

11/14/70

Dear Dick (Sylvia),

Would there were time for more detailed response to your 11/9, received today. There is, for the first time when I've not been away, a 2" stack of accumulated mail, I'm busy with proofs and overloaded with legal work, my counsel really existing close to entirely in his public appearances. I'm back on a 20-hour work day, and I shouldn't be, and I can't keep up.

With 50% of your letter I agree wholeheartedly. With the other half, I disagree strongly.

Preparing a really solid study of this one aspect is excellent. I have been ~~xxx~~ hoping for this to become generalized since seeing the draft of Ray Marcus' "Bastard Bullet" and despaired since he refused to update it before publication. I think it is good, desirable, to do what can be done with each of the significant items of evidence.

It is with this that I take issue: "I ~~xxxx~~ am convinced that we should contemplate letting the ~~xxxx~~ matter go to the public soon and in some appropriate fashion that, hopefully, will serve the purpose of getting all of the truth disclosed."

Aside from the fact that what you contemplate would not get "all of the truth disclosed", not by any means, I think it would get little or no attention, has no prospect in any major publication - and that it is by no means certain Alvarez will publish. Be he to, there is better prospect for response than in first seeking publication.

If there is anything we should have learned, it is that there is the persisting reluctance of the media to publicize anything contrary to the official mythology. What I have just done to the government in court is astounding, and it got almost no attention - was killed where reported. It has never happened before and it has the imprint of the federal district court.

Moreover, such a study cannot be in context and therefore cannot be popular if, indeed, even understood by the average married and uninformed reporter. It is technical, which is not a popular form except in a detective-story-like larger work.

This may seem like a pessimistic. I am not. I am not a white discouraged by the press boycott of judicial actions. In fact, I now have two new cases filed and am, on Monday, filing an action with the judge who issued the summary judgement in my favor calling for punishment of the Justice Department lawyers for their offenses. I am doing all I can to prepare further litigation. This is because I am convinced that, between the destruction of credibility by well-intended ignoramuses and self-seekers and the unchanging dishonesty of the media it is necessary, as a prerequisite to anything that can serve purposes commensurate with the effort, it is necessary to build a really solid record in the manner of the sick society, officially, and in the way the government eschewed, under vigorous opposition. There are readings available, the government has run out of walls to climb. Their desperation is reflected in the filing of ~~xx~~ perjurious papers, not a norm or an easy or dependably safe thing to do. I am so firmly convinced that this is the immediate need - have laid aside writing to do it. In fact, my suits jeopardize some of my writing because they risk making the research that is my own public domain.

You know this writing includes essentially what you are talking about, in different form; that you have in mind a more detailed variant of one aspect of some of my completed writing, which you have. You also know my plan for litigation on this, and what I propose calling as witnesses. I think a much more effective use of such a study is in court, to confront the appropriate stinkers. If they get on the stand, I think there will be coverage. In fact, some of the reporters are now making sounds like they are interested in this approach. One major paper and one TV net has expressed advance interest in my move against the lawyers. I also tell you frankly I'll be surprised at decent coverage. But the making of such noises is in itself a change. One NBC man kept me on the phone for two hours three weeks ago with his supper waiting all that time. Despite this, I do not expect to see him in the courtroom (and will be happy to be wrong!).

Kaiser has apparently done good work and a good job. He is being pretty thoroughly boycotted. He was booked onto the Dick Cavett Show and then cancelled. It should give you a reading.

Before we can get to the point where we can hope to accomplish anything but the indulgence of ego with minor publication of minor bits of evidence, no matter how important they are to those with detailed knowledge, we must do the hard work of establishing a basis of credibility.

There remains another possible disadvantage right now. It can, if it gets attention, close up sources that are opening. I tell you both, in strictest confidence, that I now know that despite all the contrary official hogwash and the self-serving memos, both the autopsy pictures and the A-rays were studied for the Commission. I am deliberately avoiding any details or any indications of my (official) sources, for the medium of communication is not dependable. I want to be able to carry this forward, too. When those who have information that can be obtained are better informed of its possible significance, there is less chance of getting it... When you are here, as you know, all those things I have learned and obtained since you were last here will be open to you. It is much and of greater significance that what you have seen. It comes neither accidentally nor easily, taking much time... I have written but one thing for sale in a very long time, and that was for money and after the fact, dealing only with what was already published. I am not unhappy, having been paid, that the attitude toward it has been changed and it has not appeared... In short, I think there is so little chance of making any kind of significant impression on public thinking or attitudes, it is not worth the effort and that what effort we can make had better be in other channels.

I do hope that the court record I am building will also have a political welcome when it is safe enough from those very brave politicians. There are some such indications.

Some of your work to Paul is, if my recollection is not incorrect, not quite accurate. Ask Howard about this. It is not in your discussion of ballistics but of what can be regarded as fact of the crime itself.

When you want to copyright it, you can send it directly to the copyright office. When you get to that point, I'll send you the papers and the suggestions you may want. I think when it is done and checked by others you should do this. But I also wish you'd do much more on it, illuminate it properly (as you may plan), spend some time popularizing it for readability and to get it read when that time comes.

Paul and I have exchanged some pretty strong words, mostly from me to him, but I still do not regard him as of "the other side".

