



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

May 25, 1969

Harold Weisberg, Esq.,
Route 8, Frederick, Maryland

Dear Harold:

Your eleven page letter of May 19 and supplemental letter of May 22 arrived. This is fantastic, I will be in your debt for a long time.

As you can see from the enclosures, I have Xeroxed your letter of May 19 and forwarded copies to Mr. Schoener and Paul Hoch. I have also asked Paul for a copy of the letter you mention and permission to use it in my suit. Did you know his mother is a Pathologist and his father is a Biologist?

Am in process of getting photos from the archives to illustrate, in my brief, the errors Berneabi has pointed out. If there appears to be too long a delay I may ask for your photographer to make some prints from your negatives for me. My lawyers think it best, if possible, to work with material sent directly from the archives for which I will have a covering letter and a cancelled check. Will try to make a slow motion movie of empty cartridge cases being ejected from the gun in order to check Bernabei's ideas and will let you know the results.

Harold in the first paragraph of your letter you mention that you had started a lengthy analysis... but did not send it. You make mention that you can Xerox it and send it. Yes please do so. Or alternatively send the original and I will Xerox it and retain a copy and return the original to you. However please do not expend special effort in researching any points.

In your 5th paragraph first page you mention the "cited law was 17 years old" Where can I find this law? In the 6th paragraph page two you mention the House Committee report of August 19, 1965. Could you let me have this so I can Xerox it and return the original by return registered post? In the 5th paragraph page 3 you mention the spectrographic report was used by the Warren Commission. Where is this? I only know of the statement that such analysis was performed but did not know the results were used by the Warren Commission. In the first paragraph of page 4 you mention leaking of this data. can you give me a press clipping with citation containing this leaked data so I can make a negative of it and return the original clipping and glossy copy to you.?

Again in the second paragraph of page 4 you mention that other similar data were leaked (similar to the spectrographic). Can you give me something that I can photograph for citation and return the original to you.

Just got a call to go over in the hospital and it will be several hours before I return so I will hurry. Please do compose a suitable affidavit covering the various things you have done with knowledge of and in violation of Dr. Road's rules and regulations. Also please have your photographer compose a similar affidavit and also let me have the address of Mike Berlin or other persons who were with you when you operated the Zapruder camera. Enclosed are two dollars (\$2.00) which should cover the notary's oath for you and your photographer.

Hope to get a rough draft of the brief in order within a week or ten days and then will forward it to you and Fensterwald for further suggestions.

Sincerely,


John Nichols

(Nichols to Weisberg May 25, 1969 -page 2)



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*From
Stacy J. Hall*

Harold Weisberg

AFFIDAVIT

To whom it may concern: This is to certify that I, Richard Bernabei, a Canadian Citizen, of legal age, sound mind, disposing memory, never having been convicted of a felony, on May 15, 1969 in the United States Archives Building located in the City of Washington, District of Columbia, United States of America, in the presence of Mr. Harold Weisberg, Mr. Tom Molesworth and two archival attendants, with the official sanction and knowledge of those charged with the custody of these artifacts, did (a) remove from their cases or containers, (b) manually manipulate, (c) examine, (d) inspect, and (e) photograph the following exhibits of the Warren Commission designated by numbers as CE 399-----

+ everything else you have done

(seal) Richard Bernabei
H.W.

This is to certify that Mr. ~~Richard Bernabei, Esq.~~ *H.W.* personally known to me appeared in my premises at Kingston, Ontario, Canada and after being duly *date* sworn did depose, say and confirm the correctness of the foregoing and affix his signature in my presence.

(seal) _____
Notary Public in and for the
aforesaid jurisdiction. My
Commission expires 19--.

May 25, 1969

Paul L. Hoch
2537 Regent Street
Berkeley, California

Dear Paul:

As you know I have sued for the X-rays, pictures, etc., relating to the assassination of the late President Kennedy. Believe I sent you a copy of my brief. The government has filed a complex brief of rebuttal and we are preparing our counter brief. I sent the government's brief to Mr. Harold Weisberg for his records and for his comments. As expected he has made a generous effort on my behalf, a Xerox copy of his comments are enclosed at his request.

