound.

There is much. We have a basis for going into what all avoid, the corpus delicti, with relevance. I really wonder if this is what Wilkey had in mind when he used the words "the events" rather than the tests and their results, which are covered by the part on existence or non-existence.

What this really means is that the government and the stone-walling agents have set it all up for us. The refusal of the Archives even to permit us the pictures for the record should blow judicial minds, especially if I can go into their refusals of evidence relevant to this going back to the letter agreement.

Even letting Gallagher ramble with all that put-on indignation and all his protestation of having overlooked nothing, of FBI purity, is great because he and Rrazier testified opposite each other on why Gallagher did not testify to the ~~apazri apazri~~ spectros and why there is no eference anywhere to the conducting of the NAAs. Ryan made a mistake not to cut me off at the end when I got into a dialogue with Gallagher over the variation in primer testings because there is a large variation. He made a mistake to go into all that mumbo-jumbo about copper because the same Guinn he would not trust has written definitively on this under government contract. Another mistake was the reason for not trusting Guinn. He did not testify to the people he did use. Well, they were no less commercial than Guinn's people. Union Carbide. The reason for cutting Guinn out- and in the end he was used as a consultant- is because he is the one who knew most about the use of NAA in criminalistics. Gallagher did not testify that the people he used had any criminalistics experience. Guinn did, exactly the reason Aebersold was for him, exactly the reason in his position Aebersold was the right, not the wrong man.

I see no way of Ryan cutting me off on any of this on the ground of relevance because it all addresses the existence or non-existence of tests and because he has accredited me as an unequalled expert on both the subject-matter and the FBI's work on it.

You might want to consider asking Ryan to produce the records on Shaneyfelt's consultations on suing me and especially because he said he even consulted the FBI's office of legal counsel.

Man what we can't do on this alone - and he introduced it, not we.

I'd started to spot check Shaneyfelt in PW. The first two references are more than enough. Shaneyfelt, personally, conducted the photographic re-enactment and it was by his own testimony 30% off on time alone. He testified yesterday that he is the one who got LIFE to provide the slides. He swore ~~him~~ to the commission that Life ~~vo~~, unteered. He ~~used~~ used the wrong camera for his reenactment, too, and did it from the wrong place. I think the judges ~~will~~ will find it all interesting reading! Especially on appeal.

How great it would be to have Howard working on the preparation! But we have so much we'll have enough. We'll destroy the official solution once and for all under oath in the course of addressing what is relevant and necessary. The attention this may receive is another matter, but we'll make the record. I think this is now more important than my going to Dallas and I can testify to what is in PW and what others told me when I have documents of one kind or another that relate.

Hastily,