

Single filed under PM adds

5/7/89

Dear Dick,

Time goes so and I get so little work done. I've done no writing for a while and am still behind in the other work. Now we have another and beautiful intrusion: we have a family of wild ducks in residence and they have just hatched out 15 young, presenting me with a new problem: keeping them alive, in spite of mama, who has decided just the place for them is the swimming pool, which they cannot exit. They, saving them and getting them on TV in the hope they would find a welcome home in a children's zoo took the whole day yesterday, their first.

They looked fine on TV. And it took me until 10 p.m. to get them out of the pool, so they wouldn't drown (they can) or overchill. It was so dark then that when I turned the light off mama bedded down there for the night, leaving briefly daylight and having the brood back 15 minutes later. I watched them jump into the pool at her bidding. I have built a contraption by means of which they can get out and did, under compulsion, last night, so that, with any luck, all I'll have to do today is keep from watching and photographing them too much. And take some time this a.m. to find stale bread and get fine grains for them. I knew they could not get out, for they cannot fly for several months and cannot jump up they 8-10 inches for a while. First thing I did was put some scraps of boards in. Once their play got them onto the boards, I put birdseed on them. Most of this got wasted, but they did learn to eat some. Dearest thing to see, this pretty ducklings taking boardrides as the force of the circulator sent the boards sailing. I put a large hunk of painted plywood in, but they shunned that. Finally, I fixed it as a ramp but they refused to go onto it. Lil or a neighbor's wife had the idea of putting a rung on that. I anchored the rung with a couple of bricks, and they did ascend that.

Your 4/29 letter to John with two attached pages and your letter of 5/2 with enclosures have arrived, as has his 5/3 to you. He sent me the picture of the annotated breechface but instead of the pictures sent him by the archives sent those of the dents he took for you. Before getting this I had asked him for copies of those he got. I'll return them if he wants, but I want to study them, especially before going there. I have not seen the Arch letter. With the high state of official semantics and my longer experience in interpretation, I'd like to see their exact words. Some of what you say I had read from what Frazier's words and pictures really mean, as my letter discloses. The other things we can discuss when you are here.

There are ways of getting around the awkwardness of allegedly without wasting many words, and I think it essential for the uninformed reader to know that all the evidence relating to the weapon and bullets is dubious, for example, the parenthetical phrase (said to have been ordered by Oswald but never placed in his possession, with, perhaps, this further addition, never even proved to have been delivered to him. Likewise, it is not necessary to "treat the issue of the no fingerprints found on the shells". Merely add in parenthesis, after the first mention of the shells or at a point where it may seem more appropriate, in parentheses, (magically, magically, found with no fingerprints on them). This loomed important to the lawyers, who engaged in the wildest conjectures about them. I have done work on this and can probably find it for you. They suppressed it. On other things I've got Eisenberg nailed with keeping quiet where an honest man could not.

You merely confirm to me that Thompson cannot be trusted, as I told you, with emphasis. You have to make your own examination. You may see and/or understand what I might not. I first spotted this and reported it, in my own elliptical way, knowing it had to have, in general, the significance you find. I also knew the state of my own knowledge was such that I could better devote time to other of the too-

many things requiring it. When I had a chance I got a duplicate rifle and, as you know, immediately had some rounds disarmed, for my suspicions ran that way. I still have them. I was staying with Fred Newcomb when I did this. I could not get the buffs in Los Angeles interested. And, I only recently got the weapon back. Had I not carried the ammo with me, I'd not have that. What I did not carry, I did not get back, including the clip. I took more than a year to recapture the rifle.

On Fred, I have just learned you are in touch. Until I see you, please accept my assurance that you should tell him nothing. He is on our side, but he is also a strange kind of coward, is every undependable in many ways, and has made and will make more trouble. Also, he is a sieve. Please tell him nothing and let me know what you did tell him. You'll know why when you are here, can see the evidence for yourself. Do not believe any of his work until you see it checked out for yourself.

