

1/16/70

Bud, Dick, Gary only,

With this a copy of John Nichol's letter of the 13th and my yesterday's response.

I have made no further reference to the bullet, but will if I do not hear about that.

My personal feeling is that his letter does not allay my deep disquiet about the entire affair, for it can be interpreted as deceptive (switching the certification and the body chart) and is acknowledgement of what is in any event obvious, that he knew exactly what he was doing.

And did it anyway.

Sincerely,

Harold Weisberg

P.S. For you who do not know, this is not all.

guy, Beck, But only

1/15/70

Dear John,

Your letter of the 13 just arrived. Although you say no answer is necessary, I feel one is. As you know by now, when so long a period went by without response, because I knew you would feel, as you say, it requires immediate response, I wrote you further on this matter.

First let me say that if I considered you a crook I'd have nothing more to do with you and certainly would not have offered to continue to help you with your suit. This should be obvious to you.

At the same time, because you are not a crook and because you are a man from scientific disciplines that tell you to respect the rights of others to their own materials, you should have known better.

When we first met, when you were at the AFIP meeting several years ago, I made certain things clear. My bringing all that unpublished material with me to show and lend you was demonstration of my trust in you. You are the first to have seen POST MORTEM, which was completed and retyped in September 1967. I explained to you my deep misgivings not only at the taking of my material but more, and the wrongful use thereafter made of it by others in a position to use it when I might not be. What I showed and gave you was on your word you would not use any of what I had dug up. As you know, it is child's play, once you know something does exist, to duplicate it. But you did give me your word.

You failed to get the autopsy authorization. I had it and showed it to you. I also told you I had a special use for it. When you felt you would broaden your suit to include it, you wrote me peremptorily that if I did not give you a copy, you would get it from the Archives. This disturbed me very much, for your reaction on seeing the authorization was such I knew you would not forget how you saw it. You also knew it was in a book I had written and hoped to get published, the result of a great amount of uncompensated and unrewarded work.

If you will reread the first long paragraph in your letter, I think it will become clear to you that included in what I showed you is the Admiral Burkley stuff. Now, as I told you then, I continued this work, and I have obtained other things of which you do not know. I think it is urgent that all of this be left alone by all of us with serious purposes in this matter for several reasons, including, but not limited to, these: so I can pursue what thus far has been rather successful work outside the Archives and so that I can use it properly and completely, at the proper time and place. It is not by any means only that I want what is not unreasonable, the right to use my own work first. It is this jeopardy to what we all seek that set me off. As you must realize, although I regard your blackjacking me for the autopsy authorization as wrong, I complied and I did not discontinue either helping you or offering to. Despite the fact that you are of high medical qualification and I have none, I have and I know what you do not, and until such a time as I can show you what I have and what I am working on, it will have to rest there. I am not withdrawing my long-standing invitation for you to come here and see what I have.

Your account of how you got the Burkley copy of the body chart is, I know, truthful, for as you knew I knew, it is misfiled in a way that makes it possible for them to have made this mistake. They did not send you what you asked for. They

I can tell you with fair certainty that Mike Simmons filed your order for these reasons: it is the kind of mistake he would make, they have that Burkley body chart misfiled with the copy that went to the printer, and I impressed upon Mike on several occasions that the best thing is to go to the original. Mike, I am certain, is not responsible for that really cute trick, filing this sheet the one place it could not belong, with what went to the printer-which it never did!

Now I forced that into the Archives before we ever met, as the result of long effort, all of it recorded in my correspondence files. The Commission never saw it. Sometime, if you are interested, I will tell you the entire story and show you the entire file. Having forced it into the Archives, naturally, I had a copy.

However, unless my memory fails, and I am not taking the time to check the files, it is not this body chart of which you wrote me by the Humes certification, which I also showed you in Silver Spring and is misfiled in the same place, it also being Burkley's copy. As you see, I am trusting you and taking ~~what~~ your letter of the 13th as a repetition of your word you will not use my materials. If you have forgotten what is in POST MORTEM and what I showed you, Burkley approved both of Humes' statements and they are both there. I take it you will leave them there in quiet, attracting no more attention until I can use them in what I feel will be not only an effective way but more, in the right context, which I alone can.

When you say "I do not plan to use this document", I assume you mean any of these Burkley things I forced into the Archives and showed you. You are silent on the authorization. I would like the same assurance from you on it. You can now get it readily on your own, for they have made a copy from the misfiled copy and out it where it belongs, but I do not expect you to. I have all of this also properly recorded and expect to use it also in a particular way and in court.

I have completed two of my three books on the autopsy. You will be able to see that I have used none of your material in them. I thank you for the offer to use your neck chart that is in the New Orleans evidence, but I do not plan to.

