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## Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, Federal Bureau of Investigation

DATE: October 28, 1959.

MRW:PW:gmf  
123-51-471FROM : *MRW* Malcolm R. Wilkey, Assistant Attorney General  
Criminal Division  
*Joseph*

SUBJECT: United States v. Bonanno

Reference is made to your memorandum of October 19, 1959, replying to a letter of October 6, 1959, from Thomas J. Dugan seeking certain original documents.

*WJP* Mr. Dugan's letter was sent to several investigative and other agencies for the purpose of establishing the admissibility of secondary evidence by proving that a careful search had been made for original documents.

Your memorandum states that some of the items requested by Mr. Dugan had been previously furnished on September 17, 1959. However, only photostats were sent and there is no indication whether or not the originals are in the possession of the Bureau, although presumably the originals were left with the source.

In order to satisfy the best evidence rule it will be necessary that you furnish us with the originals or a statement that the originals are not in the possession of the Bureau.

Inasmuch as the trial of the case has already started, we would appreciate a reply hereto at your earliest convenience.

10-29-59  
Let to HAG  
Malcolm R. Wilkey  
AAS/Adm

RECEIVED REC-15: 92-4225-47  
OCT 28 1959

OCT 28 1959

*SO*  
*R*  
*W*