

7/23/59. Called Col. Nicholas. In his absence, spoke to Maj. Sweers. I told him of the effects of the overflights, told him I'd have to get rid of the flock of young breeders, and asked to have the remaining ones examined before I'd be disposing of them.

7/20/60. My phone call to Maj. Hamilton, JAG, Andrews, re: Dover sonic boom claim. He had passed it through channels because of suit. I explained no connection. He referred me to Col. Charles L. Bower (Bauer?) (OX6-5246). Spoke to Miss Crocks and Capt. Lowry, explaining, telling them we still had adverse effects and asking that they come up and see what could still be seen (like moulting, etc.) Lowry also said I might hear from Lt. Col. Arnold Mullins (OX7-9083), Public Relations. Didn't. I suggested visit's scientific benefit.

1/13/61. Calls to named AF scientific people re problems. Opinion not dB. level but character of sound. I was to hear further but never did. Also called people at Beltsville with no result. (D)

1/13 or 11/13/61. Trying to locate Dr. Henning Von Gierke, AF expert, re: TIME story. Phoned a number of AF offices, including Mr. Hawkins, who said he'd see if he could get me copies of any studies made. I never got them. I was to hear from Dr. Grant. Didn't hear anything further.

11/1/61. Called FAA for copy of public report on noise tests for DC heliport. Spoke to Mr. Guth (ext. 4645) for some time. Offered all data or knowledge we have (never got report; he never came). He referred me to Col. Gaul (ext. 2105), detailed from the AF, to whom I spoke at great length. He agreed our problem was more the character of the sound than its dB. level. He says he has flown helicopters in the area and spots where trouble has been caused are supposed to be mapped. (Note testimony at trial in which former Belvoir helicopter pilot, then civilian employe of Army, testified they were, but only after complaint, and that ours was, and that our location caused magnification of the effect of the helicopters. Note, also, in this connection, the transcript of the Lehy conference which ways we never were mapped after all the complaints, trial, etc., until Col. Low came up.) No civilian H-21's in area. Blue-and-white H-21 he thinks he has seen on Pentagon pad. (Note: My present [9/4/64] recollection is that there was an abrupt reduction in the number of times after this that we saw the blue-and-white H-21.) He also referred me to Mr. Joseph Johnson (ext. 3224), Airport Planning Branch. He was out. I spoke to Mr. Goodwin along same lines - long talk. He, too, agreed character of the sound seemed likely to be the problem, and that sporadic disturbances more likely to disturb than regular ones. He told me of a study they are having made under contract to find out more about such problems. I offered our complete cooperation, access to everything we had, names and addresses of witnesses, etc. In this case, as in all others, I made only one restriction: Precautions be taken against tracking disease onto our place. He indicated I'd hear from contractor. I never did. Col. Gaul agrees that when Ike has visitors, the couriers were told, as I had always believed, to hurry up - and they did. He identified the blue-and-white H-21 that seemed so noisy and that seemed to be on a regular schedule as one he had seen on the Pentagon pad, and I now believe he was responsible for some alleviation.

3/22/62. Phoned AF to get more information on sonic booms of 3/15/62, was referred by Col. Spears to Maj. Hillding, AF PR. My note says that in six years I have never gotten a single requested thing relating to these problems from any agency of the government, civilian or military. Col. Tomlinson called next day and we had long talk in which I told him all I could and made all offers of cooperation. He was going to get in touch with a Col. Butts re above. Never heard from either. (Note: Spoke to Maj. Freeman about these complaints 5/26/64 and he said administrative officer required clearing of all files every six months, when they were sent to dead storage in St. Louis. When I asked what happened to a complaint where there were two years in which to make claim, he agreed that might present a problem. He said their problem was space, and from our visit to his office, this is true. They are quite crowded.)

4/15/62. Called Col. Tomlinson for him to come and see recent effects. He was on leave. He never came.

4/17/62. Letter to McNamara. Asked for relief and offered to help show government how to avoid making others suffer as we have.

Traced overflights. Told him it hasn't been possible to operate peacefully or profitably.

Traced legal history. Said if necessary would file another suit.

Traced efforts to get officials to see damage when current, as recent as preceding month. Also, same offer to civilian government, even at risk of their using what they saw against us. Reiterated same standing offer to him. Detailed serious effect of Army overflight that same day. Asked he send someone immediately.

"I cannot exaggerate to you the very serious effects on both the physical and mental well-being..."

Reference to unsuccessful efforts to do anything about sonic booms, deceitful treatment by AF of damage claim filed for sonic boom losses. (D)

4/17/62. Phoned Asst. Atty. Gen. Orrick and spoke to Harry Stein, telling him all about recent troubles, past, history of relations with Defense Dept. He suggested that I write Sec. McNamara and I pointed out previous fruitlessness. He assured me this time it would be different. Send him copy (did). Invited him up; he declined.

4/20/62. Long talk with Dr. Shillinger about birds in No. 1, which he had seen and found quite nervous, and that nervousness seemed to spread like disease. His suggestions not practical. He commented on hysteria and lack of visible evidence of cannibalism. Also 6/6/62.

4/30/62. "Last Wed." phoned Sec. McNamara's office and spoke to his secretary and told her my purpose was to arrange to give him some of my beautiful Indian Game Hens his aviation had ruined. I had just dressed them. She referred me to Gen. Coun. Cyrus Vance, who wasn't in the office the several times I called. I spoke to his assistant, Mr. Niedernehrer, and told by him to call Thursday. Had trouble making phone contact, but he was familiar with situation, had read letter. Waited at Linda's 1001 until just before 5:30 when Mr. Morse called me suggesting Thursday meeting to discuss what could be done to alleviate the present problem. He said he'd have men responsible for routing and that we'd get together and figure out claim (I explained complexity). I said they couldn't settle for more than \$1,000.00 and he said law had been changed.

5/3/62. Pentagon conference.

- 5/4/62. Phoned Maj. Chamberlain to report helicopter directly overhead. He told me he had just issued instructions calling for his helicopters to stay five miles away from us. As I now recall 5/28/64, with increased elevation. After Col. Nicholas' visit, new regulations went into effect requiring minimum elevation of 1500 feet in area, as it came out at trial. Note also that this memo doesn't include all the many calls to report specific helicopters, violations of regulations, etc. Note that from here on there are references to reports by me to the Army, etc., and in some cases their reports to me of identification or inability to identify helicopters.
- 5/5/62. Letter to Morse enclosing copy of notes I had of "Thursday" meeting, plus typed copies of notes of period 5/1/59-1/3/61. (D)
- 5/9/62. Morse letter to me acknowledging receipt of notes "relative to helicopter flights over your farm" and claims forms. "In accordance with our understanding" he duplicated notes and gave copies to "controllers of AF and Army helicopters who attended our meeting of May 3. I trust that Major Haynes and Major Chamberlain have by now been instrumental in deviating helicopter flights from your farm." Referred claims to Col. Haefele, Army JAG, requesting "appropriate action". (D)
- 5/11/62. Letter to Col. C. C. Taylor, Army JAG, authorizing him to correct error on my part in not putting in maximum amount per claim as per agreement, \$5,000.00, thanking him for calling it to my attention by phone and making further reference to the agreement with respect to agreement on competent experts. (D)
- 6/22/62. In reporting on overflights, I told Maj. Chamberlain's lieutenant I was having copies of some of the pictures made for them, and if they wanted anything else to let me know. He said good, that this was getting a little ridiculous.
- 6/25/62. Letter to Aviation Officer MDW enclosing "pictures showing helicopters directly overhead or very close", offering negatives if he wants them (Importance: calculating distance of helicopter because of wide-angle character of lenses), and showing these flights occurred after May 3 agreement and I had reported them by phone. Asked for return of marked prints. Never did. (D)
- 7/5/62. Phoned MDW duty officer, Maj. Webb, who refused to take the call, even when I said I'd pay for it, until he "checked it out". I also explained to him the purpose of the call was to catch the violators while they were in the air. Spoke to Mr. Morse, who had been kept informed of the previous overflights, and he told me he was determined to find out why they continue and why they cannot identify a single one. This information had been routed to him through channels, not by me. I also told him I still hadn't received the claims forms. Maj. Webb called back. He said he'd leave some word in "the book" for other duty officers so this wouldn't happen again. Among other things, I told Mr. Morse of the recent White House helicopters.
- 7/10/62. When I called Maj. Chamberlain, he told me he was under orders to accept no more collect calls.
- 7/11/62. Called Mr. Morse re MDW refusal to accept collect calls. Went into detail with his secretary on our financial condition, etc. Called Harry Stein, telling him all that had happened since our previous conversation. He said he wished he could think of something else to tell me, but he couldn't. I emphasized the health hazard. Phoned White House Press Office, which I had also called when it was first announced Kennedys were renting Glen Ora, to caution them about damage to people

on the ground, and left message that we now had been damaged, and how. Told both it had become clear to me Defense Department couldn't control its pilots. Morse and White House to call me following a.m.

