

5/4/70

Dear Dick (cc Howard),

Bullets 2B arrived today. On synopsis, I'll rewrite note along lines indicated in second letter you apparently had not received.

Nicola's: telling him he could use material as he wished in suit is hardly identical with his copyrighting the work of others, as he seems to have done twice. If there may be question of motive, there can be none of integrity or honor. I agree that he is not giving thought to how he can cause, and I suspect his ego makes this an impossibility.

It is quite true misidentification can by no means be his fault, but had he kept his word there would have been no possibility. Instead, he immediately proceeded to violate it. Here the lack of integrity is as elemental as it can possibly be. I have heard no further from Archives, on this or anything else.

The boards photos: he had gone much further than this by two years ago when he asked me to go there and turn up those whose help he wanted. He had these boards carefully sawed through so the track of the bullets were visible. It was a rather expensive nothingness.

While not a lawyer, I believe there is misunderstanding of copyright. I tried to tell John he could not when he first did, but he liked better. Not knowing the source, the granting of the copyright would be just about as poetic. In order for it to be valid, it has to be put to a special use which is uniquely his, and then it is the use that is copyrighted, or it has to be an entological copyright, which, quite obviously, a single photo cannot be. If AR intends to use, however, in any published work, I suggest the copyright is not the significant thing. If the concept were John's, the honorable course would be to regard it as any other work that is his, whether or not it is within the law to use it. However, I believe the distinction you make between study use and public use is valid.

Composition bullets: would it not also be correct to say that there are minute differences between runs of bullets of any manufacturer, though they may be and probably are minute?

6/8 mm fragment: I regard this as a major find by Howard and a major oversight by me. I agree, in general, with your comment, to which I add it may also explain something that was interesting a few years ago and is preserved by my getting the original FBI receipt for the "missile" removed by the doctors. I do not accept the Archives suggestion it is the two tiny ones of the exhibit. Those very small fragments are not "a missile".

Cartridge cases: if you are talking about the seeming faking of the alleged microscopic examination, I disagree. This is much more than making Frazier look bad. It is a federal frameup and a deliberately perjurious matter, assuming there is no microscopic comparison in the exhibit. You may recall our lengthy correspondence on this prior to our examination of the pictures.

Lung damage: I agree that AR should try and gather every bit of evidence on it, especially because no one else seems to be doing it. To settle it one way or the other is, in itself, important, and establishing it as a fact is of greater importance. Remember my Perry interview, his reason for second cell. If you believe this is the reason or not, what he says "times said, I believe, may be relevant.

JEC chest X-rays: your recollection is correct, it is Shires, 6411, as

I recall (see index will show). That testimony is that he ordered postoperative X-rays and it showed there. Recall he was in charge of the case. Terry tried to make little of this to me. I do not buy that. After the operations, JBC was Shires' patient. His testimony could not be more explicit and is uncontradicted. Therefore, his should be the best evidence. I believe this testimony is the reason he was not called to Washington to appear before the members, odd because ~~xxxx~~ he was both in charge and senior.

Wrist fragments: could have been shed anywhere after car, too, including, I would assume, in cleansing. However, Shaw's testimony on this is valuable. He said there was more metal missing in the wrist alone than can be said to be missing from all of 399. I also believe it can fairly be wondered if spectrographic analysis did shed any light on the source of the found fragments.

Cartridge cases: I know of nothing to contradict your opinion or your evaluation of John, but has he told you anything at all recently? If he discovered anything of value, paranoid as he has become, I think it not impossible he would not have told you. I have no knowledge either way. I believe I showed board the dents we made and told him how Rodak (who is here then a buff, a dealer) immediately told us how he'd duplicate them before he did. If Nichols has done any work here, it simply duplicates, a simple matter and, apparently, a standard one with him.

If you are, as I agree, right in concluding, "Anyway, this will tell you something about Nichols", I think it might be informative and worthwhile to ask to indicate what. At the best, in my belief, it is but another of the many examples of a man who is dominated by an unnatural ego. I am unwilling to assume the best is the only interpretation, particularly with regard to me and my work in the area of his specialty, where in each case he has failed to come up with a single bit of it, despite scientific preparation and apparently limitless funds.

