

1/12/70

Dear Dick,

Thanks for your ltr 1/5 and enclosures. Glanced at Jackson, will read carefully, glad to have. Asked friend to speak to him while back but it wasn't possible. However, what he says is rather interesting, with a couple of points I missed, like the bit about the sirens.

Snow: I wasn't, really, intending to complain. Just reporting. The main problem is outside my control, official deficiencies. They just do not clean the roads. The road on which I live has been blocked periodically, and at the junction, it and S road are both still single lane. If you had fewer snowmobiles and as little equipment and knowhow as they have here you'd enjoy it less, I think. And I am getting too old to clear a 4-500 foot lane without concern about over-exertion. I dug it out yesterday, and it snowed again during the night (not much). Our pond and pool have been frozen as long as you report but it is harsher than usual here....Recharging battery and new points helped some.

Curry: check. No cost. Given to me. Disagree on inevitable of Hooveroma. More like a pansy than a rose, if not a skunk. of Lily.

Howard may have blown Fisher, but that is okay. He's still a great kid doing a great job.

Finck: even if there were no sampling front neck, he could not have seen the actual wound because of the trach. Did I not send you the draft of the letter I suggested Howard write him? Pix could not have shown wound for same reason: tube through it and enlarged it.

Eckhoff: you're wrong. He just staked a permanent claim to the spot behind the 8-ball. There is no doubt they took the picture for me. Didn't Johnson offer it to you that way? I still have the ruler in it, remember? No one else can produce that. Johnson never made any such mistake. They're worried and hurting- this is more like desperation. Until we see the actual picture, we do not know that they have come up with mine. John has been systematically pirating, I regret to say, while telling others he is worried about stealing from him? What's to steal? CE562,4: you are right. We also had extensive exchanges of letters on this. I remember writing you a long one on F's test, inc. compar. mic. pix. And I do remember your examination of the pictures. You sat at the old table in the living room. I believe you trimmed some of the prints, for purposes similar to those for which I had suggested negatives to be overlaid. But John went further than you say: he copyrighted this work for himself, if I recall! What he is up to troubles me much. At this point the best possibility seems to be an ego trip. I hate to think of the worst. I also believe you sent me a copy of the letter 5/19.

Strange coincidences: Friday night I had to Uppman's (thin ones) given to me. They were stale and I didn't enjoy them. But years ago I loved the one that came, as I recall, in a tube. Many thanks. If and when I hear from John I'll send copy of letter. Meanwhile, note what I've asked of Howard (enc.) I think you'll see what I plan.

Best,

5 Jan 1970

Dear Harold:

Tut, tut. A whole foot of snow in Maryland. And all at one time! Learn to live with it and you'll find it great. Up here we have as many snowmobiles as you have snowflakes, so that will give you an idea of what SNOW is. And cold. We haven't had a thaw since mid-November-- but that's good, too, since I set up an ice skating rink in my back yard for the neighborhood kids. Oh well, you should know better than to complain to somebody living in ~~the~~ Canada.

I have a load of correspondence from you, not all of which requires answer.

Curry's book: Received this in good shape and read it quickly-- no surprises. Later I may send you a few notes on it.

Tell me the cost of the book, so that I can pay you for it.

I agree with Roffman that the picture of the TSB window was doctored, but think it may have been done by publisher for contrast.

Agreed also that Curry incorrectly designates the fragment "from Connaly's arm.

As with most such things, the book is self-serving. Curry seems well aware that the FBI was playing strange games, and I was glad to see him casting aspersions at them. I hope this will be the harbinger of a new phase of activity in which all seek to cast blame on the others. Inevitably, of course, Hoover will come up smelling like a lily.

Requests to Hoch: I sent Paul money for my copy of Coup add and for a copy for you.

I also requested he send me a copy of Coup, since what I have is a carbon, and some documents are missing.

Brener's book: Your memo on this is my first knowledge of Brener or his book. I requested that Hoch send me either a copy of the book, or a proper bibliographical reference so that I can order it from publisher or bookseller. When I get it I'll respond to your memo.

Roffman and Dr Fisher: I am not aware of the contents of correspondence, but from your letter to Roffman, I'll bet Fisher is lost to him.

Keyholing: Right, Connaly's back wound shows no evidence of this. It should if bullet were tumbling or yawing. The bullet that hit C in the back was stable, as far as I am concerned. I am not sure whether an unstable bullet would have the same "keyholing" effect on skin as it has on paper-- in fact, I think the effect would be somewhat different from the effect on paper. I feel quite sure, however, that the effect on skin would be something other than a small, neat hole that is characteristic of a wound of entry.

Houts' book on Helpern: I'll watch for this and buy it for you if I see it. The cost is not great; less than \$1. If you get one in the meantime it will be no loss to me, since I would like a second copy.

