

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

National Archives and Records Service
Washington, DC 20408



June 8, 1977

Mr. Harold Weisberg
Route 12
Frederick, MD 21701

Dear Mr. Weisberg:

This is in reply to your letter of June 2, 1977, concerning the records of the Warren Commission.

An examination of the name files for Barefoot Sanders, United States Attorney in Dallas, and Martha Jo Stroud has revealed no additional records relating to James T. Tague or the mark on the curbstone. Enclosed are copies of the following records found in the name files for James Underwood, Thomas Dillard, and Eddie Raymond Walthers: Commission Document 1245, p. 34; CD 1383, cover letter (3 p.), and 1383a (3 p.); CD 1395, p. 29-35; CD 1218, p. 2; CD 1245, p. 36-41; letter of Norman Redlich to Wesley J. Liebeler of July 22, 1964; and memorandum of Arthur Marmor to Norman Redlich of July 22, 1964.

We assume that you are aware of related material in the Report and Hearings of the Commission, including Tague Exhibit 1 and Baker Exhibit 1. We would be pleased to make records of the Commission available to you in the National Archives to do the extensive searching that would probably be necessary to locate additional material.

Sincerely,

(MISS) JANE F. SMITH
Director
Civil Archives Division

Enclosures



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Rt. 12, Frederick, Md. 21701
7/18/77

Miss Jane Smith, Director
Civil Archives Division
National Archives
Washington, D.C. 20408

Dear Miss Smith,

Your letter of the 8th with the enclosures, for which thanks, came when I was in Dallas seeking other evidence. I then did obtain copies of what you did not supply until this letter. I'm sorry when this matter is before a court, not for the first time, and when my interests and desires are as clear as they have been that the Archives did not supply these records until after I left to obtain them and other evidence by other means.

If any real search was made for the missing correspondence from the United States Attorney in Dallas then the searcher should have found reference to the earlier letter, the one not yet supplied. Under the circumstances and under the Act I think it is right and proper for you to refer this to that office. It can send you a copy promptly. I also believe that others are entitled to these records. If I make a request with the claimed backlog it will be another year or more before it is reached.

My going to Dallas was for purposes of this FOIA case only. That really should not have been necessary. It was, however, productive on precisely this point and in a way that makes your inability to supply a copy of the USA's letter suspicious. I learned from Mr. Sanders' source how Mr. Sanders learned about the "missed" shot and the impact on the curbstone. If you will examine CD1 you will find that in his lengthy and supposedly definitive report the late J. Edgar Hoover accounted for the assassination of a President without mention of this shot. (Or for that matter the wound in the front of his neck.) The information reached the Commission not from the FBI but in spite of it. It did not seek James T. Tague out despite knowing he was wounded. He sought it out the next month. This reached the point where the Commission was attributing FBI omissions to those who supplied information, as in the Marmor to Redlich memo of 7/22/64. If Agent Switzer did not ask Walthers about the curbstone impact or omitted it from his FD302 the "discrepancy" is attributed to Walthers, not the FBI.

The earlier correspondence with the Dallas USA is not all that you have not supplied. Mr. Tague was taken to the police headquarters promptly. He was in the next cubbyhole in homicide when Oswald was brought in. A statement was taken from him by the Dallas police. All those records were given to the Commission. You do not report a search of them for the records I need for the Court in this case. I would appreciate a prompt search of them hopefully without cause for still more suspicion. As I wrote Dr. Eheads long ago you people are in the position of the biblical maiden who, entrusted with the keeping of the vineyard her own vineyard did not keep. This is about the assassination of a President, the official investigation of it and now federal compliance with a law requiring the making available of public information. When crucial evidence like the tie is destroyed, which just happens to coincide with the failure of mention of that wound in the FBI's report, you refuse to make any investigation. When I establish the existence of records you are supposed to have and claim you do not have in no case have you sought to replace them as in all cases I believe you are obligated to do. There is no doubt at all about the requirement under the original FOIA because the obligation of referral is specific in the Attorney General's Memorandum on it. It is my recollection that Dr. Eheads gave precisely this assurance to the Congress under oath. If you will not do as I ask so that you can provide these missing records promptly I ask that you let me know as soon as you can so I can inform counsel who then may seek other redress.

Sincerely, Harold Weisberg