

Now for the explanations, if in haste, because it is before daylight and I have to go into town on household chores that we've had to let slide, like doing the grocery shopping while my wife types these lengthy papers due Tuesday.

Rather transparently, to me, the government has converted this into a political case, which I regard as a major blunder, one that holds the possibilities of breaking through the Kennedy isolation. They have, in essence, pinned their defense on a deliberate misinterpretation of the family contract, which nobody else seems to have studied as I have. There are so many fools, paranoids and self-seekers among us I've had to keep this to myself, as I ask you and Collom to do, unless you'd like to send a copy of this to Sylvia. I should have made a carbon for her. She can keep things to herself. I first had to ask myself why they refused me this contract for so long, then let that whore Fred Graham have it, and then saw to it that they didn't send me a copy, as required by their regulations to be the same time they gave it to him, until about a week after his story was in print. This told me they wanted it misrepresented, that they could depend upon him not understanding it, even though he is a lawyer, and they could depend upon my understanding it, although I am not a lawyer. With this approach, I was able to read the plain English as it should be. When so read, this contract is explicit in providing access to those of established credentials not pathologists or government investigators. It is beyond question. It also requires the taking of pictures for whatever purpose one like I have, and that I am the one to decide what pictures I want. It really does. What the government has done instead is to interpret this contract to mean that the Kennedys want the evidence suppressed, and this is what I seek to use as the fulcrum for my intellectual judo. Aside from this, the rest of the law and regulations are all my way, without a single exception. I've had to do an enormous amount of work, I've put much of it into addenda, and whatever happens in this suit, I'll be using it in the third part of POST MORTEM. However, this effort to frame the Kennedys, plus the Secret Service plus the GSA plus the Archives, by the Justice Department, which is responsible for the largest part of the suppression (for your own understanding, and as you will better understand if and when you are here, the Secret Service can now be blamed for none), is pretty raw. To the degree I feel I safely can, I've spelled this out.

That I should get a summary judgement is not to say that I will. And if I do, my own situation will be worse, for how can I handle the appeal they'll make? That is the bridge for later crossing. They have made this simple thing so complicated that Bud's reaction, when I took their motion to him, was to tell me that if he had a client whose case got such a response, he'd advise the client to drop the case. Instead, I did that enormous amount of work and at the very least it will make POST MORTEM an even more significant work. But we now have an entirely new perspective on what happened and subject to reasonable interpretations of why.

My papers will run perhaps 60, which means much copying, and I'll need all the carbons that can be clear, with two defendants. But Bud is going to zerox the original before I file it if you will want copies. I may have a spare carbon I can lend around. The US Atty has twice attempted to booby-trap me into defaulting, the last time day before yesterday. As of now, I think he feels he succeeded this time, and I'm letting him think it. Again, when I ask myself why, I take the answer to be a reflection of the official belief and attitude. He even held back the attachments to his motion after certifying he had sent them, didn't send them in response to my first request, and I didn't get them until after I completed the typing of my response. I simply ran the risk of making the papers more or a burden on the judge, the potential of which I know, set the record straight, and proceeded, in an addition, to take them apart and show why he didn't send them. If the judge reads these papers, the big questions, we'll accomplish something. Bud agrees, without having read the papers, that this is the right approach after Jim told him of the content of the first part I completed. I sent him a carbon of the rough draft. There is more I haven't been able to tell you, more that should have legal significance.

Hastily,

2/13/71

Bear Cyril,

Collom's opinions and interpretations are very helpful. When I tried to phone the other day, after getting your note and his memo of the 6th, it was because his memo raised further questions in my mind. I was then in the throes of completing a very long draft to a very devious Government Motion to Dismiss or, in the Alternative, for Summary Judgement. My hunch that a suit for access to the pictures of the clothing would cause some consternation seems confirmed by a number of things, one being the kind of dirty thing I would not expect to be the norm. I'll tell you more.

I like Collom's extremely cautious and conservative approach, because this may get to a full hearing and I want to know exactly, not depend upon my own lay interpretations of what seems like common sense. He here gets into some of the things of which I wanted pictures but never described to the government, natch. I did tell them the obvious. One thing I never said is the other side, which I do want.

