

9/5/69

Dear John,

I think you can agree it is passing strange that at this juncture the autopsy permission suddenly is available, with the official falsehood that it has been all along. My reason for not telling you my suspicions is because I did not want to color anything you would say, not even indirectly. I do not suspect you or your lawyers, of Dick, Gary or Paul, who I told and who read the limited edition. The question remains, then, why at this point do they seek to build a false record? In my correspondence I will pin this down to the degree it is possible. I have, as you have seen, told them they have lied and challenged them to consult the records which can prove I am wrong. They will not. Furthermore, I bought a copy of every one of the duplicating autopsy files, and it is attached to none of them. I still point a suspicious nose in a certain direction, a "critic" you do not mention in your 9/3, one I regard ed seriously ill. I am aware of other possibilities, but I also discount them. I am, for the moment, this is the result of some kind of espionage, perhaps the original source innocent in it.

It is not my intention to be burdensome, but could you possibly Thermofax Finck's testimony before sending it to Paul for Xeroxing? That is, if you, personally, do not have to stand at the machine to do it? The resultant copy is not permanent, least legible, but has one great advantage: it takes up less space. I will want a permanent, xerox copy for home use, for excerpting in writing, etc., but I can carry the Thermofax so much more readily. I did a fair amount of my study of Frazier's on planes, where the bulk of a Xerox copy might have made it impossible for me to carry. I am now in the hands of a lecture bureau, and I would, very much, like a copy for ~~xxxxxx~~ carrying with me. This purpose the Thermofax would serve. However, if this means work for you, personally, do not do it. Then I'll keep the clean copy from Paul for ordinary uses. If you cannot do it, I'll get an extra xerox. When you get your own, my confidence in the value of your testimony is such I presume the same would be true.

Are you getting any other transcripts? Shaneyfelt? His may be as significant as Frazier's.

Nothing else new. Many thanks.

Sincerely,

Harold Weisberg



UNIVERSITY OF KANSAS MEDICAL CENTER

RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103 • AREA CODE 913 • ADams 6-5252

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

September 3, 1969

Harold Weisberg, Esq.,
Route 8
Frederick, Maryland

Dear Harold:

Earlier this morning I sent off Frazier's testimony to Paul Hoch for further Xeroxing and your letters of August 29 arrived.

In the matter of the "autopsy permission" it has always been to my advantage to keep this secret. I had intended to ask you for it at the very last when (if) I publish. Upon return from our meeting in Silver Springs I told my wife that you had located it in the Archives and had a copy despite the fact that the Archivist alleged he could not find the document and that you could put your finger on it in the archives. I told Judge Swinehart (whom you met here) that the permission was completely irregular and that the Archivist could not find it in his files but that you had seen it and could put your finger on it. Judge Swinehart has very little interest in the problem and I feel sure did not recognize the importance of this and probably forgot it. In any event we have never, since two years, discussed this problem.

In conversation with senior staff members of this department who have no interest in the problem I have mentioned that the autopsy permit was defective and nothing more and no one has attempted to draw me out on this item. In my lectures to bar societies and to medical societies I have always avoided the issue. F.B.I agents have attended some of the bar lectures. Sometimes they come forward and identify themselves and other times friendly lawyers tell me they are (were) present. In any event I want to keep this item confidential and do not mention it.

Of course, I have discussed the matter fully with my three lawyers in Topeka. As you might surmise they are keeping all aspects of the case in confidence. The only persons who know about your affidavit are my wife, the Topeka lawyers, and Dick Bernabei. I have never thought this unusual. My various friends know of our common interest and I would assume them to believe that I would obtain such a document from you.

Last week requested a negative from the archivist on this autopsy permission.

JN

September 3, 1969

Paul L. Hoch
2537 Regent Street
Apartment 202
Berkeley, California 94704

Dear Paul:

A few minutes ago I sent you Frazier's testimony under Postal Insurance 922946. The post office advised that Xeroxed material can go at 4th class rate. Therefore you can use the enclosed "Merchandise" return addressed label and the return postage will be considerably less than I used to send it to you. Air-mail is not necessary.

Sincerely,

cc: Harold Weisberg


John Nichols

September 3, 1969

Paul L. Hoch
2537 Regent Street
Apartment 202
Berkeley, California 94704

922946

Dear Paul:

Enclosed are all 196 pages of Mr. Frazier's New Orleans Testimony. Please go ahead duplicate and distribute as you see fit. This is being sent by insured mail but on return this will be unnecessary because duplicates will be available from you. No, it is not necessary to make an extra copy for me.

Just as soon as Finck's testimony can be had from my Topeka lawyers will send it in similar fashion. My own New Orleans testimony has not yet arrived.

You might be able to use the same "Jiffy Bag" for return and the enclosed stamps will help as will the addressed label.

In answer to your questions everything which transpires in a court room goes into the public domain. To get the other testimony from New Orleans it will be necessary to write to Mr. Garrison or to the judge. If a case is not appealed the transcript is frequently never transcribed from the stenographer's shorthand. I suspect this will prevail with much of the New Orleans testimony unless the requesting person is willing to pay the court reporter.

Sincerely,

cc: Harold Weisberg

John Nichols