7/12/62. Letter to McNamara. Copy to lawyers, "Stein, DJ" (Torts Section). Ref. to incorrect marking of maps at May 3 meeting and to orders issued to avoid us by two miles always and by five miles when possible. I had marked maps correctly, showing us and others who could be hurt. But flights have continued, and not a single pilot identified. General Counsel's office also couldn't identify pilots or bases.

Maj. Chamberlain said he had been ordered by Defense Dept. to refuse to accept collect calls from me. My inability to afford this expense.

Seriousness of effect on our health, especially wife's glaucoma. She had to have emergency consultations twice in past three weeks. Doctor told her of possibility of blindness by any one of these attacks, which could be precipitated by tensions from overflights.

Report call to Salinger's office at White House because some of the first family's flights were over us and low.

Further ref. to our "desperate circumstances" and "increased impairment of our health." (D)

7/13/62. Maj. Doster, White House helicopter detail, Called to say he had alerted their pilots to our place, that he himself was familiar with it from having flown helicopters in Washington before, and from having it identified to him as a place to avoid [note of 5/26/64: As of this time they still had my place marked wrong on their maps, if they had the maps marked; hence, how could he accurately? And why hadn't they done this long before? See "transcript" of 3/16/64 Pentagon meeting]. He told me he was confirming his instructions in writing. He discussed several matters, and he asked me if they stayed 1,000 feet up and two miles west of 240 if that would be o.k., explaining Secret Service reluctance to have President more than two miles from main highway. I replied o.k. He said he had a clear understanding of our location and he will communicate it to others. If I see one I believe is assigned to White House, I am to call him collect at ST3-0333.

7-19-62. McNaughton, Gen. Coun., Defense Dept., letter to me in response to mine of 7/12/62, "relative to flights of helicopters over your farm. I regret ....relief you have sought has not been obtained...loss to understand why the overflights continue..." Explains why cannot accept reverse calls; asks for further information and will be in touch. (D)

7/27/62. Reported strange maneuvering of a helicopter while the Ciba people were here to Maj. Chamberlain who, in the course of conversation, again revealed some I had reported were Second Army, over which he had no control, to whom he had again sent instruction; and that some of those reported may have been his.

7/28/62. My reply to McNaughton's of 7/19/62. Expressed interest in learning why overflights "continued for so long, up to and including yesterday."

Told of next installment on log and promised to continue sending it in.

Told him I did not understand why I should be expected to pay for phone calls they had asked me to make. (D)

7/28/62. My letter to Morse, with copy of log to 7/27/62. Told him I had not yet received copies of the forms on which claims were to be filed (they had not given me enough and I had asked for them by phone several times, beginning with Col. Taylor's call of 5/11/62).

Told him Quigley had made a "preliminary visit preparatory to assessing and computing the damage", etc. This related to my request and I believed our agreement on impartial experts. They never did let me know if they would so regard the University staff. (D)

8/1/62. McNaughton to me, pursuant to his of 7/19/62. His reference to helicopter flights either refers to flights other than I reported or he was clearly given false information. He reports who have been "directed" to avoid overflight of our farm.

Says DD "most concerned when its military operations interfere with the public's welfare. Every effort is taken to see to it that the enjoyment of a person's property rights is not infringed upon. Accordingly, I have every reason to believe that relief from the alleged overflights of helicopters will be an accomplished fact." Note: if the overflights are only alleged, as he says, why should he have to assure us of relief from them? (D)

8/4/62. My reply to McNaughton's of 8/1/64. I point out that with the log I had sent in, it is clear he was talking about flights other than those I had reported for July 10 and said it would be interesting to know if any I had reported had been identified.

I tell him I have affidavits from witnesses to the overflights I have reported, that these will be available to him, and I said, "there seems to be little reason for your use of the word 'alleged'." (D)

8/16/62. When I spoke to Maj. Chamberlain to complain of an helicopter not over 300 feet high, he said he was certain it was Second Army, told me he had spoken to them a number of times, but said it was outside his control. He also identified all those of which I had sent pictures as Second Army and said none I had reported had been under him, except possible Presidentials.

8/24/62. My letter to McNaughton, with further reference to overflights he had incorrectly reported on. Told him I had reason to believe these were Second Army (reported to me by MDW?) and what proper officials of Second Army had been told.

Enclosed picture of one just past the end of our property on the west and "certainly under 300 feet high", on 8/16/62, 9:40 a.m., and previously reported to MDW.

Reported one of previous day, and apparent witness.

Referred to others reported to MDW, again addressing myself to his use of the word "alleged".

Offered him negatives of my pictures and showed how he could tell for himself by landmarks in picture that helicopter was under 300 feet. (D)

8/26/62. After low (less than 500 feet) southbound helicopter, phoned duty officer MDW, Lt. Col. Mary Blake. She called back later, collect, to report she had checked all possible bases in or near DC - Davison, Pentagon, Bolling, Anacostia, Quantico and even the control tower at National Airport. All negative. She told me each had reported to her the marking of their maps to have my place avoided and their familiarity with our location. (Note 5/28/64- hence, were then all marked wrong?)

8/28/62. Note says I sent pictures to McNaughton and told Maj. Chamberlain to let him know the negatives were available and could be projected for further enlargement.

8/29/62. 8:15 a.m. Called Maj. Chamberlain to discuss yesterday's incident (forced landing, H-21, transporting two women in weather not fit for flying). He said he had intended to call me. (I had tried without success to call McNaughton and Morse.) He spoke generally about "accomplishing their mission" and the problems created by the weather (they'd have made better time, and at much less expense, by road). He told me that one I had reported about ten days ago was a Marine from Quantico. I again asked for silhouettes. He said it was a good idea and he'd take it up with the Dept. of Defense. Note: I never did get either silhouettes or any other means of identifying the helicopters from either the operational people or the

JAG or legal people. Until Maj. Freeman got interested in trying (without success) to catch the planes breaking the sound barrier in violation of regulations, I never did get any means of any kind to help in identification. Included in the manual he then sent me on planes were some helicopters. I also got a few from manufacturers. See 9/10/62.