With regard to his 2, would X-ray or fluorescence, prior to spectro, have held the possibility of telling anything spectro didn't? Should it have been done anyway? My own hunch is that I can't fault them for not doing, if they didn't, but if it is a normal practise, perhaps they did do it and said nothing. I have Hoover's evasive answer when Eisenberg asked about neutron-activation, that it would have added nothing to what they learned by spectro. I think the real thing he tells me here is that "good photographic records should be obtained prior to" the taking of a sample, and that tells me I will ask for such a picture when the time comes. If only because of the trickery they pulled with FBI Ex 60, of which I think I've told you. If I didn't, when you see the court papers, you'll understand, for I have it in them. I discovered 2, one gross, one very subtle. But ~~to~~ return to the good photographic records, before I ask, what would be the minimum of such for all three garments?

On 3, I understand him to be saying this is highly improbable. So, let me pose the rest of the real situation. The tie was straight and tight against the collar (I have the pictures and they are clear. The jacket is buttoned against the length of the tie. The collar is a perfect fit and there is no slack between it and the flesh of the neck. And remember his own estimate of what, with the conjectured ammo, the speed, to have much such holes possible, was from 500 to 700 fps. At this slow speed, what is the possibility of raising the tight-fitting knot, rather than marking it in any way? Is that not zero?

These things I wanted to know for my own understanding. What I wanted to know for this response (and it if being typed, so there is no rash, is an opinion I can use in court if I must, on the "adequacy" for any serious study, research or investigation, of the published pictures of these garments, Exs. 393-5. My reasons are a Rhoads affidavit which is irrelevant and the court should so hold but might not in which he casts some hasty slurs on me, my work, my intentions, etc., and I'd like to use it as a little intellectual judo. My allegation is that these pictures were carefully made and then carefully selected from those taken precisely because they are utterly worthless as real evidence or for any real study of or even any understanding of the crime. In fact, I so alleged, repeatedly, in writing, to the Archivist and to Marshall, with never a denial. I then challenged them two ways: to show me how the pictures I sought could possibly be used for "undignified or sensational purposes", the only exemption provided by the contract, which nobody has ever understood, and how the pictures they used and provide can be used for any other purposes than those proscribed by the contract. Need I tell you my challenge was not accepted, Marshall's effort to get himself off the hook was to leave it entirely up to Rhoads, which is to give assent, and I've already used those two letters in my complaint.

CYRIL H. WECHT, M.D., J.D., F.C.A.P.
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OFFICE OF THE CORONER



February 6, 1971

Mr. Harold Weisberg
Cog d'Or Press
Route #8
Frederick, Maryland 21701

Dear Harold:

Enclosed are Derrell Collom's thoughts in reply to the three specific questions that you raised in your letter of 30 January 1971. I hope that this information will prove to be of some value to you.

With kind regards .

Sincerely,

A handwritten signature in cursive script that reads "Cyril".

Cyril H. Wecht, M.D., J.D.

CHW/mg

Enclosure (1)

CYRIL H. WECHT, M.D., J.D., F.C.A.P.
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February 6, 1971

MEMORANDUM

TO: CYRIL H. WECHT, M.D., J.D.
FROM: W. D. COLLOM
RE: PHOTO - JFK ASSASSINATION

1. IDENTIFIABLE CHARACTERISTICS OF HOLE THROUGH THE SHIRT.
So much depends on how the backing material (i.e., the flesh) is situated behind the cloth.
2. SAMPLE BEING TAKEN FOR TRACE ANALYSIS.
The taking of the sample depends entirely on the method to be used for the analysis. Some methods, i.e., x-ray fluorescence, might not require removal. Most methods in use would require removal of a portion of the area of the hole and a control area. An extremely careful and thorough man might remove the entire hole if his analytical method required this. Of course, good photographic records should be obtained prior to this, weighing preservation of the evidence as near intact as possible, against the information to be gained from the examination, as with all other examinations.
3. HOLE IN THE TIE IN RELATION TO HOLE IN SHIRT.
From the indicated position, it would be difficult, but not impossible. The main factors would be the exact position of the tie knot, the looseness of the tie in the area, and the composition of the tie. Free hanging silk, for instance, can often move out of the path of a bullet.