

September 27, 1960

Mr. Herbert E. Angel
Acting Archivist of the United States
The National Archives
Washington, D.C. 20408

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. Rhoads were the defendants in this action in Judge Hellock'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 the 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 seek. 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 I understand the government does have, all I want is the afternoon session. I would prefer to see it or 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 expect 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. Those charges are prohibitive to research and writers. In any event, I believe it is incumbent upon the government to make this government record available to me.

Sincerely,

David ...