Minutes: you are both right, though Dick's is the significant formulation. John lacks the most elementary understanding of the basic facts, as well as of the minutes. Thus he required me to turn his people on two years ago.

As you know, we are entirely in accord on your opinion that the soundest and best way to get to the truth is to investigate the investigators, for this is and has been my approach from the first. However, I would go further and say that we also have no sound alternative at this juncture. We can make minor forays outside this, as I always have, but this remains the context.

Your opinion to me of the value of what Nichols showed him closely coincides with the one I earlier expressed, which also makes me wonder more at the inefficiency and added cost of his seemingly strange (though it may be innocent) preservation of a hotel room an extra day and the travel to and from DC.

By the way, Bud disassociated himself from the Sprague foolishness in advance, describe the Mesh test story (I'd welcome any you may have on it). And what would your opinions be if you considered that only 38 pic were taken 11/22 and only 14 X-rays? Or, another possibility, that 12 were taken later. Perhaps it would be better to say 12 or more. And Burke Marshall backs up Rhode on shirt. I'll be writing him and sending you copies. And Howard, try and come up with that 00 47 bit before I do. The time may be now or even past. Explanation: while some of these reports originated in 00 47, not one of the copies purloined was from it. Nothing new in that area...Paul was here briefly and in DC for a while. As of his visit, he had but double-checked some of my work. He had then spent but little time at archives. In some cases, he is far and away best of effort, and I expect him to concentrate in them. Thus far he has been here for an evening.

Sincerely, AW

28 Apr 1970

To Weisberg & Roffman

Dear Harold/Howard

I have a bit of time now and can add an installment to my last letter and hopefully catch up on correspondence. I'm reading term papers and grading exams these days, so nearly all of my time is taken.

Merriman Smith: I have UPI's account of the suicide, and can add a trifle more to what I said before. UPI says he shot himself in a bathroom adjoining his bedroom. This would make it all the more likely that the sound was muffled sufficiently that it was not noticed as a gunshot. The bedroom would act as an additional muffling chamber.

Nichols: As I indicated to Harold previously, I cannot justifiably complain about my relationship with Nichols, since I sent him my material with the understanding that he could use it as he wished in his suit. This suited him well enough so that there was no need for underhanded tactics, so for the most part he has acted above board with me.

His behavior toward Harold ^{is} ~~seems~~ abominable, however. I thought that some of Harold's attitude might have stemmed from a misunderstanding, but Nichols' failure to respond to Harold's legitimate questions casts considerable doubt on his good intent. It appears that Nichols is out to serve himself without regard for others. I believe he is giving thought neither to what good he can do for others, not to the harm that he can cause them.

I think, however, that the misidentification of Harold's 399-base photo is the fault of Archives, not of Nichols.

Roffman-Nichols memo:

Pine boards photo: I have seen this meaningless contraption. Howard did well to put N down with reference to CBS and WC tests. I did the same when I wrote to him about that "demonstration". It is utterly worthless.

bullet deformation: This experiment demonstrates what is already obvious to anyone knowing about firearms and ballistics. Valuable for illustration only.

399 "ridge"/"notch": I am afraid that I will not get this clear in my mind until it is properly described to me, or see a picture of quality comparable to Harold's. I have not seen this yet, so I must still suggest (without insisting) that you are both wrong.

When I get time, I'll try to get this from Archives, if they have not yet completely muddled their photos.

Howard: Nichols' copyright of Archives photos does not deny anyone the right to get copies for his own use. I believe it would ~~den~~ deny you the right to publish it without permission, but possession of the photo is unrestricted. Archives normally insists that photos be taken with government camera, gov't film, and by gov't photographer-- so that the gov't can own and control the pictures. Copyright does make possible certain restrictions, but none that keep you from getting a copy for your own use.

* Howard: in future, number your pages. On things that require detailed answer, also number your paragraphs.

P. 2 composition of bullets: composition varies from manufacturer to manufacturer. I would not regard N's figures seriously, unless he specified what manufacturer, or at least what type of bullet.

Fisher & neck fragments: It was my understanding that Panel saw only A-P views. What does it mean when F says fragments were "stretched out in a path across the neck"? Did he mean that the "path" was aligned laterally from left to right? The wording is what I can't understand.

