

Dear Dave,

9/14/78

This is a story that can get entirely lost in a very large mass. Because I think you'll enjoy it I take time for a brief account before bed.

You may remember that I told you I'd get Beckwith, FBI or no FBI.

We did it today. Intellectual judo was a factor, fact the rest.

Yesterday I took Jim 300 or may FBI pages on Willie Somerset. This proved that the FBI had been lying in 75-1996 about its claimed inability to retrieve. More, it held the kinds of information the FBI swears it has to withhold- and does from me. The records were obtained by a friend of mine, to whom I've been speaking about this for a long period of time. I'd just gotten them from him. Beckwith filed a 68-page affidavit 8/11 alleging the need to withhold and the impossibility of providing what had not been provided. Including a Somerset item.

I'd also alleged that the worksheets were bad, even with erasures. So he swore there are no erasures and provided a copy to prove it. (With this his exhibit Z I make the bad pun and call this Code-Name Z.)

I didn't think I'd make that kind of mistake so I checked. He had a special and unusually neat, legible and clear worksheet made. He made no erasures on it. He gave it to the judge instead of the actual one. So this morning I gave Jim copies of the real and the fake and he gave it to the judge. (St. James was more modest than I'd asked or preferred.) He said these things typify why we are still in court and allowed as how it isn't really proper to have an unindicted co-conspirator working on FOIA cases. Or even fair to said U-I CC.

The judge was unable to keep her face still. She was really angry. She did not raise her voice or anything like that. She said this was obstructionism and that she wanted Shea "in charge" and she did not want to see Beckwith in this case again.

Jim ordered a copy of the transcript so we'll have copies. I also asked him to make a copy for Shea. Shea stopped off for a pleasant visit with two very attractive sons as he was going home on vacation, from, rather. I told him then that while I regretted having to bother with such things there seemed to be no other way of ending the outpouring of false Beckwith affidavits so I'd just have to get him. I'd have liked to be with him today when he got the word.

And of all the stupid things, the Government attorney rushed up to the podium after Jim finished to defend Beckwith as a fine gentleman who always provides just the kind of affidavits they want. Judenrat in skirts.

These people are so high on raw power there is no certainty but I have a sneaking suspicion the affidavits will be shorter and less brazen. I do not predict that they'll stop the stonewalling and just get the flamed case over with. They'll have another and I've predicted to Jim who it will be.

Now don't get any wrong ideas. We will not play favorites. No bias in favor of the FBI. The day of the CIA will come and we're walking to it. (I can't run anymore.)

Why the appeals court was so anxious for us to get the transcript case before it is now clear. We both look forward to it now. You should get and read the Marks and Ray decisions it just headed down in CIA cases. These other people can't come up with the kinds of nuts and bolts we do and they are looking for nuts and bolts. Jim's brief hits the right spots well - bas faith. It will help if the committee puts Mosenko on. (They may use a tape, transcripts of interviews or a videotape, with him in a hood. When I suggested to Jim that they'd cover his face he broke up, remembering that the Post carried his picture and we have it in the record.) See what happened when you did not get here on time? Best, This is what you missed.

To John Shea from Harold Weisberg re JFK assassination records, appeals  
FRING; Dallas Field Office

9/16/70

Attached is a copy of a UPI story from the San Francisco Chronicle of 9/11/70. In time I expect the original story, which I am confident is by Earl Golz of the Dallas Morning News, based on his conferring with me prior to the appearance of the story.

The story recounts that SA James Patrick Hosty, Jr. has "bombs" to "drop" if he testifies before the House assassins committee in public.

Although after he testified in executive session to the House committee there were no accounts of any actual explosions on the Hill I am confident that SA Hosty would not exaggerate or in any way be untruthful.

Because I believe him to be neither untruthful nor one who exaggerates I believe that in fact he did testify to the Senate Intelligence Committee for some 30 hours.

As we all know, the Senate is not prone to waste time, so I assume that SA Hosty had much to say about "what the story was" about the JFK assassination.

I am not aware of any information of this character or more modestly like it in the FRING or Dallas Field Office files. Having implicit trust and faith in SA Hosty and no less confidence that he would not have talked to Mr. Golz without all the necessary FBI OKs I appeal the denial of this dropped-bomb information.

Mr. Golz is in the files provided, although to locate him the FBI will have to pretend his name is Coetz, the way in which it preferred to spell it.

I am aware that SA Hosty destroyed his notes and other papers a month after he destroyed the note Lee Harvey Oswald delivered to the Dallas Field Office for him. Perhaps a better formulation <sup>is</sup> ~~was~~ that he so testified to the Warren Commission. He is human and might have had a flawed or convenient memory. I am aware that there are special FBI regulations covering any destructions and in fact I have received a number of properly executed forms in which destructions are attested to. (One reference to this, which I ask be noted in my King appeals, is the attached "June" record from 100-3-116-1036, this copy not provided to me by the FBI, which also had a copy in the Hoover O & C files.) I have received neither the Hosty notes nor the approval for the destruction of "originals...even though they contain errors." (June record, p. 3, penultimate paragraph.)

When interviewed by Mr. Golz SA Hosty had a credible explanation for recurrent reports of the presence of Secret Service agents on the "grassy knoll" immediately after President Kennedy was killed. Because it is known that in fact there were no Secret Service personnel there at that time there was a Dallas investigation. (No records provided.) SA Hosty's explanation, which I doubt he denied the FBI, is that these men flashed other Treasury credentials - ATF whose offices were nearby.

I believe I have appealed the denial of the investigation of the Oswald note destruction. These records include many sworn statements.