I appreciate your offer of the use of your own work on the dist-like

dispersion, but I do not plan to add it to my own writing, certainly, if my opinion and attitudes change, not more than a paragraph or two at most. There are things I have not been able to communicate to you, but I regard them as much more comprehensible, including to a popular audience, and entirely beyond reasonable questioning. And graphic, not technical. You have, though, seen some of my pictures. I have already filed suit for more.

There is nothing in your proposal that rankles me at all, I do not share your enthusiasm for it as I would have two years ago. We are really well past that point in what we have, what requires no interpretations or definitions, but it has not been possible to cue you in. Nothing remains to be ended about 399 or anything connected with it, The question is proper use and proper attention, not blowing what we have at the wrong time when it cannot get the attention it deserves and cannot accomplish what it should be able to. We ended it years ago, but with our own reasoning, our own assembling of contradictory evidence. We now have something different, the hidden official destruction of it.

Relating to this, I am in court Monday on the spectro suit. The government was asked for a summary judgement, a formality. I have not, although I should be able to get it with an uncorrupted judge, because I would rather go to public trial. Either way, if I win, they'll appeal and I'll not get it right away.

The journey of a thousand miles begins with a single step. But that single step does not complete it. We have many before us.

So, by all means do the best possible study of that aspect, as thoroughly as you can, for you have an expertise there the rest of us lack. You cannot do a really good job in haste anyway. Until there is a change from the present situation, I strongly discourage any plans for publication in the immediate future. There are other reasons I just can't take time to go into now. But, if you do complete it and have it ready, when the situation changes, you'll be ready for it.

I also discourage use of Richards as an expert. He and Cyril cannot be spoken of in the same breath and he is undependable. I think he is best left alone until he finishes his suit anyway. It looks like he'll have enough trouble with that, and I'd not put a deprecation, out-of-context use past him.

Sincerely,

9 November 1970

Harold Weisberg
Frederick, Md.

Harold:

From my most recent correspondence with Paul you now know that I have instructed Paul to send copies of my "dust"-letter to all who have received his memo.

I am convinced that we should contemplate letting the matter go to the public soon and in some appropriate fashion that, hopefully, will serve the purpose of getting all of the truth disclosed.

Accordingly, I have asked Sylvia for her advice as to what we should do, and I now seek yours.

I told Sylvia that I planned to write up the material in the form of a memo dealing almost exclusively with the dust-like fragments-- that is, without extensive reference to JFK's movements or to other evidence indicating a shot from the front. I think, however, that this business ought not to be presented alone, but that it should appear together with all the evidence that establishes a ~~front~~ front shot to the head-- especially evidence concerning JFK's movements.

I am now in the process of seeking suitable illustrations. With these, the case will be not only intellectually solid, but also very convincing, in a visual sense.

When I get a suitable report written, I'll send it to you or Sylvia to have it copywritten in the States; that will protect it somewhat. I am not greatly worried about it being misused in the mean time, for there is really no way to hurt my ideas about the fragments except to misrepresent them.

Moreover, lacking evidence to the contrary, I shall for the time being regard Hoch as with "the other side". Since he has my letter on the dust-like fragments, there is no point ~~xxxxxx~~ in treating the matter with great confidentiality. I think it smart to let the matter move quietly among ourselves while we gather opinions (endorsements, hopefully) from recognized experts in forensic medicine and in ballistics. I have sent the letter to Wecht and Nichols, and asked for opinions. I hope Howard will consult Fillinger, too. I should be able to find ballistics experts, but am not close to any, and know of none that I trust. They should really be the ones to get. My past experience with them shows that they tend to run scared when things get hot-- all interest and enthusiasm until you ask them to step in front of the firing line and hold the target for the government's hacks to shoot at (I can't say I blame them, in a way, for the government's marksmen are notoriously bad shots-- always missing the target, but hitting the target-holder. Did I say "bad shots"? Good shots, really.) The trick will be to give them the courage to stand behind thick and solid steel plate as they hold the target-- maybe then they'll think about it.

Anyway, if neither of you objects, I would like you and Sylvia to co-operate in devising a way to bring the matter to light, and even to co-operate in bringing it to light. I will provide the raw material regarding the dust-like fragments; you two may do whatever else you think is best. Since I am

up here in Canada, and somewhat detached from the "action" (if this results in action) others can handle matters of immediacy better than I can.

I understand that my proposal, vague as it is, may somewhat rankle you and Sylvia, for I am in a way forcing two very independent persons into a sort of co-operation that neither of you may welcome. If it bothers you, please excuse me, understanding that I sincerely believe not only that you can deal with it together, but that you should. I am inexperienced in public matters, and prefer to leave them in the hands of those who may treat them better than I can. I think, moreover, that you can manage them better together than either of you can handle them alone.

Sylvia is enthusiastic. I myself think that if the matter is disclosed properly it can lead to a major "kill". I am not sure, however, what is the best way, and I want to hear recommendations.

In time you will have a report similar to the ones that I did on the scope-sight and on CE399-- with ample photos and (if I can do them) tests of my own. Good photos will probably render personal tests unnecessary, though. I am not sure when I can get this report done, for I am busy now with teaching. If necessity demands that we use something in lieu of a formal report, we have my 11 October letter to Hoch, which contains the basic knowledge.

Think, then, and tell me what you think.

Still,

Dick

Bernabei

cc. Meagher