9/10/62. Incident of very low (400 ft.) helicopter led me to call Maj. Chamberlain about this and further discussion of forced landing, in which he indicated the women being transported were "a step above secretaries" and when I asked him why they had to get so close to us, he replied vaguely about the nature of the mission. I tried to get Ft. Ritchie to learn something. This is the incident where Lil forgot to take the lens cover off and when I took the camera from her I neglected to check it, so there were no pictures because the film wasn't exposed. At Ft. Ritchie a sergeant said he had expected a helicopter at 9:15 but it hadn't arrived and that Capt. Mulcahy was in conference. Called Ritchie again a little later; first was referred to a Capt. Arthur, who was off on a flight until 4 p.m., then got a Warrent Officer Chateau who, it turned out, was at the Hagerstown Municipal Airport and referred me back to Ritchie, Mulcahy. After seeing apparently the same one returning overhead about 700-800 feet high, I again called Maj. Chamberlain, who suggested I ask FAA to declare our place a restricted area. He seemed to think, from the elapsed time, this one might have originated in the DC area. The Major said he was asking the Dept. of the Army to appoint a contact for me on a higher level and in the Defense Dept. so he'd be able to get in touch with other services. He also described the forced landing affair of the two women as a "priority mission". At 12:00 Capt. Mulcahy returned the call and said he'd check this and Sunday's incident and report to Maj. Chamberlain with request he inform me of details. He knew about us and our problems. I emphasized this had now gone past the point of the mere economic importance, explaining Lil's eye problems, and asked him to emphasize this to his pilots and visitors. He was certain we had had no trouble from his "assigned" pilots. Later, hearing White House had sent helicopter for Ike, called Doster, who later returned call saying this could not have been that flight, which was 15 miles to the east of us. He also knew about the Quantico flight that had gone over us and said he was sorry about those of the weekend of July 4. Emphasized health hazard to Ritchie. Chamberlain "hoped" this wasn't his; indicated nature of mission might cause him to ignore regulation.

9/16/62. My efforts to get silhouettes from Defense Dept. referred to in memo in H/C - types.

9/20/62. Asked Maj. Chamberlain to provide silhouettes so I could identify types. He said he had none, to write Dept. of Defense. Reported violations.

9/21/62. Maj. Chamberlain told me that for about a week I might expect more "visitors because of certain exercises", the nature of which I didn't ask. Reported overflights.

9/25/62. McNaughton's reply to my letter of 24: "Investigation...has disclosed... U.S. Army, has directed that helicopters will not fly within a five mile radius of a point (your farm) one mile Southeast of Hyattstown, Maryland and will maintain at least 1,500 feet of indicated altitude in this area, weather permitting." Also says investigation leads them to believe their directive is being complied with. Note that this is the wrong location of our farm, but it confirms the regulation I had been promised May 3, 1962, exactly.

[As of the time of typing this I cannot find a note on what happened, but I called Morse, who put me in touch with Col. Low. I told Morse that the incorrect location of our property after all that had taken place would embarrass them. There should also be a note of my phone call about an hour after speaking to Morse, from Ed Fenlon's phone, and speaking to Low's secretary, who already had the file.] (Morse's letter of 11/21/62 says I replied to McNaughton 9/28/62.) (D)



9/26/62. Called Mr. Morse from Ken Pohlmann's office, telling him of continuation, sources reported of helicopters. I told him we faced a very serious problem and didn't know what else to do. As I told him of recent events, he repeated over and over again he was at a loss to know what to do or say. He agreed with Maj. Chamberlain's suggestion of liaison on a higher level and asked me to call Chief of Aviation Affairs in the office of the Asst. Sec. Also, that I ask FAA to declare our place a restricted area, that I call the Space Utilization Div. I reminded him of his promise to do something if they could catch one guy and told him Maj. Chamberlain had told me just this a.m. that the H-21 that was so low this past Sunday was probably one of his and there was no excuse for it. Called Air Space, Mr. Burton, and asked for "restriction". He is to call me when he returns from trip. Called Asst. Sec. where a secretary had already been spoken to, had the file, but the man (col. Low) was out and would call me when he returned. On the way home picked up 3 hitchhiking soldiers from Ft. Ritchie who identified blue-and-white H-21 and silver-and-orange smaller ones as AF that they had seen at Ritchie. On reporting recent overflights to Maj. Chamberlain, he said in all probability his were involved. Offered Morse negatives. Not in note, but I recall asking again for claim forms.

9/28/62. Col. Low phoned me. Memo includes what of my end of the conversation Lil could take down and those things Col. Low said that I wanted exact, when I covered the mouthpiece and repeated them to her. We discussed many things. This shows I offered him everything, including what I knew could possibly be used against me if the govt. had dishonest intentions. Offered to take him to witnesses, etc. Discussed source and identification of helicopters and failure of govt. to put me in a position to identify them, even after I asked for such means. I told him they had no control over their pilots. I discussed the terrain, our photographic equipment and its limitations, weather, presidential helicopters, my reporting, my many offers of inspection and the fact that no one has come to check my complaints, the damages to the chickens, and the fact that some of the letters to me were going to be an embarrassment to them.

At one point he said, "I want to remove this nuisance. There has been significant harassment."

Lil has her original notes. Some not easy to transcribe, but she does have them and the blanks will be clear.

9/28/62. My letter to Col. Low thanking him for his call that a.m. and hoping he'd be getting up soon. He was then Aviation Asst. to Asst. Sec., Army Fiscal Management. Sent him log thru 9/23/62. Sent pictures with log and gave him identification of cameras we have used and their focal lengths and offered camera we were then using if he wanted to take any pictures of helicopters to know size from known distances to compare with what we had sent in. Repeated offer of negatives. Identification of some of pictures, including one Maj. Chamberlain said was one of his, that showed they were "overflights". Asked for unclassified silhouettes so I could better identify (never got). Gave him my schedule, so he'd know when I would not be home.

With reference to the things he said over the phone, "We certainly appreciate your attitude and are certain it reflects that of the Defense Dept. itself. If there is any way in which we can cooperate, you may depend upon our unlimited cooperation";  
(D)

10/9/62. Pursuant to suggestions from Defense Dept. Personnel, I contacted specified personnel at FAA. I also undertook separate initiative with FAA. There is an entire file on this, "FAA". But specifically in answer to what Defense Dept. told me to do, note of 10/9/62 is from McClung, FAA Restrictions Section. He told me Defense Dept. was wrong, that FAA could not grant us a restriction, but military aviation was required to comply with their regulations (CAR 60). He suggested I call Kilgore, Sup. inspector for compliance with flight standards. McClung was aware that I had spoken to a number of FAA people in the past because he referred to this. Repeated

civilian contractor. (F)

Note of 10/12/62 refers to call previous day to Kilgore, who referred me to a Mr. Newell who, from his previous experience, knew about troubles caused by helicopters - in his case, turkeys in Ga. He said he would get in touch with Mr. Cress of the Baltimore office who has jurisdiction over our territory, that Mr. Cress would come or would arrange for others to come and make an inquiry and perhaps a study. I repeated our standing offer, even to the point of giving information that might eventually be used against us, in an effort to help government people get a better understanding of what these overflights have done to us and to our stock and their potential for other people. Rest of file is correspondence. (F)

Note: Visit never came to pass. Also, many of the flights of which I complained and as specified in the log are or were in violation of FAA regulations requiring, among other things, a minimum mean elevation of 1,000 feet that here, in effect, means about 1,200 because of the hill. Perhaps proximity of Sugarloaf Mt. in bad weather means even higher elevation.

10/12/62. Col. Low called (I had tried to call him earlier) to say he is coming up today. I offered to take him to witnesses and he said that wouldn't be necessary (this was 12:30), that he had spoken to operators of helicopters and others and he had no doubt of the veracity of my reports. He thinks maps are still not marked correctly. He asked if this a.m.'s were White House and I said we hadn't seen enough of the tops to tell for sure. Said we'd been abused, etc. Also, memo on call and Lil's steno notes.

When he got here, I introduced him to John and Mr. Summers. He said he had no questions to ask them, he was satisfied about the truth of what I reported.

Reference to what I showed Col. Low on his 10/12/62 visit in note of 10/13/62 in cost file. Pointed out a pullet in barn who lived atop water trough, defecated in it constantly, would never amount to anything, and made considerable extra work just cleaning up after her.

