

21 December 1970

Mr Richard Bernabei
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Dear Dick,

1. Many thanks for your letter of the 7th (incorreced dated "7 November 1970"). I had the same reaction as you had to Braverman's sloganeering on his envelopes--"The Solution to Crime ...etc.--and therefore did not even bother to respond to a handwritten note he sent me with copy of his letter to you, in which he seemed to renew an old suggestion that he and I should meet personally (not in regard to the WR, if my impression is correct). Since I have never met him, I don't know what kind of spine he would prove to have when the chips are down. Generally speaking, my feeling is never to count on anyone's backing who has not already established his credentials as an uncompromising fighter. What better lesson do we need than that we received from Hoch? Before his entry into melondom, I would have been inclined to count on him--but I know better now, as we all do.

I appreciate and will keep strictly to myself the information you confided in me re the pathologist in Philadelphia. I have never heard of him, and for that matter I do not know who Howard Roffman is. My main interest was whether or not the pathologist was someone of whom I knew already. Be assured that I will not mention the name to anyone and not cause you any recriminations.

I don't think that I told you one development in my own work on the case since we resumed our correspondence, since our current exchanges of letters have all been on the subject of Hoch and/or your work on the dust-like particles. This development has to do with the CDs and other material from the Archives that I have been obtaining over the last 18 or 20 months. Most of it was valueless and repetitive, but in a few instances I stumbled into breathtaking material and got a real shock of utter delight to find that there was in these documents unhopd-for corroboration of my reasoning and conclusions on points treated in Accessories, on the basis of the documentary record available to me in 1966-1967. For example, I had a short chapter in the book called "A Strange Arraignment" in which I set forth my reasons for suspecting that the official version of the 1:35 a.m. arraignment for the murder of JFK was a pack of lies. In the summer of 1969, I received from the Archives a pack of CD's among which was a one-page FBI report, by Hosty, indicating that on 11/26/63 Fritz's office had informed him that Oswald was not arraigned for JFK because it was considered unnecessary since he had already been arraigned for Tippit! This is one example.

The more important example has to do with Charles Givens. On the basis of indices to the CD's which I had purchased from Hoch, I ordered all document pages listed under the name "Givens" and struck riches. From those CD's plus internal memos written by Ball and Belin in the early days of the Commission, I assembled strong corroboration of my conclusions in Accessories ("The Sixth Floor at Noon" chapter)--that is, that there had been perjury and collusion, and that Givens had never returned for his forgotten cigarettes nor seen Oswald near the corner window, etc.

I wrote all of this Givens stuff up as an article of about 7 pages, which I submitted to The Texas Observer, which has published two or three book reviews I wrote during the last year or so, and which is now the one and only periodical that has the smallest willingness to publish material on the case. At about the time of submitting the article, there was a change of editors and it got put aside for some months. Eventually, however, the new editor called me to discuss the Givens article. She agreed with me that it was important new evidence but seemed a little worried about the charges in the article, against Ball and Belin in particular. We agreed that before publishing it, she should send the ms. to Ball and to Belin for any comment.

I just got a note from her saying that she had finally heard from Belin, who says that my allegations are false and libelous but gives no specifics. He wants assurance that his detailed comments, if and when he send them, would be published together with my article. I am writing today to urge that she agree, for I feel certain he cannot show anything in my ms. to be false, nor can he wriggle out of the irresistible picture it presents of his own conscious concealment of and perversion of central evidence.

So this promises to be interesting. At least a WC lawyer has reacted (even if only empty bluster), perhaps for the first time. At least once before, the ms. of an article was submitted to Jenner, who ignored it and made no comments in advance of publication, although the article fried him.

2. Your exchange of letters with Wecht. Although I am very pro-Wecht as a rule, I must admit that his reply to you disappointed me. I have the distinct impression that he is so extended in so many directions in his various professional activities that he did not really read carefully or think through either the Hoch paper or your letter # 3 to Hoch. What is worse, he may not give the necessary attention to your letter to him dated 7 December. I had hoped that you would get more conclusive advice from both Wecht and Braverman--maybe one of them will still come through.

3. I have finally read through your draft monograph. Generally speaking, it is a very good start indeed.

(Interruption)

22 December 1970

When I got home last night I found your letter of 9 December, with which I do not quarrel. I would only comment that while the Fisher panel is more qualified and competent on paper than the Humes bunch, and while I feel that the description of the concentration of fragments at the right front is authentic (why would anyone co-opted by the Government for the implicit purpose of authenticating the Humes autopsy findings invent such a description of the fragments?), the fact remains that there is no guarantee that the photos and X-rays submitted to the panel were authentic and unadulterated, nor any assurance that the panel's probity was total. For example, the panel suddenly found fragments in the neck which no one ever before claimed to see, which fragments (off the self-same CE 399, which can shed itself eternally sans loss of mass or weight) were cited as "proof" of bullet transit from back of neck to the front.

To me, this makes the entire 1968 panel and its entire report no less suspect than the Humes gang and the utterly discredited official autopsy report. Granted, they seem to give a correct description of the tiny fragments in the head--correct in that it is consistent with and corroborative of a whole mass of evidence of a bullet entering the right front of the head--but the panel report as a whole and the four authors must be regarded as tainted with serious suspicion.

(Incidentally, also in the mail last night was a "season's greetings" card from Hoch--just as if our relationship has not been poisoned beyond salvage by his stinking melons. I intend to ignore the card and any further communication from him which involve mere repetition of the dreary exchanges of recriminations and self-justifications.)

I won't give you detailed comments now on your monograph, since it is a first draft and subject to your own revisions, but I should mention that I am puzzled by the last sentence on page 11 ("Minute fragments regularly come to rest in solids near the place where the bursting bullet strikes; they do not appear elsewhere without also appearing there."). How will such minute fragments "appear elsewhere" than at the point of impact of the bursting bullets, since your thesis (if I understand it properly) is that minute fragments have little or no penetrative capacity? (I imagine that my question is perhaps stupid and that I have missed a key point somewhere along the line.)

Another incidental comment: Near end of paragraph 39 and in subsequent passages, your phraseology might be improved, by changing "...a location directly accessible to the right-front part of the...head" to something like: "...a location to which the right-front part of the...head was directly accessible..."

Paragraphs 41 and 42 seem out of position and a somewhat discordant switch from the clinically expositive to the argumentative.

Otherwise, the draft seems fine to me.

Sorry that I have been so long in replying but it could not be helped. Let's be in touch as soon as there are developments on your side or on mine. As you know already, I sounded out the editor of The Texas Observer about your work, and she was generally receptive, but a monograph of any length would be impossible. If you have not seen this periodical, it is similar to The Nation in format but rather more slender, and I doubt that any article more than about ten pages (space and a half) would be considered at all, for reasons of space.

Best wishes, as ever,



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