

1/28/70

Dear Dick (cc Gary),

John phoned me from Washington about two hours ago. I was quite upset during the conversation, but I now feel more tranquil than I had expected. It was an incredible call. Conversation that, were my nerves in better shape, would have been difficult.

He pretends not to have gotten my next-to-last letter, the one before the one I just sent with a copy of his to Dick for copying for Gary. I will not try and go over the whole thing. He pretends that what he saw in my work he didn't see there except the picture, which he now says he would have gotten anyway, because he would sooner or later have asked for exactly what I showed him (he acknowledges it blew his mind, tho!) and claims that in the course of time he'd have asked for the autopsy authorization again and gotten it. In pretending he had not gotten this letter, naturally, he was pretending to be unaware of what he had early written me, in part quoted back to him.

Dick, who has had this happen to him, will not be surprised to know that John has duplicated my work with the bullet and copyrighted it in his name!

This should be enough to give you a good idea of what he is up to. Now, having declined collaboration with Dick and me when we offered it, as he refused to associate me with his suit and instead is trying to steel my stuff for it, he is actually offering my material to LOOK in his own name! For pay!

While my chief concern is that he will ruin what I have been building, I also will not tolerate this. What he does not know is that I once offered this to LOOK and got turned down. But if they buy from him, I think they'll be hooked for a suit, for I have no doubt I have their refusal in writing, whether or not it specified this material. More, I offered PM to Cowles Publishing, which also rejected, and whether or not the Burkley stuff is in that text or appendix I do not now remember, the bullet business is there.

By accident, he got the Burkley approval of the Humes burning. And it is always possible he does not remember my showing it to him (and more, which makes me believe he did forget it). As you know, I wrote him about this at some length. He pretends ignorance of that. He must have gotten that letter by today. He said at a little before six that he had just gotten in. This I really worry about, as Gary knows better than Dick, and I certainly do not want his ego-indulgence to tip off those who do not realize what I have done and, in addition to everything else, close the door I've opened. How to make that hulking ego understand this is the real problem and then, if he can understand, to get him to behave both honorably and responsibly. However, if nothing else, we can make a record. It happens that very long ago you saw this part of my work. I'd like you both to write him telling him that I have asked you to tell him this alone: that I forced out and use in my autopsy writing the Burkley approval of the burning. I fear that tomorrow he'll blunder into the rest and ruin that also. But this much he has and thinks he has discovered America. If you remember, as I would think you do, and would tell him, giving the approximate times (with Gary a year and a half ago, with Dick almost a year), then he'll have a little to trouble himself with, for he now claims I didn't show it to him. I have kept that stuff in a separate file until recently, and you both may recall this or may not.

I told him the whole story of what the Archives did with my picture of 399 on his word that he'd not use it and, believe it or not, he immediately started telling me what he'd do with it! I gave it to him, then and there, asking him how anyone could ever trust him or his ego if he couldn't remember a promise while we were still discussing it. But his ego is such he does not realize what this does to him. He so faithfully copied what I had done and showed him that the Archives thinks they can get away with saying it is the one I have, the one they did for me! The letters they wrote Dick and me, and John's own acknowledgement, will ruin him forever in court, and if he doesn't back off and behave, I have every intention of doing just that.

Now that it is over, I do wish I'd taped the conversation. He asked about getting together tomorrow and I gave him my schedule. I told him when I'll be at the medical center, when I should be able to be at Bud's (orienting this with his hotel, which is about a block from ~~xxxxxx~~ Bud's), told him about when I'd get to Bud's, how long I could stay there before having to leave for the Archives, when my appointment was, how long it should take, approximately when I'd get back to Bud's, and offered to drive him to Bethesda in plenty of time for his speech. How much more can one do for an ego-crested crook? And I will come as close to keeping this schedule as I can.

I get nervous when I look at this stuff now, so I'm not doing any checking. However, to be sure of one thing, I did check my LOOK file, and I did offer LOOK my autopsy work the end of December 1967. I submitted the earlier part of it 9/66. They lost it for a while and I have the letters of apology. I do not know what the law is, but I sure as hell understand what the p.r. is, and this will be the end of John's professional reputation, if not enough in itself to establish that LOOK should have known better. I believe it was in the summer of 1968 that a friend introduced it to Cowles, and if I didn't include the docs, I did have and offer them. I'm reasonably certain the files will reflect this clearly.

But here the Archives crookedness is a joy to me. Imagine their saying that the electrostatic copy of my picture (I do not yet have John's, for they haven't filled my order and Dick hasn't sent me a copy) enables them to identify it as the one he directed them to take!