6.5mm frag. in head: When I first learned of this I considered that it reached the back of the head from the front. Why don't you think of it likewise?

What bothered me about this is that no previous account mentioned it. ~~xx~~ As indicated in my letter to Wecht, some things seem definitely to indicate it was not in JFK head X-rays. Humes and Kellerman in testimony indicate that Humes went after the two fragments in the head because they were large enough to be recovered. I gather from that testimony that these were the largest fragments in the head; the reason Humes went for these in particular (after seeing X-rays) is because they were larger than other frags and he thought he could get them out with no trouble. Review Humes and Kellerman on this, and you will see what I mean; that if there had been a 6.5 mm frag visible in the head X-rays, Humes would have gone for it. It is a sizable chunk in comparison with the tiny bits that Humes did remove.

Wecht's response to my letter did not shake my growing conviction that head X-rays were substituted. I had originally rejected that notion because I thought it too easy to identify the skull of JFK, and that ~~xx~~ would-be substituters would not want to run such a risk. But maybe the condition of the head was such that the risk of detection was worth it. I don't want to insist that there was a substitution, but I think it worthwhile to consider it a strong possibility. As indicated in my letter to Wecht, the indications are strong, irrespective of my erroneous hunch.

p3

Cartridge cases: "Making Frazier look bad" is the only legitimate use to which this material can be put. Presently I can't see anything in them that suggests further use, but this is valuable enough. By itself and in combination with other things it is enough to have Frazier discredited (disqualified?) as an expert.

Cocking M-C rifle: Nichols' observation is true, but not as important as he indicates. I don't mean to disparage; only to indicate that this matter does not merit special emphasis.

Lung damage: I have long believed that the lung was penetrated, and, as you know, I strongly suspect that a bullet was removed. You are right to gather every bit of evidence bearing on this, for I think it important.

JBC chest X-rays: We have the sworn testimony of one of the Parkland docs (Shires?) that there was a fragment on the rib. I see no reason to credit Nichols' account as refutation of that.

JBC wrist fragments: I have long been searching for more metal than is accounted for in the official record. I thought it had turned up in Curry's flub-a-dub fragment, for it suited what I had in mind. I still think fragments missing-- maybe stuff that ended up on the floor of the car. That's a guess, of course, so I don't push it. This would not be one of the fragments "found" in the car.

p4

Cartridge cases: Unless Nichols has done some work that he hasn't told me about, his statement that he discovered the cause of the shouldered dents, is a lie. I do not know the cause of the shoulder dents, and I believe he doesn't either. He knows my extreme interest in these, so I think if he had done anything he would have told me.

He had absolutely nothing to do with explaining the case mouth dents-- not the correct explanation anyway. That was first done by a gun buff in Maryland in the presence of me and Harold, and later at Harold's place I made similar dents under conditions more closely simulating what is normal. To my knowledge, all that Nichols knows about matters relating to the cartridge cases comes from me alone, and not at all from his own work, except in so far as he has done certain things in accordance with my directions.

I told Nichols he could use that material in any way he saw fit in his suit-- ~~xxxxx~~ carte blanche. His copyrighting the material is not a matter of concern to me, nor would I be concerned if he declined to give me credit publicly. It bothers me, however, that privately he lies to my friends about it, for I am anxious to gain some standing with them. With statements such as N's, it appears that I am the liar.

Anyway, this will tell you something about Nichols.

p5

Minutiae: The plural of minutia is minutiae, and it is an understatement to say that N is deficient in his knowledge of the minutiae. From personal experience I know that he is deficient in his knowledge of the case as a whole. It's a fault that stems from believing that you can understand all of a particular aspect by concentrating only on the aspect in question. The soundest procedure in considering the assassination is to examine not the evidence itself, but how the "investigators" treat the evidence. It is in this regard that most experts in special fields are deficient. They regard this case like all others of its type, but it is not possible to come to the truth until you begin regarding the case like no others of its type, for what in many cases appears to be evidence is not evidence of anything but trickery.

The surest and fastest way to get to the truth is to investigate the investigators.

Anyway, I have not treated Nichols as one who understands ~~that~~ the case, for I know that he does not.

The rest of what N said is not of much new value.

I must again cut a letter short and promise to say more soon.

Still,

Dick