There is no time now for me to carry this further, for there are other things I must do. The question, as I indicated above, is not, to me, whether you are "plotting to steal" my "labors" but whether you are for other reasons going to use what you could not have had but for me and what you promised me you would not use. Nor is it whether you are, by nature, a dishonest man, for I do not believe you are, as the record of my help to you must disclose. I think you face a problem we all face, in one way or another, and a difficult one, where it is possible to make an honest mistake. But unless we deal with each other honestly and honorably, we hurt ourselves more than others can and we cripple our work and effectiveness. You knew these were my materials and that I had showed them to you under certain restrictions you accepted. Yet you forced the authorization from me and the rest. I also asked myself "why", since I do not believe you a crook. "One of us can put himself inside the mind of another, but I think you may have let your own sincere desires cast yourself in a certain role that, to you, justified this. A less diplomatic phrasing might involve the use of the word ego.

In any event, I take your letter to be a reaffirmation of your promise not to use any of my material I have not been able to use. Unless I hear otherwise from you, I will continue with this interpretation. I am concerned about any redistribution you may have made of this material, which is the reason I wrote you the second letter you have not had time to answer. I intend using this material not only in my writing, where it already is, but also in my own suit, where it can and will be used as it cannot be elsewhere.

If you have anything to add to this, or disagree with any of it, I look forward to hearing further. Sincerely,

1/15/70

Dear Joan,

Your letter of the 13 just arrived. Although you say no answer is necessary, I feel one is. As you know by now, when so long a period went by without response, because I knew you would feel, as you say, it requires immediate response, I wrote you further on this matter.

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## UNIVERSITY OF KANSAS MEDICAL CENTER

RAINBOW BOULEVARD AT 39TH STREET  
KANSAS CITY, KANSAS 66103 • AREA CODE 913 • 236-5252

SCHOOL OF MEDICINE  
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

January 13, 1969

Harold Weisberg, Esq.,  
Coq d' Or Press  
Route 8, Frederick, Maryland 21701

Dear Harold:

Your letter of January 6 arrived yesterday. It merits a prompt reply.

I am disappointed at your opinion of my honesty.

At the Silver Springs Motel in April 1968 I remember with considerable clarity the photographs of CE 399 which you showed me because I did not realize the extent of the mutilation on the rear. I was also surprised that you had obtained a copy of the "Authorization for Post-Mortem Examination" since the Archivist had told me he could not find it. I do not remember that you showed it to me. However, the text of my letter of April 6, indicated that you did show it to me. I remember that you told me that it had been countersigned as "Approved" by Admiral Burkley. We also talked about other things including the autopsy sketch sheet. I feel sure you did not show this to me. Only recently have I come to realize that the "Approval by Admiral Burkley" was written on the sketch sheet instead of the "Authorization...". You told me that these documents were misfiled and could not be found by ordinary search but that you had copies and could put your finger on the originals in the Archives.

A few years ago, at the early beginning, I had our photography department make for me directly from the autopsy sketch on page 45 volume 17 a 3 x 4 transparency for projection. I have been using this always since and as you commented in Silver Springs it is a very poor transparency in comparison to the other slides I have. I have never asked the Archivist for a copy of this sketch as you suggest in your letter of January 6 in the third paragraph.

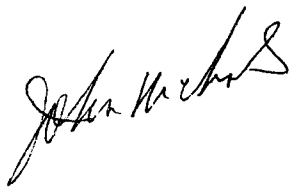
UNIVERSITY OF KANSAS  
MEDICAL CENTER

Recently this slide suffered a crack in the glass and I decided to purchase a copy of this sketch directly from the Archivist so our photographer could prepare another transparency of better quality. Upon its arrival I noticed it carried the notation "Verified G. G. Burkley". I forwarded a thermofax copy to you the same day of arrival with the inquiry you mentioned.

Now, reflect a moment. Is this the behavior of a person plotting to steal your labors? The answer is self-obvious. — Might I suggest an experiment? Purchase, thru the mails, in another name and different address, a Xerox copy of this document from the Archivist, or have a friend do it for you. Compare this new copy with the one in the Archives having Burkleys verification and the one printed in the Warren Report.

I do not plan to use this document. You are, of course, perfectly free to use anything I have given or divulged to you including my copyrighted neck diagram from the untranscribed portion of my testimony in New Orleans. This seems to be a secret to all others. However, please do not associate my name with Doctor Fisher's request to examine the brain. I will, as promised, send you a completed copy of the final brief in my Topeka case and transcript of my testimony in New Orleans when it becomes available to me.

An answer to this letter is not necessary.

A handwritten signature in cursive script, appearing to read "John Nichols". The signature is written in dark ink and is positioned in the lower right quadrant of the page.