Yesterday he sent a supplemental letter, also Xeroxed as first page, in which he says you have a letter dated August 17, 1966, from Mr. Frank M. Wozencraft, Assistant Attorney General to the Archivist, Doctor Bahmer. The details Harold thinks are important to my suit and I have encircled them on the Xerox copy. With your permission, I should like to have this for possible use in my suit. The source would not be divulged in the suit or brief or arguement. However, to any news media I would be most happy to divulge or conceal the source as you would desire. In event the letter would not be used I would preserve it in secrecy or however you would wish.

If you should agree to this, and because it is very valuable it might be best to have a photographer make a high contrast negative and send the negative to me for which I would immediately reimburse you. Alternatively send the original so I could have the negative made and return the original to you by registered post with an extra glossy print. In my brief I want to use as little Xerox copy as possible and am purchasing some very thin paper special for photographic prints.

Harold mentions you are studying for final orals so please do not let this request interfere with this most important effort. Shall look forward to hearing from you.

cc: Harold Weisberg ✓

Sincerely,


John Nichols



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May 25, 1969

Mr. Gary Schoener
Box 392,
Mayo Hospital
Minneapolis, Minnesota.

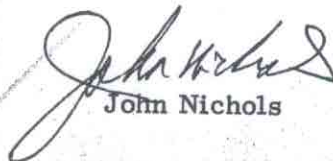
Dear Mr. Schoener:

You may know of my suit against the government for custody of CE 399, and permission to study the X-rays, gross photographs etc., in connection with the assassination of the late President Kennedy.

I sent the government's brief of rebuttal to Mr. Harold Weisberg for his comments. As expected he did an extensive analysis and I am happy to be able to comply with his request and forward a Xerox copy of his ideas to you.

When my counter brief is ready I will send you a copy.

Sincerely,


John Nichols

cc: Weisberg

May 25, 1969

Richard Bernabel
Department of Classics
Queen's University
Kingston, Ontario, Canada

Dear Dick:

I am overwhelmed with the content of your letter of May 19 and do intend to use this in my argument for custody of C 2766 and the empty cartridges. Our photographer advised me to obtain, from the archives, glossy prints of the Commission Exhibits where you correctly point out Frazier's errors. "Blow-ups" from prints from the Archives will be better than "blow-ups" from the printed book. These have been requested from the Archives and I have already paid them the money, of course, I will send both you and Harold duplicates.

We have made a very close-up picture of the base, with primer, of an empty cartridge and I am forwarding it to the Archives with request that they make an exact copy of the base of C E 544 so I can include it in my brief as you suggest. My lawyers advise this is better than using the picture from you or Harold because I have a letter and cancelled check to support and it would be harder for the government to question the authenticity than if I obtained the picture from you or Harold.

In the brief there will be no opportunity to explain the source of these ideas. However, in any news media I certainly will set the record straight. Harold suggested it might be of value if you prepare an affidavit attesting that you, he, and the photographer did in fact actually manually manipulate these items of evidence. I have prepared an acceptable American type of document and should appreciate if you could make the correct Canadian counterpart, on University Stationary, if possible. The government, in its brief against me claims this is forbidden as you can see from the enclosed Xerox copy of regulations. A U.S. \$1.00 banknote is included which, I hope, will at least cover the cost of the oath by the notary.

Your memorandum of May 21 also arrived. This is real clever, I had never thought of this possibility. I immediately tried it out on some of my empties. Yes, the ejected cartridge does spin and come" very close to the spot you indicated. However, none of my several trials produced any "dents" or brass marks on the appropriate part of the gun and I am left with the fact that after a few hundred fired rounds mainly from two guns the empty cases all of which were ejected in a "normal" fashion, at least not in anticipation of your phenomena, none of the cases show the "dents". This may be a peculiarity of a few guns, possibly, Harold's and Oswald's. I will try again tomorrow with dental impression paper taped on the appropriate spot. Also when I get some time we will make a movie of the shells being ejected at about 200 frames per minute so it can be reduced to slow motion. If promising results are obtained I can recall about six guns. I will modify my suit and request permission to do this with CE 2766.

all the best,

John Nichols

cc: Harold ✓

(Nichols to Bernabei, May 25, 1969 -page 2)