On Epstein if you keep that conclusion, I think it should have a little editing. On the photos you want: there are two ways. I can ask this guy, and that is a heavy dose right off the bat, or we can get them made at cost, magnified twice (or four times) on a fine offset camera in Washington. Let that also wait until you are here. I fear asking Tom for this big dose of work right off the bat. Let him get involved and more interested first. His knowledge of weapons may supplement yours. He may see something new, etc. And some of the printed pictures may be inadequate. The FBI had a way of achieving instantaneous incompetence when it served a purpose. We can also use that. (Your way 1).

What you sent me (may 2) from LeMoyné Snyder, "Homicide Investigation", is perfect the way it is as an appendix of THE POST MORTEM, to go with the pictures of my own I have for 399, save for one thing: your annotations, which are otherwise indispensable. Can you please make me an unannotated copy? And we can do that shooting when we do the testing ourselves.

I may not have time to read and correct the typos before going into town with Lil this morning. Hope you can make them out.

2 May 69

Harold:

I have your letters of 24 and 27 April.

Thanks for the advice on Playboy. I'll sit tight until I have done a whole piece. You know, I originally conceived this for distribution like the piece on the scope-sight-- what a difference now!

Re your suggestions on writing: In the interim before I received your letter I noticed that in my summary material I did not ~~XXXXXXXXXX~~ ~~NEW~~ note that dents occurred before firing primers. I made that change. It was a serious omission. I have made some changes regarding the use of "allegedly" with "Oswald ordered"; I will leave it with "allegedly" for a while, but I find the term cumbersome and may therefore revise and get around the problem some other way. Frankly, I have no quarrel with the assertion that LHO ordered the rifle-- I don't believe that he ever received it (i.e. I think somebody else received it at his P.O. Box) or ever possessed it, but I do think that he ordered it. An independent study of the handwriting on those questioned documents was made and reported in the Journal of Forensic Sciences in 1966, and the independent report supported the WCs evidence that LHO ordered it. I had planned to treat this later in the article, so as to keep the rifle out of LHO's hands and in somebody else's.

Except perhaps in a footnote, I don't think that I will treat the issue of no fingerprints found on the shells. It is significant, but contentious. I already have solid material, and don't plan to undermine it with slippery stuff that requires argument. I would like the evidence to speak for itself. There is danger in overproving the case. I am going to do a section on how other things look in the light of this (i.e. CE 399, the fragments in the car, etc.) and may mention the lack of fingerprints there. Presently, however, I see it as a tempting trap-- something somebody can argue about-- and I want to present stuff about which there can be no argument.

I shall bring in the role of the Commission lawyers in connection with suppression of info on the dents (hinted on p.3 paragraph 2). Comparison between photos of the rifle cases (3 evidence, and Frazier's two tests) and photos of revolver cases is startling. I shall use that as a launching pad for other material on suppression.

Frazier did his dirty work long before the Commission was even thought of. The FBI is in deep-- Hoover himself, I think, for Frazier would not have acted without his approval. Surely Eisenberg knew what to avoid, but it is hard to grasp smoke. Still, I'll try.

I think that there was no switching of rifle bolts. It was not necessary.

Except as an appendix, my piece on the scope-sight does not tie in directly with the cases. They are like rail tracks that run parallel, but they do not overlap. They belong in any piece dealing with LHO frame-up generally, but otherwise they are separate.

Archivist in letter to Nichols indicates that there is a dent on the case mouth of one of Frazier's tests. Thompson does not mention this. Without photos or detailed description I can't tell what the hell is going on.

Frazier weighed bullets, but his testimony does not indicate whether they were fired or unfired (3H430)-- I guess unfired. His weighings put the bullets between 160.5 and 161.6 grains. Difference of a grain or two has no effect on trajectory.