But the real problem is not to collect from LOOK, gratifying as that would be, or to hurt John, richly as he deserves it. The real problem is to keep him from blowing what I have been doing, and here is where I can use help, for when what I told him tonight sinks in and when he reads what is in the mail to him his ego will go crazy. There are many other ways I can establish that this has been in the work he saw. Bud saw the same stuff. I would not use Vince, but he did. Howard knows it and I would not involve him. I have submitted it to Playboy, have the rejection, and to others. All the same file that I kept together. I had it down to the Halleck trial, then still intact. Bud took me to the Readers' Digest with it. He brought a man from the Manchester Union-Leader up and he saw it. I don't now think the immediate problem or concern is legal. I think it is to keep that bull ego from wrecking this delicate china shop.

This is pretty sticky, so if you do not want to do anything, I'll have no hard feelings. I hate it also, detest the intrusion it is in constrictive work. But I simply must keep him from wrecking what I am so far succeeding in doing. Dick, I've not sent you the best for a number of reasons, chiefly cost and security, but Gary has a duplicate and Howard will see it tomorrow, and others have, including Bud, who says it is the most significant thing we have. More, having it, I am concerned about the closing of the door. It is better not to go to court for what can be obtained otherwise.

I asked Joan tonight as I wrote him why cannot he content himself with suing for his own work, why can he not leave ~~xxxxxxx~~ my own work for my suit. He was without response. I reminded him of my repeated and unanswered requests that he include me in his suit when I had no lawyer, and he again had no response. I reminded him that Dick and I offered collaboration in the LOOK article, and he again had no response. To me, this leaves no doubt about his intentions.

And, if he uses any of this, it will wreck his suit. I think it may not be necessary for me to do it, for I think it will be spontaneous, once the government tumbles to the picture bit that only a few now know about. Wait until that gets to the government lawyers, and his copyrighting of mine!

If we do not meet tomorrow it will be because he so arranges it. My schedule was arranged in advance, for I had to make an Archives time specific, as the letters you have show, and I had to see Bud before that, have to take perishable specimens to the lab before all of it, and am returning to Bud's to pick up Howard. If John is there then, perhaps he'll listen to Howard, if he can listen to anyone, for Howard also saw it. With this schedule fixed, and his time free, for he said he expects to spend only about 10-15 minutes with Rhoads, all he has to do is be at Bud's when I told him I'll be there or leave work for me to pick him up at his hotel. If we do not meet, I think I'll have another clear reading of at least his subconscious, for he has nothing to do until his speech.

Earlier today I solicited your opinions about the ~~xxxx~~ general course I propose to follow. I do need them, for I have an emotional involvement, a personal feeling, you do not. Gary, who has a technical grounding in what anxiety is and means may better understand that part which is personal, detached from the work, and I tell you quite openly I think if there were no great jeopardy to the work I'd feel much the same way for these personal reasons. At some point we must discipline ourselves, or perhaps cleanse ourselves. This is a third point. This endless thievery must stop. There is ample for all who will do the necessary work. Bud can tell you that when he and I were at the Archives together and one of the files had a slip sheet in it with lifton's name, I asked him not to let me see the pages involved and then I declined to examine that file at all. I think this is the only course, I try to practise it. I have more than a million words that I think are pretty clear evidence of it and the fact that on the few occasions I use that of others, I do credit it and then only after I have permission. I think Gary has seen files where I offered to credit others for what I had discovered and carelessly omitted from my own work when a third person called the oversight to my attention. I claim not sainthood but sincere effort, and I think we have come to the point where we can survive nothing else. I'd best stop. I hope this is sufficiently lucid and not as much worse than my usual typing as it can be for the condition my nerves were in earlier. By the way, he said his LOOK manuscript is of 17 pages. And that he has "abused" them presumably by delays.

Unless I have a reasonable word from him within a reasonable time, not until after both of you have time to counsel, I shall write him and tell him I intend writing LOOK in full and warning them of my intentions to sue. I have already told him that if he goes ahead I will... Meanwhile, Bud just returned my call. He doubts he'll see John tomorrow, told him it looks impossible (without having read what I had sent him, which gives you Bud's independent opinion) says he also doubts LOOK will use it, which I do not agree with, says he thinks the flaws in Joan's suit are fatal and that it has already fallen apart. Which may, perhaps, make sense to you of the great time I spent trying to help him when I should have been doing other work... Isn't it awful, spending time this way, facing this kind of problem?