10/13/62. Letter to Fred Faffley, FAA, Baltimore, in response to his call. Told him again of effects, sent log, offered pictures, referred to affidavits I have, repeated offer made over phone of complete cooperation and unrestricted access to our property and everything we have, and offered to produce witnesses. Told him with whom I had been in touch in government, how to get in touch with them, and said if I forgot anything, let me know. Also mentioned that Col. Low thought two the day before might be White House. If I have any notes on the phone conversation I cannot find them, but I recall it was lengthy and I told him everything, as the letter indicates. (F)

10/17/62. Called both Col. Low's and Maj. Chamberlain's offices to leave word about overflight of 10/16 directly overhead. Note with respect to Col. Low's first call (9/28/62), a long conversation, Lil has stenographic notes, including phrases I gave her while we were talking (covering mouthpiece), such as his description of the abuse we had been subjected to, and my reporting of the call, right after I hung up.

10/31/62. Spoke to Col. Low from Ken Pahlmann's office and asked if he wanted any more pictures and reported yesterday's helicopter. He said no, that my documentation was more than enough, that he and Mr. Morse were getting together, in the next four or five days he hoped "to have something for" me, something, he indicated, that would be to my liking. Then, in the note I typed right then, appear these words, "I said that when the time came for the filing of claims I'd like to be as forthright as I had offered to be, so that any questions that might be involved could be settled and understood beforehand, so as to create no problems and perhaps

eliminate them before they arose. He said he'd have to discuss that with the lawyers and I told him I understood there might be limitations." I believe the word "him" was inadvertently left out; i.e., I told HIM.

11/21/62. Morse to me, referring to mine of 9/28/62 to McNaughton. Says, "Army helicopters to a large extent were involved in the overflights", so it sent Low to me. Low's solution (he never discussed it with me, but it would have been fine if adhered to), "designation of a 5-mile radius over your farm which restrict Army helicopters from flying below  $\approx$  4,000 feet when traversing this area under visual flight conditions....Air Force is issuing similar instructions to its flight personnel....These actions are directive in nature and except for this situations requiring emergency flight procedures they may be expected to eliminate military low-level flights in your area. It is hoped the matter is now settled to your satisfaction." He enclosed printed copies of regulation. (D)

11/29/62. Phoned Morse (line busy), then Low to report violation of new regulations. He explained the new regulation is directive in nature, an unusual step that has been taken to help us; that under seriously adverse circumstances, law and necessity might both require that the helicopter fly close to us and low, and that the previous promises made at the Pentagon were not directive in nature. This apparently in answer to my statement that the new regulation, which called for a three-mile avoidance, seemed to be weaker than that promised at the 6/3/62 meeting - five miles.

12/7/62. Wm. S. Morges, acting supervising inspector FAA, Baltimore, returned log and said highlight from it and my letter of 10/15/62 had been "forwarded to our regional counsel". (F)

1/14/63. My reply to Morse's of 11/21/62. Thanked him and Low for their efforts and reported the regulation was being violated, that while the effects on our stock have been serious, they are distressing to us personally. Gave him specific case and reported I couldn't get him on phone but did get Col. Low, who told me an absolute prohibition of overflights was both illegal and dangerous. If true, "It then becomes abundantly clear that we will never be able to operate our poultry farm successfully." Again called to his attention we hadn't got claim forms. I was continuing when I could to work on this. (D)

1/18/63. Morse's reply to mine of 1/14/63: "...I am afraid there is not much more that we in the Defense Department can do than has already been done to divert helicopters from overflying your farm...suggest you contact the claims office of the nearest Army installation and obtain the necessary forms and instructions for filing a claim against the United States. If you do this rather than obtain the claim forms from me, you will be proceeding in the proper manner for filing a claim." (D)

1/19/63 (approximate date). Upon receipt of Mr. Morse's letter of 1/18/63, I followed his suggestion and phoned Ft. Detrick, speaking to both civilian and military legal officers. A. Lt. Elliott was to come down the following day. Instead, I heard from Capt. Van Voris at Ft. Meade by phone. We have the original note Lil made when she accepted the call, misspelling the captain's name but correctly listing the phone numbers.

2/11/63. Captain Van Voris: I have found my handwritten note showing I called him asking when he is coming so I can adjust my schedule if necessary and to tell him what my schedule would be; advising him of the contrasts I wanted him to see between docile and frightened chickens, both of the same stock, both on the same feed, houses, etc., especially in connection with pictures. I believe I wanted him to take his own pictures, but this may have meant I had pictures to show him. My note on his reply indicates he wanted me to have a rough figure for him and that he has two courts martial and will be tied up for a while. This is filed in Defense Dept. file.

2/16/63. Phoned Capt. Van Voris about sonic booms and asked him to check them out. He said there were few Army planes that could do this and probably they were AF and likely from Andrews. He also believed he'd get nowhere with them, that his previous experience and knowledge led him to this conclusion. He told me to include any damage in with overall claim.

3/4/63. FAA Regional Counsel Martin White referring to my letter and phone call to Baltimore office (he had report on conversation) said that, since the helicopters were Defense Dept., "your complaint properly should be lodged with the Dept. of Defense since violations committed by military aircraft are ultimately processed by the appropriate military authorities." Sent copy of my letter to DD and said "interference with the use and enjoyment of subjacent real estate does not provide a basis for designating a restricted area." (F)

3/11/63. My reply to FAA Regional Counsel's letter of 3/4 explaining I had gotten in touch with FAA as told to by DD officials. Told him DD had admitted in writing what I had said and asked was it "that you cannot or will not do anything?" Called to his attention conflict between his alleged inability and the enclosed clipping, an AP report that FAA had restricted flights in the area of the new home Pres. Kennedy was building in Va. because of the complaints of neighbors. (F)

- 3/30/63. Phoned Maj. Doster about apparent violations by White House helicopters. Iroquois not theirs - they have none.
- 4/4/63. Phoned Col. Low re helicopters and sonic booms. In his absence spoke to Col. Beam. Told him of chickens scared enough to pull broody coop down. I told him once again the regular pattern was clear; better weather, the helicopters fly again. Emphasized adverse effect on our health. He twice repeated that if the steps they had taken didn't work, "we'll try something else."
- 4/19/63. FAA Regional Counsel's reply to my letter of 3/11/63, enclosing copy of N Notice to Airmen re Kennedy home, saying it was a request rather than an order. Said I file complaint directly with DD (he knew I had on dozens of occasions). Said that the FAA "does investigate incidents involving military aircraft, nevertheless the processing of these violations ultimately comes within the jurisdiction of the respective branches of the military service." (F)
- 4/26/63. My reply to FAA Regional Counsel's letter of 3/19/63, asking why they cannot request that we be avoided, as they have for the wealthy people living in the area where the Kennedys are building. Also told him the wild-geese chase on which we had been unnecessarily led did us no good. (F)
- 5/14/63. Morse to me following my phone call to Secretary McNamara's office, where I spoke to Col. S. B. Berry on May 8. Referred to regulation and said he was informed all services complying. "Accordingly, if you are still being subject to low flights directly over your farm, I would appreciate receiving from you the serial numbers on the helicopters involved so that appropriate action may be taken." Refers to my request to Col. Berry (who asked me what they could do to help and I told him about our agreement of 5/3/62, which left me with the understanding that we'd agree on impartial experts, and since I hadn't heard, at least I'd like some agreement on how I should compute, etc., which I explained was potentially a very complicated matter). Again advised me to get in touch with closest installation for "the necessary forms and instructions for filing a claim". Said no government employee was permitted by law to "prepare the claim" for me, something I had never requested, altho at the Pentagon meeting I had offered even to let them do the computations if they wanted to. (D)
- 5/23/63. FAA Regional Counsel's reply to my letter of 4/26/62 saying they have been in touch with DD. "We have been advised that they are thoroughly familiar with your complaint and have availed themselves of all possible means at their disposal in an attempt to resolve this situation. We are further advised that you have recently contacted them pertaining to this same complaint which would indicate that you have followed our advice." I have no idea what this would refer to, for I was always in touch with DD, and DD asked me to get in touch with FAA. What a runaround and waste of time and needless extra frustration! Note to Mr. Taft: Could this FAA file reveal anything? (F)
- 6/8/63. I had been invited to address those of the veterinary medicine staff of the FDA as were in DC (about half) on the use of reserpine to curb cannibalism and to show the pertinent pictures. One of the staff, Dr. Geyer, had had experience with frightened poultry, said they are never the same again, and would so testify. Dr. Smith also agreed to make a statement along the same lines. See log 7/4/63.
- 7/4/63. Dr. Shillinger was here 7/2/63 and saw Indian Game with twisted leg in No. 1. He attributed it to mechanical injury. See also pix file.
- 7/3/63. Washington POST interested in my file on sonic booms during past month. (SB)

7/9/63. George Quigley here. Said condition in No. 1 hysteria; declined to even feed them, fearing to cause more damage. Tried to frighten No. 3 pullets by unannounced, rapid opening of door and couldn't. Impressed. Impressed with survival rate UW; saw scabbed and wounded birds not being picked by others. Agreed it was unusual these damaged ones hadn't fallen prey to cannibalism.