Finck and front neck wound: As indicated in my memo re Finck's N.O. testimony, I agree it is not necessary to imply that he saw the wound. If it is true that he did not see the wound, I regard it equally certain that the wound was cut out before he saw the neck area. We know by other means-- and I think with absolute certainty-- that the wound was visible, clearly visible, when JFK's body was on the table at Bethesda.

I think, however, that by now (and probably even very early in the game) Finck knows that there was a wound of entrance in the front neck, even though he didn't "see" it.

Jesse Jackson in Playboy: excerpt concerning Ray and MLK killing is enclosed.

Eckhoff of Archives: Eckhoff is back on the ball (or is it out from behind the 8-ball?). Enclosed is his latest to me, indicating your 399-base photo turned up.

CE's 562 and 564: Nichols not responsible for matters relating to these exhibits; I am. I sent him some info shortly after my trip to you, when we got cartridge case pictures. You may remember that I noticed the discrepancies while at your place when comparing our cartridge case photos with the pictures in the exhibits.

My letter to Nichols on this is enclosed here. On this basis he got good photos from Archive and sent them to us. I had subsequent correspondence with him, but the basis of the matter is contained in this letter.

After the initial disclosure of findings, the problem was related more to photography than firearms. Roffman gave good support for what I had in mind-- best of all he eliminated ~~possibility~~ the relevance of certain factors that had caused me to back off my initial assertion that both photos came from same negative.

I can't yet estimate importance of disclosures concerning these exhibits except as means to embarrass and discredit Frazier-- I think there is more to it than that, but I can't yet guess what.

When I get time, I'll try to do a proper memo and explain what is going on with these pictures. You had requested this for Fensterwald, but I have been too busy to get to it.

In any case, understand that all of what Nichols is doing with these came from me. He prepared the proper photos, but I gave him the info. This occurred when his was the only suit in the works.

Must stop now.

A few cigars may be on the way soon. A friend of mine may be going into the States in about a week. I have gotten terribly hooked on them, although I never enjoyed cigars very much before. Tried an "H. Upmann" the other day, and did not much care for it-- also it was expensive as hell, about as much for one as I pay for five of Reas.

Still,

*Finck*

cc Schoener

TO NICHOLS

19 May 1969

19 May 69

Dr John Nichols  
Kansas City, Kansas

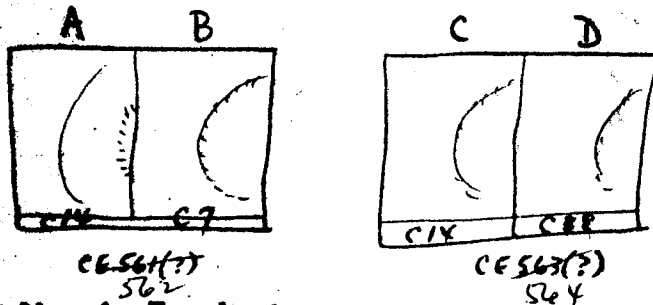
} from Bernabei

Dear John:

I am back from the States and have much to say.  
Enclosed are some pictures we got at the Archives. I shall be getting a few others, and will send copies when I get them. The numbers at the top of each will explain what the pictures show.

First let me give you something that may be an important aid in your case to get the evidence from the Archives. Frazier made an important error which you can exploit to good advantage. I don't wish to imply that the error results from his illigit intent, but it is the type of error that justifies your appeal for the evidence itself, since the error throws the published record into an unresolvable confusion that can only be resolved by direct re-examination of the evidence. Here it is! I don't have the markings in hand and can't refer to everything by number, but I remember such and you can fill in the rest):

Turn to the exhibits that show the microscopic markings on the primers of the rifle cases; they begin at about CE 559. Among them are two exhibits on facing pages (bottom of the pages) that look like this:



← (my designations, for reference in discussion below)

According to Frazier:

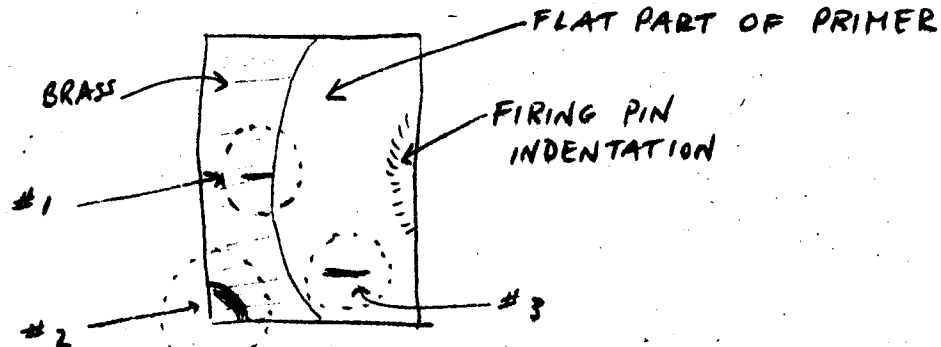
- Q14 is a test cartridge case
- Q7 is CE 544
- Q8 Q38 is CE 545

