

22 October 1969

Dear David,

An awkward situation has arisen, in the wake of the most peculiar day I have had in a long time. Yesterday I found myself suddenly saddled with a friend whose marriage has been deteriorating rapidly in recent months and who abruptly left her husband that morning, in the midst of a dangerous quarrel. She needed a pair of ears, a bed for the night, and so on, and I could not turn her away. Simultaneously, I found myself saddled also with H. Weisberg, who was in town for the night and wanted to have dinner with me. I could not wriggle out of it and at 6:15 I arrived in my lobby, accompanied by the agitated wife, to find both Harold waiting there and a huge package from Paul Hoch, which the doorman handed to me. Eagle-eyed Harold did not miss a thing, of course, and declared that the package must contain the transcripts of Finck and Frazier which he had arranged for Paul to send to me.

We left my poor distraught friend in the apartment, since she adamantly refused to join us, and went out to dinner (dutch, need I say). During the meal, Harold again reiterated that it was through him that I had been provided with the transcripts; and he also said, categorically and explicitly, that I was not to share with you any material which I received from or through him, and that I was not to share with him any information or material that I received from you, even if you placed no restrictions on it.

I could have told you this story without including the part about my friend and her disintegrated marriage but I wanted to give you the picture of my own agitation and, indeed, my sleepless night due to her sleepless night in an apartment not intended for overnight guests, so that you would appreciate my present confusion and upset about the Finck transcript.

Before leaving for work, I hastily re-read your last letter, the page in which you discussed how much you needed the Finck, and as I recall it, Paul Hoch did supply you already with the Frazier transcript. Is it not likely that Paul does not consider himself prohibited from letting you have the Finck, in the same way that Harold has now explicitly placed me on my honor not to make it available to you? Paul's bill says that it is 274 pages long, but after a hasty look I think it is more like 240 pages. Needless to say, I have not yet had a chance to even plan to read it.

I forgot to say at the outset that this is the one week in the year when I was least able to cope with my lady friend or Harold, and their phonecalls and visits, since we have present in the office the very TOP brass from our Geneva HQs and you never saw such a flap in your life. Between them they have put me behind in my work, and I am doing this letter in my lunchtime because I did promise that I would let you know as soon as the Finck transcript arrived. Please write by return and let me know your thoughts on how to proceed and especially if you see any chance of getting the transcript from Paul Hoch.

With regrets for any incoherence in this letter,

Hastily,

I turn now to page 4 of your letter. I started to go through something of the same process you describe, listing the ABNP pages on the indices I had bought from Paul Hoch, using the Fensterwald inventory. If you go ahead and get all the ABNP pages on microfilm, of course I will be interested in getting xerox copies --providing that I do not have them already, which would be indicated on my enclosed master list of CDs. And I wouldn't mind duplications, if only two or three pages out of a much larger set of pages were duplicated, which would save the trouble of weeding out. (I wonder if this paragraph is clear or merely confusing?) Perhaps we will discuss this by phone, when the time comes, to be sure there is no inadvertent misunderstanding.

I will not, of course, give anyone else access to your ABNP index, when I receive it. In any case, I am not really working with anyone else and hear only occasionally from Harold Weisberg, Thompson (who is abroad and rather divorced from the case, writing a book on Kierkegaard's life), etc.

With these points out of the way, let me turn to CD 5 page 400. I was wildly excited when I received it, telephoned me niece and read it to her, showed it to my next-door neighbor, feeling as if I would burst if I could not share it immediately. Then, when I sent a copy to you, I sent one also to Joesten. I was hesitating, where Joesten was concerned, because he has become increasingly ridiculous in his "reasoning," first in his irrational pro-Garrisonism; then, in the reasons for his belated disillusion with Garrison, still refusing to face the fact that he was an utter charlatan; next, in his ridiculous theories re Ted Kennedy, the death of Martin Luther King's brother, etc. etc. But I overcame my hesitation, remembering that Joesten was the first one to raise the issue of the arraignment and not wanting to deprive him of the same satisfaction I had felt upon finding my own charges vindicated. So what does Joesten do by way of a thank-you? He tells his readers that I had accepted and believed the WR version of the arraignment!!! That will learn me to be generous with the likes of Joesten.

While I do not dismiss the possibility you raise that Oswald was arraigned for JFK, the news clipping you describe is slender evidence by itself. It is possible that Oswald made this remark when he was displayed to the press, when he said "I have not been told anything about that" or words to that effect, indicating that he did not know that he was suspected of the JFK assassination. But if there really was such an arraignment, then I think it took place at a time and place other than described in the WR, for the reasons I put forward in Accessories. One avenue still open to inquiry is the UPI photo of Bill Alexander holding the affidavit, which is included in Joesten's book Oswald: Assassin or Fall Guy? That photo shows only the top half of the affidavit, while the Johnston Exhibit No. 4 (XX page 321) shows the entire page, seemingly completed, notarized, etc. This photo in severely cropped form (e.g., showing only the top of the affidavit, no trace of Alexander) appeared in the NY Times on 11/24/63. The question is: Is the UPI photo as shown in Joesten's book cropped or uncropped? If cropped, why did the UPI or the newspapers or Joesten omit the bottom half of the affidavit? If uncropped, did the photographer leave out the bottom half because it was blank? My own impression is that if the original uncut UPI photo showed the same bottom half of the affidavit as appears in Johnston Exhibit No. 4, the NY Times would never have cropped it out but shown the whole page.

If I have expressed myself clearly, do you agree that the UPI photo might be decisive? If it was identical with the exhibit and displayed by Alexander on 11/23/63, it would throw the weight of the evidence on the side of an actual arraignment. If the original uncropped UPI photo omits the bottom half, it was likely blank, and the exhibit as well as the WR story of the arraignment are almost certainly fabrications. About the CD 5 synopsis, the statement that Oswald was charged probably refers to the complaint filed by the DA's office--a literal "truth," as you say. But clearly, viewed from any and all angles, very dirty business here. Best,