7/10/63. Sonic boom. Boswell's nephew, here getting manure, said he was at Comus yesterday, and that one shook the ground. (SB)

7/12/63. Invited county agents from both counties to see unusual effects of hysteria. Both said they'd come, Shoemaker with a group. Neither did. Also invited Dr. Rabstein, Animal farm, Ft. Detrick. He had expected cannibalism from some of their animals as consequence of sonic booms and was pleasantly surprised there had been none. Low density in their cages, etc.

7/17/63. Phoned Maj. Freeman. He said without doubt these were sonic booms and that "we caused them". He is satisfied the last two, which he was able to check out, were not of local origin. He has made arrangements for a radar net to try to track the planes, if we can get him on phone within 2 minutes. (We got to him in time on a number of occasions, but the radar never caught one of the violators, to my knowledge).

He had earlier thought there might be much of scientific benefit to be learned from our experience and on this occasion I asked who he'd like me to contact. I called Dr. Odbert, Chief, Psycho-biological Project, Div. of Medical Research, Natl. Science Foundation (out). Spoke to Dr. Paul Chatham, assistant, giving explanation, standing offers; he is going to talk to several of their branches. (I never heard from any.) He asked me to call Dr. Jos. Brady, Walter Reed, who was out, as was his assistant, named Tolliver. Spoke to technician who answered, leaving regular offers. No calls back. Two PR men I didn't have time to call in aero-space research: Maj. Smith, Capt. Werlich. Note of 7/18/63 indicates these further calls: Dr. McLane and Dr. Seymour Kety, reporting Dr. Rabstein's belief it might be valuable to do brain sections of both hysterical birds and those on restricted light.

7/17/63. Phoned Dr. Shaffner re high production (under circumstances) of birds I tried to force-moult. He says what I did should have forced moult. He thinks those not now moulting must have just finished moult and would thus be harder. (I agreed.)

7/18/63. Note/says also spoke to Dr. McLane yesterday about hysteria, reporting Dr. Seymour Kety's belief and that of Dr. Mel Rabstein (Ft. Detrick, to whom I had spoken often) that they might want to make brain examinations. Note that I had spoken to everyone I could think of at Detrick, and to them, as to all those listed above, extended standard offer.

7/19/63. Letter from Maj. Freeman forwarding identification manual and information sheets on sonic boom. The one called Sonic Boom, USAF Office of Information, says "...sonic boom pressures cannot directly injure a person" (my emphasis) and, after saying they can cause damage, "...contact the Claims Officer at your nearest Air Force installation - he will help you." (My emphasis.) The Sonic Boom, HQ, SAC, again saying damage can be done, says to contact as above "and all possible assistance will be given to satisfy your claim," (again my emphasis) and this addressed itself to Col. Leahy's assertion it is illegal to help. Maj. Freeman said that, while he couldn't find any records of AF "involvement", "We do know you are hearing booms...In the meantime, our Air Defense Command and the Federal Aviation Agency are cooperating to determine the source of your disturbance." Similar statement in Col. F. H. Fahringer's letter to Cong. Mathias 7/23/64. (SB)

7/19/63. My letter to Capt. Ven Voris, asking questions that had come up after his visit and referring to claims that should have been filed and of which there was no record in my possession. (Never answered.) (D)

7/21/63. Capt. Ven Voris saw empty capacity during what should have been my busy season. Memo on "costs".

7/27/63. My reply to Maj. Freeman's of 7/19/63 in which I invited inspection of damages and any desired tests on chickens. Reported Capt. Ven Voris's examination of damaged pullets. Offered access to films, etc. Reported identification manual not complete on helicopters. (SB)

7/30/63. Effects of electrical storm on chickens nil. I was caught with them in a severe one 7/29. I was with the most hysterical chickens and close enough to the others to have detected any reaction.

8/8/63. Misc. data on capacities of buildings, production. (H)

8/9/63. Col. Leahy to us. Said I had filed one claim for \$110,000 "from 1959 through 1963". Said Army without jurisdiction, claims without substantiation (they weren't supposed to have it. We were waiting to hear again from Ven Voris on impartial experts and had called him twice without a return call), and says under FTCA "Federal District Courts have exclusive jurisdiction on claims over \$2,500," and refers to previous case "situation identical to that presented in your claim".

Note: After getting this letter I phoned Morse at his home, Sat. p.m., read it to him; he was surprised and told me he'd arrange to be with me and for me to see the Army JAG the coming Monday. Also phoned Cong. Mathias, who was going to accompany me if he wasn't tied up on floor (he was). (D)

8/13/63. Memo - conference with Col. Coggins, Asst. JAG, US Army, in his office (Rm. 2E444, OX5-3786, OX5-4384) with Mr. Morse. I gave brief history, including recent history with JAG Second Army, which had contacted me after I, following Mr. Morse's letter, had gotten in touch with Ft. Detrick, closest installation. Capt. Ven Voris's report of interservice agreement that Army would handle for all, that he again proposed to me that we go ahead and settle for property and business under generally what he called "eminent domain", and what I understood to be under the unconstitutional taking theory and that I again agreed. I pointed out there wasn't a single accurate statement in Col. Leahy's letter, that the entire original arrangement was agreed to after proposal by Mr. Morse at May meeting with legal representatives of all services seeming to agree. They were present, that Col. Taylor specifically did agree (he was with Army JAG), of his later phone call to me and my letter in response, which I showed Col. Coggins, of the most recent papers filled out under Capt. Ven Voris's observations and instructions, etc. Mr. Morse not only confirmed, but he read from notes he had made at the meeting. He said this clearly was an unfair way to treat us and also read from other cases to show practice. He went into MCA and that it was asked of Congress by DD, and that he and then Army Gen. Coun. Vance had testified for it. He was at a loss to understand Col. Leahy's attitude. Mr. Morse agreed that the claims had been filed to halt the statute of limitations, and that they were to have been completed later, and I pointed out we were still waiting to hear from Capt. Ven Voris if his superiors would accept University people as impartial experts. Mr. Morse and Col. Coggins agreed there should be no question about Quigley and A&E staff and Shaffner. Col. Coggins said he'd phone Leahy. Both urged me to write letter of appeal to Asst. Sec. Army Fiscal Management (I still have the original note of the name). It turned out that Col. Leahy had been in the job a short while and had acted without consulting any of the parties to our agreement. I explained the serious consequences to us, especially Lil's health hazard.

When the question of responsibility arose, Mr. Morse confirmed my statement that there never had been any question of that, that even in the litigation the government never questioned it. Mr. Morse mentioned the various services by name and even added the White House admitted it. He also said he had asked Air Force to consider taking over the claim if the Army didn't go back to the original position (he had earlier told me that).

Several times Mr. Morse said he wasn't appearing as my lawyer but that simple justice and fairness impelled him to state the facts, which completely substantiated me.

Morse walked me back to the parking lot and mentioned my conversation with Col. Berry, which apparently in part had been misunderstood. After explaining it, I told him every man had a breaking point and I was at mine, that we faced many serious problems because of this abuse, but none were as important to me as my wife's situation.