He testified that all of his composite pictures show the test case on the left and the suspect case on the right, but that is not true, as we can easily prove with these two exhibits (perhaps also of the other composites that he put in evidence, but I can't be sure-- it is uncertainty of this type that gives you justification for demanding the evidence, so that you can set the record straight)

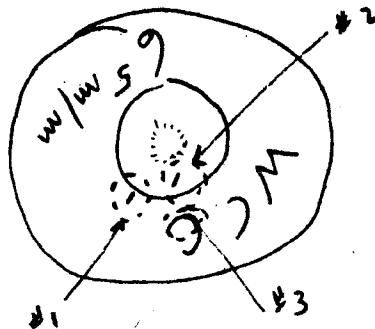
Now, here is the true situation, which you can easily check: B and D are different magnifications of the same picture-- not merely different pictures of the same case, but the very same picture, with D blown up larger. You can check it simply by comparing them-- they are identical in absolutely every respect, and impossible circumstance if they were pictures of ~~different~~ different cases, or even if it were different pictures of the same case. If you want an illustrative presentation, for submission to the court that is

handling your case, then I suggest that you photograph the exhibits as they appear in the volume, and blow them up in so exact that they are exactly the same size. If you do that, please make a copy for me. There is no denying that both B and D were made from the same negatives.

That is only part of what you can tell the judge. There is something equally important-- and equally certain. A shows the base not of a test case (as Frazier said), but of a suspect case; we can even say which case: it is GE 544, and there is no doubt about it. As I recall, this is what A looks like:



Note especially the marks that I have encircled and numbered #1, #2 and #3. Now look at the photo that I sent you showing the bases of the three cartridge cases. GE 544 has exactly these marks (it is the middle of the three). Here is a sketch showing GE 544 in the position depicted in the photo that I sent, and dotted circles showing the marks that correspond to the case as depicted in A:



There is absolutely no doubt about it. A, which Frazier said shows a test case, in fact shows an evidence case. Innocently or not, he has ~~intentionally~~ given false information and left the record in an unintelligible state. We cannot now trust ~~any~~ any of the photo comparisons that he put in evidence. It is possible that B and D are photos of a test case, and that A (definitely) and C are photos of the suspect cases, but the point of importance to your suit is that we do not know, and cannot know what situation prevails. The published record is simply gobbledy-gook as far as private researchers are concerned.

If you present this in your suit, only blatant chicanery can keep them from giving you at least the cases. ~~It~~ With proper arguments (which I will not suggest here, for they are better worked out by your lawyer) you can also use it to cast doubt on the integrity of evidence that concerns the other material that you want. It could be just the crow-bar that you need to pry loose the other stuff that you want.

I think this is an important piece of material for you and I strongly urge you to use it in your suit. We have Frazier cold on this. I am not yet willing to suggest culpable intent, for I cannot think of what might have motivated the error, but there is no doubt that the evidence is in error and that the error is serious-- very serious. It casts doubt directly on the integrity of Frazier's comparison photos and indirectly on all of the evidence that Frazier introduced.

I don't regard this ~~as~~ information as my "property" so you may use it in any way you wish and will not cause me offense as long as you use it honestly. I may get out a memo on it, but have no intent to publish except perhaps in conjunction with other things that I may write. Presently I can explain the "what", but am still trying to figure out the "why". The "why" may be evident if we can look at the cases under a microscope, but right now there is nothing to say. In any case, this can be of immediate use to you, so if you wish, use it. The most I will do in the near future is get out a memo for friends, and I may not even bother with that ~~for~~ for a while. Besides, it is of minimal importance to me, and perhaps of great importance to you.

For presentation in your suit, I suggest that you make comparative photos of picture A and my picture of the base of QH 544. The photographer who took the picture has the negative; if you want a picture done in a different size, please tell me, and I will have him send you one (or some; specify). If you do that, tell me what size is best for you. Better than that, you can get a negative from the Archives; we had to give them negatives of what we took.

I hope you can use this material and that it does you good in your suit. I would like to repay you in kind for the interest and help that you have given me.

Good luck, no matter what you do.

GENERAL SERVICES ADMINISTRATION

National Archives and Records Service  
Washington, D.C. 20408



DATE: December 30, 1969

REPLY TO  
ATTN OF: NND

SUBJECT: Photograph of Warren Commission Exhibit 399 (Further reply to your letter of November 12, 1969).

TO: Mr. Richard Bernabei  
Queen's University  
Department of Classics  
Kingston, Ontario

Mr. Harold Weisberg has sent us an electrostatic copy of the photograph which you requested in your letter. We have identified it as a photograph which we took for Dr. John Nichols rather than for Mr. Weisberg. We are preparing a print of this photograph for you which will be sent to you as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads 'Mark G. Eckhoff'.

MARK G. ECKHOFF  
Director  
Legislative, Judicial and  
Diplomatic Records Division