26 August 69

Harold:

I would not make much of matters concerning the ejection pattern. There is nothing wrong with Frazier's testimony on this; it's just that the matter has to do with pseudo-scientific flim-flam that can prove nothing either way. Knowing the ejection pattern of the rifle and the alleged circumstances of firing and location, one could do no more than predict that the cartridge cases would come to rest haphazardly on the floor to the right of the shooter. Which is what we found.

Of greater significance is the location of the rifle with respect to the stacked boxes in front of the window. The window was half closed. If the top box (in a stack of three, as I am sure was the case) were used as an elbow rest, then even one shot is impossible, for the window intervenes between rifle and target (the rifle would have to be sticking through the glass to make such a shot). Ithink, too, that the opaque bottom of the window would have intervened between the scope and the target if the shooter were resting the back of his left hand on the top box with the forend of the rifle held in his palm. In this case, the barrel could be sticking out the open part of the window, but the view through the scope (which is 1 1/12 inches higher than the rifle bore) would be blocked, and blacked out. The third possibility is that the rifle was resting directly on the top box. In this case, one good shot might be possible, for the scooter could get some steadiness by grasping the top of the forend in his left palm, but rapid operation of the bolt is impossible, for he needs to have a firm grip on the forend so that he can press the rifle butt tight against his shoulder.

The WC's two-box stack with another box in front is an effort to get around these difficulties (they needed the box in front only to be able to simulate what is visible of the boxes in the Dillard photo.

I can't do this right away, for I am very busy with other things, but when I can, I'll try to locate all the relevant measurements and will set up a reconstruction and photograph someone in place. You will then be able to see what I mean. I can easily locate the dimensions of the boxes, but I don't recall that it was ever mentioned how high the window was raised; it should be easy enough to figure out by counting bricks near the window sill.

Without possession of the evidence rifle it is impossible to determine the relevance of the case mouth dent on matters related to the ejection pattern. Use of other rifles for tests can provide significant leads, however, as I think your rifle does. When you were doing something else, I stepped outside near your pool and ejected empty cases about 20 times, and (as I recall) forcible but normal ejection always produced a case mouth dent. I am sorry that you didn't see this, for I think you still have in mind what happened when the buff at the range first produced a case mouth dent for us. He operated the bolt with extreme force, far greater than in normal ejection, and produced a correspondingly more severe dent than I later produced with normal force. Mine looked like the case mouth dent on CE 543 and on Frazier's test.

Let me get back to the point that interests you. Supposing that the evidence rifle is like yours, that it always produces case mouth dents on normally forcible ejection, then I would assert (a) that CE 543 was ejected with normal force, and (b) that CEs 544 and 545 --which do not have the case mouth dent-- were ejected with less than normal force. The use of less than normal force implies the slow operation of the bolt; actually, in this case "force" and "speed" are virtually synonymous, for the force varies

directly as the speed. In practice this means that a weak person who operates the bolt at a certain speed will produce virtually the same kind of dent as a strong person operating the bolt at the same speed. And he will produce the same degree and type of case mouth dent.

On reviewing material concerning the neck fragments, I noticed an ambiguity in the Panel Report (p.13) that at least partly vitiates what I said earlier. I said that the Panel did not mention where in the neck region the fragments were located. That was based on my memory of the Panel's statement that there were fragments "in this region"; I supposed that "this region" referred to the term "Neck Region", the title of the paragraph. But in the sentence before the one containing information on the fragments, the Panel mentions an injury to the apex of the right lung. I can't tell whether they are referring generally to the "neck region" or specifically to the area above the right lung. That's the ambiguity that I mean. In accordance with what I said earlier about a fast frangible bullet damging the trachea, I still suppose that the Panel means "neck region", but due to the ambiguity, I can't be sure.

I doubt whether he could, but it would be great if Wecht could wrangle information from his buddies on the Panel and learn where these fragments are located.

If you write of .22's in any of your works, be sure to distinguish carefully between the 22 rimfires and 22 center-fires, for there is a vast difference, and if anyone misundestands and believes you are talking about the rimfires, you will appear a fool.

In thinking over the matter of frangibility, I realize that it is not the size and weight of the bullet that is the important determinant, but rather the speed. If you consult ballistic tables, consider the cartridges that fire bullets at 3500 feet per second or more. These are the ones that normally will burst on impact.

In a letter to me, Schoener mentioned the possibility of a "murcury fulminate bullet". It is one that you may consider, so I had better describe what little I know or can guess about it. I believe Turner also mentioned it in one of his Ramparts articles. The bullet in question is not constructed of murcury fulminate, which is a highly volitile substance(some cartridge primers are built to detonate a minute quantity of a priming mixture based on fulminate of mercury-- the tap of the firing pin sets off an explosion that is enormous relative to the quantity of priming mixture used). A "murcury fulminate bullet", then, would be a regular lead hollow-point, the tip of which contains this detonable mixture. When it strikes any object, hard or soft, the mixture explodes and fragments the bullet like a tiny bomb.