Earlier Mr. Morse confirmed the series of mishaps resulting in overflights because our place had been mislocated. He pointed out that under the law every case could have been a separate suit and I had waived this. I again offered complete cooperation in any study, etc.; he asked me to keep him posted, either way. (D)

8/21/63. Morse's letter to me transmitting AF sonic boom materials, referring me to USC Law Review article, and explaining Col. Leehy in hospital and I'd soon receive letter from him. (D)

8/21/63. On returning from deliveries and finding Lil and Ella Mae ill, several overflights with very bad reactions, phoned MDW duty officer (phonetic spelling Maj. Notche) reporting all this. He said he'd put it in the book so it would go to the chief of staff in the a.m. I gave him my number, but heard nothing further, and asked him to get in touch with Col. Low and Mr. Morse, telling him they'd be interested.

8/23/63. Called Mr. Olney, Ft. Detrick legal office, to invite to affidavit-taking with Ella Mae, explaining background in detail and the unusual situation. I gave him to understand her medical situation might be serious and she might be leaving this area. He declined, and said if she were not available, the affidavit would be used. (There should be other notes, outside the log, indicating the same offer to the Defense Dept.)

8/26/63. My letter to Asst. Sec., Army Fiscal Management, making general appeal, saying more specific appeal impossible until after Col. Leehy clarified his letter. Never had an answer. (D)

9/6/63. Phoned Maj. Freeman re TIME story, p.18: Goldwater in Mach 1 maneuvers on radar 500 feet (he thinks unlikely). He believes his efforts to find the "culprit" with his own and FAA radar have been widely enough talked about, or in some other manner have resulted in discontinuance of sonic booms in this area. He apparently has no doubt these were military and not planes still in the hands of manufacturer (later he in part changed his mind re Westinghouse on government contract with AF plane). He has checked through their studies and not found any reference to actual field, real life work. All lab work. Regrets his inability to get scientific people up to see what happened in a real-life situation, not mock-up.

9/12/63. Note on health refers to report of overflights to Maj. Chamberlain. (H)

9/15/63. In talking to Mr. Morse I asked him if he had gotten a report from the MDW duty officer on the overflight of 8/21/63. He hadn't heard of it.



9/16/63. Case of the White House helicopter possibly 100 feet above tree tops, directly overhead, and what I did because I knew he'd lie. Called MDW, Morse. Account of what happened here - chickens even breaking through screen! No calls back by dark. Other memos on this incident (MDW, White House, Etc.). Also phoned Morse 9/20 in between two low flights.

9/20/63. Phoned Morse a.m. about another violation.

9/24/63. Case of the H-21 not overhead but too low and too close; checked through Ft. Detrick Transportation Officer who identified as 3rd Av. Co., Ft. Belvoir, which was to call me but didn't.

9/29/63. Strange helicopter, type apparently pictured in paper.

10/3/63. My letter to Morse, covering color slide of damage done Lil's hand and arm by nervous chickens. Also further details, including how Lil now was wearing extra, unnecessary protective clothing. Referred to phone conversation 10/2 in which I referred to the bad situation in which we were, including health, and that I hoped this would "encourage those who are delaying things to hurry them up". Asked for the return of slide. He later told me he gave it to Army. (D)

10/4/63. Note refers to my calls 10/2 to Maj. Chamberlain to report helicopters where I spoke to his sergeant and to Mr. Morse to tell him I hadn't heard from the Army. At his suggestion, I called Gen. McCaw, Asst. JAG, who was out. Spoke to Gen. Roberts, who said there was, or was to have been, another meeting between Gen. McCaw and Col. Leahy and Mr. Morse, but he didn't know if it had taken place. Called Mr. Morse back. It was news to him. (H)

10/16/63. Sgt. Durbin in Maj. Chamberlain's office said if I made report to Col. Low Chamberlain didn't have to know.

10/16/63 (in memo of 10/17). Phoned Gen. McCaw, JAG, and Mr. Morse re not hearing from Col. Leahy. From Gen. McCaw, message Col. Leahy had been told to do something, and that they'd get in touch with him. Mr. Morse shared my concern that there had been no answer to my letter to the Army Asst. Sec. for Fiscal Management and the two letters to Capt. Van Voris. Asked me to call back and when I did got the message he had talked to Gen. McCaw, who had phoned Leahy and ordered him to proceed with the claims under MCA. Leo Tonkin had had no reply from his Congressional Army contacts.

10/17/63. Phoned Mr. Morse to report violation of regulations, left message with secretary. Reasons: Chamberlain had told me he regarded regulation as "agreement", and that probably any H-21 I saw was his; to give Mr. Morse a chance to catch the H-21 while on the flight in which the violation occurred.

10/17/63. Col. Leahy's letter to us. Asks for further information, specifies things he wants us to supply copies of, etc. Asked for right of inspection. (D)

10/18/63. On the subject of how other people not personally involved can become conditioned to these sound stresses, memo on visit of Dr. Bramley of Ciba relates his reaction to a plane while he was in chickenhouse here. (H)

10/20/63. My reply to Col. Leahy's of 10/17, first correcting his reiterated error, that I had filed a single claim. Corrected other errors. Told him our premises, records, flocks, everything, were and always had been available to any government representatives. Told him of previous conferences and agreements. Repeated that as of time of his

original letter I was still writing to hear if Army would accept my experts. I even offered him other things I had previously offered and he hadn't asked for. (D)

10/20/63. My letter to Morse, enclosing Col. Leahy's of 10/17 and my reply. I told Morse, this represented a considerable step backwards "and fortified my belief, already expressed to you, that I cannot expect fair and impartial treatment from him."

I referred to agreements we had reached and how I had lived up to them and "I think the least I can expect is the same from the Army, without further delay, evasion and backtracking."

Protested unreasonable demands, specifying major expense of making copies of things Col. Leahy demanded when they had always been available and had specifically made it available to Capt. Van Voris when he had been here.

Called his attention to Col. Leahy's statement the government didn't admit liability, whereas it had been my understanding the only question remaining was the extent of the damage. Suggested he call text of this to Dep. Gen. Coun. DD's attention. Suggested we all get together and discuss.

Said Col. Leahy's letter "has upset us both very much. I think after all these years we do not ask for too much when we ask for speed and reasonableness." (D)

10/20/63. Letter to Cong. Mathies covering exchange of 10/17 and 10/20 with Col. Leahy and mine of 10/20 to Morse.

Pointed out Col. Leahy was maintaining same position, which was neither factually nor legally correct and wasn't in conformity with instructions given him as reported to me. Questioned whether I could expect fairness or impartiality from Col. Leahy, and that our situation precluded many more delays. (D)

10/31/63. Sonic boom reported to Maj. Freeman, yesterday's, to northwest, and he reported also complaints from that part of Pennsylvania. Said there were other supersonic planes of other services in this area, and might be some of manufacturers, being checked out before delivery. He explained the type of communications equipment necessary for the checkout is not available over water.

10/31/63. Col. Leahy to me. Going over old ground, but specifying this time that there were 22 claims. Said certain information available only from me must be presented to his office "to permit an investigation of the incidents". (If his purpose was to investigate the incidents, I had supplied all this information to the DD and/or Army currently following 5/3/62 and in the form of a log for the earlier period.)

He quotes from my letter of 10/20 in which I refer to the earlier agreements and says his file "and inquiries of other interested agencies failed to disclose that any admission of liability in this matter has been made." He said that because I hadn't answered his question "for information on the flights" it indicated my belief that proof of the flights wasn't necessary and in this case I'd be wrong.

The next paragraph says it is incumbent upon a complainant to supply "sufficient information to permit an investigation of the allegations". He once again requested it (and, of course, he had it).

