

16 March 1969

Harold:

I have not yet received pictures from Tom, so can say little about that matter. I agree that there is much that can be said about the job that the FBI should have done, but I don't think I am the one to say it-- not now, anyway. Also agreed that Feebees do not err except with intent; ~~xxx~~ I am trying to figure intent, but so far have not gotten far.

~~Nixxxx~~ Don't suppose that any of the cartridge case was subjected to significantly less pressure than the others. It is almost certain that the all received the same pressure. I say this because the microscopic marks on the primers correspond throughout. If ~~any~~ one were fired under less pressure, it definitely would show different kinds of marks. I have tested this and I am sure. Both from the pictures that we have and from Frazier's testimony I conclude that his tests (CE 557) do not show marks on the brass bases that correspond with marks on the suspect cases. That is weird, and I cannot explain it. A view of all the cases under a microscope might help to resolve the problem, but it certainly cannot be settled with our pictures or, I think, with any pictures. Direct examination of the cases is necessary. I don't want to minimize the importance of the anomaly itself, but at this stage all that can be said is that it ought to be investigated thoroughly. It is potentially disastrous to base conclusions on photos, for they can be deceiving, especially in the case of our photos because we did not have the opportunity to line up the bases so that the light fell on each in the same way. We can see some correspondences, but it was purely luck.

You may recall recent correspondence in which I chided you for asserting that Frazier had wiped CE 399 clean, something you asserted in WWI. I found the source of your error; you are ~~xx~~ right about an important aspect, but wrong about a detail. The wiping applies to the two bullet fragments, not to CE 399. Frazier said that he did not have to clean 399, since it was already clean, but of the two fragments, CEs 567 and 569, he said there was residue which he wiped off-- of course, he does not indicate what the residue was or whether he tried to determine what it was. Your criticism is fully justified, but you ought to have applied it to the fragments, not to 399. I think ~~xxxx~~ ~~xxxx~~ your error is understandable, but you should know about it, for anti-critics look for just this sort of thing, and they might try to ~~xxxxxxx~~ rap you with it.

I have been reading books on firearms evidence, and of course they say that residue should be examined. Frazier's failure in that regard is unforgivable, as you say.

Regarding the fragments, there is no direct testimony establishing that they were found by the SS; there ~~is~~ are reports and heresay witnesses and some statements by WC lawyers "just for the record", but as far as the record is concerned those fragments were never found. The chain of possession

according to unsworn records is this (from 24H413 and Frazier at 5 H 66-- they are mentioned in other places, but these give the most continuous account):

CE 567 (FBI's C2) was found by Thomas G. Mills, Chief Hospital Corpsman, U.S. Navy, assigned to the doctor's office (i.e. Adm. Burkley) in the White House. He turned it over to ~~xx~~ FBI agent Orrin Bartlett who in turn gave it to Frazier at 11:50 p.m. on 22 Nov.

CE 569 (FBI's C3) was found by SS Paul Paterni who ~~XXXXXX~~, with SS Floyd Boring, turned it over to Bartlett who gave it to Frazier with the other fragment.

Both fragments allegedly were found in the front portion of the car-- the area where Greer and Kellerman were.

You can smell fish all over the place, for none of the people who handled those fragments was called as a witness except Frazier. The FBI report at 24 H 413 ~~xxx~~ talks about the fragments being "recovered"; I suppose that means "found", but I really wonder.

There are some CD's that discuss the fragments, but I have not seen them yet-- I'll get them later.

I want to get a close-up picture of the bases of the two test bullets that Frazier used for comparison with CE 399, a picture like the one you have of the base of 399. What does the archive charge for taking such a picture in black and white? I know that color is \$10, but I don't need color.

~~XXXXXXXXXXXXXXXXXXXX~~ I'll write to archives for a copy of the picture that you had them make of the base of 399. Suddenly it interests hell out of me. I may not be able to do this for a couple of months, but eventually I will get around to it.

I'll try to get something off to Cleaver, but I don't anticipate success, since the Cubans have turned their back on me and do not answer correspondence that I send. Also Cleaver has no reason to trust me, and might well suspect I am working for his enemies. I'll try, anyway.

Still,

Dick

Bernabei