I would not risk even firing such a bullet, except in very low velocity loadings, for it is very unstable, If driven fast enough, it can explode even on contact with air, or in the gun barrel if any of the burning propellant powder is blown ahead of the bullet in its course down the bore.

In any case, I see no need of supposing that such an unusual bit of shooting equipment was used. JFK's movement after Z313 is thoroughly consistent with commercially available bullets-- so, for that matter, are his head wounds. If a merc. fulm. bullet had hit him in the neck, it would have blown out a hole that you could stick your fist into.

Copper traces on the back of JFK's coat is positive evidence that the shot was delivered from the rear. You can refute this only by the allegation that Frazier lied about the copper traces. It also positively excludes the possibility that this represents an exit hole. A bullet (or fragment) exiting the back would be lubricated by blood in its passage through the body; the lubricant would cause it to pass smoothly through coarse fibers, without being scratched-- the lubricating blood would intervene between the surface of the projectile and the surface of the fibers, just as oil intervenes between two surfaces of an oiled machine.

I see nothing in the back wound that indicates exit (although I had toyed with that notion for a while).

Concerning the angle of trajectory, I put absolutely no confidence whatever in the evidentiary value of a probe that can be inserted only a short distance in the body. Such evidence is valuable only if the probe can be moved in and out the body along a staright track. The value of estimates of trajectory based on probing diminishes as the depth of the probe diminishes. At a depth of an inch or two it is worth zero-- absolute zero; maybe even less, for such estimates can be very deceiving. The probe has to go all the way through, and it has to go through a straight track.

In determining trajectory, the shape of the wound is much more important-- also the nature of the margins of the wound. It is a better determinant because it is something that can be measured and tested by firing into cadavers from various elevations. This is business Nichols would have to do, if he has not already done so. This si bound to be a confusing matter, for the Offical Autopsy gives the measurements of the back wound as 4 x 7 mm, whereas the Panel says it is 7 x 10 mm. In either case, it is oblong in a verticle direction, which indicates firing from an elevation. I can't say how high, but I believe with proper tests it could be determined pretty exactly.

It occurred to me that all this may be grist for Dr Nichols' mill. You know more of what he is doing than I do, so if you think it might be important to him, then pass him this page and suggest that he try to determine trajectory on the basis of the dimensions of the back wound(whatever they may be).

Add this to your stors of information concerning entrance wounds: almost always they are slightly smaller than the diameter of the bullets that produced them. This is because the bullet twists and stretches the skin before it actually penetrates (as when you stick your finger in a balloon) When the skin snaps back after tension on it is released, it displays a slightly smaller hole than the bullet.

It was I who sent you a reference indicating that 158.6 grains was the weight of CE399 when received in Washington. It is at 24 H 262 (the bottom of CE2003,p.132). This si a 23 November 63 letter from Hoover to Curry listing the items that the FBI received from Dallas.

I would like for a short time to borrow your good 8 x 10 pictures of "LHO" with the rifle and revolver. I don't want to buy them from archives, for I need them only long enough to get them on slides, for display at lectures. Don't send them right away, for they are not necessary to me. But if you have occasion to send me a package with other material, then slip in

those two pictures. No urgence whatever. On second thought, forget about doing this. In future I shall robably have occasion to send you stuff that I want returned. When I do, I will then ask you to slip the pictures in with the return material. I want them only for a day or so.

Sprague is going to send me his photos from Loran Hall's scrap book. I have all else I need for a good interview with Dempsey. I wrote and asked to see him. He replied and asked why. I explained, and am now awaiting his reply.

You may have seen stories that I ~~didn't~~ don't have, but my information conflicts with your statement that,"the names of those involved in the Haiti caper are those reported in the US". London Free Press names two "held in Miami" who do not appear on the list given by AP in Miami, list of those indicted by federal grand jury. The two are Dunback and Simpson (no first names given).

Another thing popped into my head that I should have mentioned before. It concerns what you say about the death of Curiel Crispin Gonzales in COUP. From things that I have read recently, it appears that his posture (hanging by the neck, but his body on the floor-- at least his legs) is not unusual for suicides.Perhaps the term "not unprecedented" is better-- sorry. A review of COUP indicates fair treatment of the matter, but I thought I should mention this lest someone (in debate or phone-in show) try to force you to assert that the posture indicates murder, and then refute you with the information that such postures do occur. In one picture that I saw, the suicide was lying prone on the floor over a suitcase, with his head only a few inches from the floor.

Must stop.

Still,

Dick

Bernabei

cc. Schoener