Again he says I have produced no proof of the quantum of the damages, which was my responsibility, and at the same time thanks me for the quoted language of my letter, that our records are available to any government representative and says a future examination may be necessary. He again says he wants documentation of the amounts, continuing to ignore the fact that I was waiting for them to approve the experts. (D)

11/1/63. My reply to Col. Leahy's of 10/31, in which I told him his letter "leaves me perplexed and confused" and refer him to my suggestion to Morse 10/20 that a conference be held.

Informed him of continuation of prohibited flights and statements to me by responsible officers that they will continue, that regulation is merely an agreement, and

that this confronted us constantly with "great hazard, especially to our health", that we consider living in the manner imposed upon us completely intolerable and that if he isn't aware of previous correspondence on this he should get it and read it.

Told him we have already supplied just what he is asking for. Also that it is beyond our capacity to copy extra copies of what he has asked for, and explained why. Then I recounted the Pentagon meeting and agreement and that I was still waiting to hear from JAG Second Army whether they agreed on experts and I identified them. Reference to Capt. Van Voris's visit, what he saw and said, my two unanswered phone calls and two unanswered letters to him.

Paragraph on involvement of military aircraft, what had been admitted, including mislocation of our property, Col. Low's visit, etc. Paragraph on admissions of overflights, who was involved, in my presence by Morse to Coggins. Reference to possible omissions in his files and our file of affidavits inspected by Capt. Van Voris, who was permitted to and did take what he wanted.

Paragraph on liability in which I said it had been made frequently and my understanding was extent of damage was all that remained. Capt. Van Voris's offer to us, which we accepted, for settlement.

Reemphasized I was waiting to hear about their acceptance of my experts, also I was still waiting to hear from him on this, that this was a prerequisite to any computations.

Told him I had been so open with the government I had even offered to let them do the computing. Invited him to "come and see for yourself what you would want to see", especially the condition of equipment and layers. Asked him not to burden us unnecessarily by demanding the impossible; citing illustration. "what is necessary, without doubt, you will get." Concluded by telling him that "it is difficult to exaggerate what all this has done to us. It is imperative that our situation be altered as rapidly as possible. Both financially and personally it is very precarious." (D)

11/7/63. My letter to Morse, including 2 copies of Col. Leahy's of 10/31 (imagine! we had to give him copies for Leahy didn't!). Referred to our conversation 11/6 re conference. If he had question of computation of damages, "The method I had worked out satisfied Capt. Van Voris" and that if we could get this situation "back to where we were when Captain Van Voris was here, everybody will be satisfied." Asked if the Army is going to "try and void what Captain Van Voris has already agreed to." (D)

11/13/63. Col. Leahy's reply to my letter of 11/1 requesting "the dates that military aircraft operated in the area of your farm", etc., and the basis for claiming \$5,000 on each claim. (After all that had already been in the letters to him, even if he had no other knowledge!) Then he asked me to elaborate on seven points in my letter, what the flights have and will continue, who I gave the logs to, who checked them, etc. "The foregoing information is not available to this office." (Incredible!) (D)

11/16/63. My reply to Col. Leahy's of 11/13, saying "it leaves me perplexed. It is inconceivable to me that ....'information is not available to this office'". I reiterated he just didn't know things, and that we have a meeting. "We are getting nowhere. We are wasting time, which is very bad for my wife and me. And I again want to emphasize....extremely hazardous to us." (D)

11/16/63. My letter to Morse, enclosing copies of last exchange with Leahy, saying "His letter bears no resemblance to what I expected from our November 6 conversation on the subject." (D)

11/16/63. My letter to Col. Low covering letters of the last exchange with Col. Leahy, the letter of 11/16 to Morse and asking him to discuss with Morse. (D)

- 11/16/63. My letter to Mathias, with Leehy's of 11/13 to me, my reply, and copies of the covering letters to Morse and Low. (D)
- 11/17/63. Refers to my phone call to Morse in which he admitted he could do nothing with Col. Leehy. Similar 11/6/63. (H)
- 11/18/63. Note on sonic boom, reported to Major Freeman, indicates he told me some of the booms may have been caused by one of the Long Island manufacturers. I don't recall his ever having specifically identified any source, except to say he thought they were "ours". He told me he was going to NYC as an observer at a conference on airport noises, and I suggested if he had time he might check with the manufacturer.
- 11/20/63. Maj. Freeman not in, reported sonic booms of the two previous days to Maj. Hillding, including information children at Urbans school had been frightened, which I learned from two parents. (Probably two calls, this first).
- 11/20/63. My letter to Maj. Freeman, following up earlier reporting of sonic booms with account of additional effects, including frightening of children at Urbans School. Copy to Cong. Mathias. (SB)
- 11/20/63. Maj. Freeman believes it possible, with reservists flying from Patuxent, they might be causing some of booms.
- 11/20/63. Dr. S.S.Kety suggested I phone Dr. Philip Sapir, NIH, chr., extramural research branch, re using us in their study (U. of Md., Baltimore) of effects of strong emotions on body chemistry.
- 11/21/63. Maj. Freeman had alerted his radar net because sonic booms 11/18, 11/19 close to same time. He told me the military prohibition against sonic booms in the area didn't apply to manufacturers. Also, there are no FAA regulations on sonic booms.
- 11/21/63. Ann Mathias, wife of Cong., told me sonic boom of 11/18 so strong she made a note of it, at 10 minutes before three (2:52 here). She said it not only shook her house, but it frightened her children so badly they cried. She said, "It makes you wonder what kind of a society we are going to be living in." Her kids had been frightened by sonic booms before, dit to dogs.
- 11/26/63. Col. Leehy's letter replying to mine of 11/16, asking me to "furnish a listing of the other Government agencies with which you have been in contact (my emphasis)...will then...assemble the data which you have furnished to all Government agencies." Has no objection to a conference but should defer it until the claims "are sufficiently documented". (D)
- 11/29/63. My answer to Col. Leehy's of 11/26 began with the recommendation of an immediate conference. Hope he has heard from Morse, to whom I spoke 11/27. Told him there were no "other" agencies - all defense establishment, then I list Morse, Low, Freeman, Van Voris, Chamberlain, Doster, with addresses and phones. Again asked for immediate conference and that he come here. Sent him maps showing how. Emphasized our hazard and urged speed upon him. Told him about movie film we had and offered opportunity for his representative to be present when they were consolidated, and offered to delay this if he wanted to examine them first. Offered him access to still pictures. Enclosed copies of our price list and reprints of things that have been written about us when we won honors. (D)
- 11/30/63. Phoned Maj. Freeman to see if he had identified any of sources of booms and to ask if any unclassified studies were available (as of 8/29/64. Got none). (SB)

12/6/63. Sonic boom 11:30 (probably a.m.) (SB)

12/11/63. Note refers to separate memo on phone call to Maj. Chamberlain (spoke to McCabe). (B)

12/16/63. Maj. Freeman reported it had taken four minutes to activate the radar and by that time nothing supersonic appeared on scope. Will try and devise faster system. He also believes it possible that some might be of Navy origin because reservists are flying some and they are not as dependable.

12/27/63. My letter to Leahy after I had no reply to letter of 11/26/63. Said he now had files he had gotten from and through Morse, they should corroborate what I had told him, and that, as I always had, I wanted again to impress upon him the hazard to us, that "it is incredible to me that there should continue to be so many recurring delays." (D)

- 1/6/64. Phoned Col. Leahy about a helicopter over which the pilot had no control because of the strong winds. Spoke to Capt. Loane. First phoned Capt. Van Voris, who wasn't in. Capt. Loane said he'd tell Maj. Chamberlain, and that the Maj. was probably in radio touch with the pilot. He seemed surprised when I told him that consistently when I reported overflights or violations the MDW people claimed it was impossible to get radioed identification.
- 1/9/64. Col. Leahy's reply to my previous two letters. He says that the Army has accepted singular authority for processing. He has obtained what he describes as "complete files" from those with whom I have communicated, they have been analyzed and evaluated and, in their opinion, I "failed to substantiate (our) financial losses to any degree". Paragraph on necessity for proof, and next paragraph gives me "30 days from date of receipt of this letter to submit" it. Otherwise, it will be adjudicated on the basis of what they have. Asked me to address his office exclusively on it. (D)
- 1/10/64. Maj. Freeman informed again within two minutes of sonic boom. I didn't hear or feel it at Co-op, but Kelly told me it had rattled things at his place, about a mile away, but much quieter. All his lines busy when I tried to report another one same day. Took more than 2 minutes to get through.
- 1/15/64. My reply to Col. Leahy's letter of 1/9. I told him it was now my understanding that all he now wanted was an exact computation, supported by competent experts, and I was anxious to do this as soon as possible. "There remain still a number of questions to be settled under the agreement between the government and us" and these could be taken care of with little difficulty once we sat down and talked about them, as I had long wanted. I also told him that as long as we had live chickens on the place, we couldn't supply what he asked, and I asked him to remove his 30-day condition. (D)
- 1/22/64. Col. Leahy's reply to mine of 1/15, extended etc to March 1 and asking at that time I furnish information on the agreement I referred to. He again said he'd not schedule a conference until this had been done. (D)
- 1/23/64. Case of the buzzing general. Phoned Capt. Fredlund about the overflight of what turned out to be, in his words, "some fairly high-level passengers" from Pentagon to Detrick. He checked it with Maj. Chamberlain and Mr. Morse. Maj. Chamberlain explained this was a new pilot who hadn't familiarized himself with the regulations before the flight. Incredible! First, that when Chamberlain was sending a helicopter so close to us he wouldn't have been careful to brief a new man, and second, that a pilot could be so irresponsible as not to check his regulations and maps, which presumably are by now marked, before flight, especially with "high level" passengers! Mr. Morse told me there was a general aboard.
- 1/25/64. Reports of other sonic booms, including some of which we were barely aware that shook homes of friends less than two miles away. (SB)
- 1/31/64. Col. Leahy's to me, referring to my conversation with Mr. Morse preceding week. He says what kind of evidence he wants and says we can have the conference at his office any time after February 10, 1964. (D)
- 2/4/64. Sonic boom 2:35 p.m. No one at Freeman's office to alert radar. At Cong. Mathias's, strong enough to scare son Charles out of bed. (SB)
- 2/6/64. My reply to Col. Leahy's of 1/31, asking that conference be held at Pentagon, telling him why. (D)

- 2/11/64. Col. Leahy's reply to mine of 2/6 agreeing to Pentagon meeting, asking seven days' advance notice. (D)
- 2/14/64. My reply to Col. Leahy's of 2/11, saying I'd be in Washington the next week and would try to make the arrangements. (D)
- 2/14/64. My letter to Morse telling him I'd soon be in touch with him about the meeting Col. Leahy had agreed to. (D)
- 2/14/64. My letter to Mathias asking if he could be at the meeting. (D)
- 2/14/64. My letter to Col. Leahy telling him we had been ill, that the day before I had been in Washington and Mr. Morse wasn't in, and that I'd be in touch with him again after speaking to Morse, expected coming week. (D)
- 3/3/64. Col. Leahy's letter to Williams, Wadden & Stein, setting conference for 3/10/64. (D)
- 3/6/64. Numerous unnoted booms (chickens all gone), including one 12:16 p.m. strong enough to shake house and rattle windows. Checked intensity at various points and reported to Maj. Freeman, whom I had called immediately. He said by the time radar got working, no supersonic planes on scope. Data on AF payment of sonic boom claims. (SB)
- 5/22/64. Capt. Fredlund heard and saw an H-21 (AF) that I had just reported to him, with several others not previously reported, all in apparent violation of regulations.
- 5/27/64. Capt. Fredlund, to whom I reported overflights, said he had been told by Col. Bailey, Second Army, Ft. Meade, that He'd put up more notices about this than he could remember, and why didn't I try FAA. I told him how we had pursued that. Later, I asked his secretary to ask Col. Bailey to call me sometime when they were speaking, for I considered it still possible they have us mislocated. Never heard from him.
- 5-30-64. Spoke to Lt. Col. Mellett, Maj. Doster's replacement at White House, re proper identification of our place, instructions, map, markings. Told him suit was possible. He said he'd check and let me know. Didn't.
- 6/11/64. Capt. Fredlund has had no other identifications of reported violators. I had just reported one directly overhead, on a clear, bright, sunny day, and he said, "There is no excuse for it." Reported several others to him, and that Col. Bailey hadn't called.
- 6/24/64. Lil referred to Col. (retired) Vacca when she phoned Capt. Fredlund (vacationing). Col. Vacca said they had no authority over helicopters, had none themselves, and the calls were coming in frequently enough to be a burden, especially since there was nothing they could do about it. She told him purpose was merely for them to record and report. He gave her a lengthy exposition of progress, helicopters flying over his home without bothering them, etc. He also had a number of other unsolicited and inappropriate suggestions. He finally said he'd report it to the CO.

- 6/25/64. I phoned Col. Vacca re Lil's conversation with him 6/24. He said he had taken up the matter through channels and had been told to tell me to phone Capt. Chucals, Ft. Meade JAG, Second Army. I said I'd be glad to when the next violation occurred, but we couldn't afford to pay for the call, having had no income for so long, and I asked if he'd have Capt. Chucals call me. No call. (So I wrote him 6/29, never answered.)
- 6/26/64. Maj. Freeman, during conversation in which I had reported Oklahoma City developments of which he had been unaware, explained meaning of words in AF leaflet on sonic booms, to contact the nearest AF claims officer, "he will help you". He said it was and had been AF policy to help. When I pointed out the position Col. Leahy was taking, he said he thought that what the Col. probably was thinking of is a law that prohibits giving a litigant "information that would be damaging to the government's case." He said that what was meant in the pamphlet was that "we would furnish the forms and sit down with the person who wants to file the claims, and assist him in filling out the forms." The information would have to have been gathered by the claimant. I asked, "You can tell him what can and what cannot be included?" and he replied, "That's right."
- 6/26/64. Phoned Maj. Chamberlain re helicopter of 6/24. He didn't think it was his. He hadn't had reports on those I reported to Capt. Fredlund (rather surprising in view of what the Capt. had earlier told me - 1/23/64). Said 6/24 "not under my control" and otherwise implied White House. Said he understood all reports going directly to claims people. (Should he have known?) Col. Mellett doubted it because his were scattered, some in Calif., some in Detroit, 2 at home. Said he'd check and phone me later (didn't).
- 6/29/64. Having heard nothing from Ft. Meade, wrote Capt. Stephen Chucals, explaining purpose of my reporting, why we couldn't prepay phone calls to him, that both White House and MDW hadn't heard of reported case of 6/24. I told him of continued health danger and that I'd be glad to phone him if they accepted charges. This letter unanswered.
- 7/12/64. Maj. Hillding reports Westinghouse tests moved. I reported Sonic boom information from Oklahoma City. (SB)
- 8/1/64. Ref. to CBS coverage of Oklahoma City; Crowder's chickens, etc. (SB)
- 8/4/64. Phoned Col. Vacca (vacationing) to report overflight, referred in his absence to Maj. Hodge, in commandant's office. He told me, apparently reading from a document, that they were going to prosecute me as a nuisance for reporting these overflights and violations. I dared him to, read him regulation and covering letter and he began to backtrack. Two-page single-speed memo. He said he'd report to Second Army.
- 8/17/64. Capt. Chucals phoned when I was in DC, made appointment to see me 9:30 a.m. 8/25. Lil sent him map.
- 8/21/64. Capt. Chucals phoned, can't make it 8/25, wants to make it 8/26. I asked him to phone Taft, indicating I didn't want to see him alone, saying any time or place they agreed upon would suit me.
- 8/26/64. Memo of visit by Capt. Chucals and Col. Blackmarr, Second Army. I am to call Maj. Hodge, Ft. Detrick, to report violations. Many other subjects covering, including their statement the only thing that remains is to establish amount of damage.