Dick

BERNABEI

2 May - FOR H.W.

THIS WILL BE THE LAST SECTION - THERE WILL BE
OTHER MATERIAL INTERVENING BETWEEN THIS AND

A

The credibility of investigators

THE STUFF I SENT BEFORE.

RS

Edward Jay Epstein is prominent among the necrophiles who regularly enjoy making love to the corpse of the Warren Report. Ostensibly a critic of the Commission, although in fact a perverse but intrepid champion of the Commission's conclusion that Lee Harvey Oswald was an assassin (the assassin, I should say), Epstein and other deceitful apophants of his seemingly respectable ilk are chiefly responsible for maintaining the fiction that the corpse lives. Each time in the course of these many years when it was thought that the corpse finally was stilled, that we could at last bury the putrid carcass, the necrophiles would swish forth one ^{more} behind the other and do their thing-- and they do it well, for the corpse remains unburied.

I should have emphasized that these necrophiles make love to the corpse, not with the corpse, for the Warren Report gives them not even a wig-wag of the tail in amorous response to their lusty efforts; there is nothing from which to draw substance-- it just lies there.

Still, they try, and judging from their persistence, I presume that they gain considerable satisfaction in their toil, if not from the corpse itself, at least from those who pay them to keep the corpse intact, looking fresh, smelling nice.

To a person like me who admires the texture of the English language and thrills at its ability even to express lies with impact and with apt succinctness, Epstein's writing is appealing. Epstein is most appealing when he utters things that I wish I had said. For that reason, I quote Epstein without shame, just as I would readily quote ^{any} whore if he said something appropriate about love, and if he said it well.

So, from Edward Jay Epstein, necrophile, comes the aphorism that I wish the reader now to consider in the light of all that has been said about the three cartridge cases and two, and about Robert A. Frazier, chief of the Firearms Identification Unit in the Laboratory of the Federal Bureau of Investigation, who did the work of assassins:

THE CREDIBILITY OF EVIDENCE IS INSEPARABLE
FROM THE CREDIBILITY OF INVESTIGATORS.

That means that if we repudiate the evidence, if we call the evidence a liar, we repudiate the investigators, we call the investigators liars. It means that if the evidence is corrupt, the investigators are corrupt. It means that if it was the intent of the evidence cruelly to deceive the people about the bloody murder of their President, it was the intent of the investigators cruelly to deceive the people about the bloody murder of their President. Their President, for Christ's sake!

Do I read you wrong, Mr. Einstein and other "friends" of the Warren Report, friends of assassins? Is that not what it means: "The credibility of evidence is inseparable from the credibility of investigators"?

In the investigation that resulted in the Warren Report, as in no other investigation that existed before it, the evidence is the product not of the assassination, not of the assassins, but of the investigators. When evidence should have exposed the truth to blazing light, the evidence itself was made the mournful shroud with which living truth was wrapped and buried in a deep, dark hole.

We the people did not want the investigators to cast pepper in our eyes, but somebody wanted it, and it happened, it really happened.

We the people did not wish the memory of an innocent man to be vilified, but somebody wished it, and the man was vilified, even by those who arranged that the name of innocence be synonymous with infamy.

We the people were not prepared to lose a President on November 22, 1963, but somebody was prepared, even eager, and we lost him.

We the people did not desire to lose a President, not that President, not that way, not in a shower of blood, a puddle of brains oozing over the back of a car, over the lap of his wife, but somebody desired it, and got it in spades.

What of our shame, the enduring disgrace that we have incurred and compounded over these long years? Are we strong enough to endure it any longer, unseen, covered up like a gangrenous wound? Are we that strong? Are we brave enough to see what we have allowed others to do in our name, in the name of the people? To see what we have done? To say what we are?

Can't we let Lee Harvey Oswald go? Can't we let his undamned soul rest?

This much is certain: if we lack the courage to love our ideals, to embrace truth even though she may requite us with anguish, to take action against perversity, then we shall never be better than we are today, and today we are not good enough, we are not nearly good enough.

End

1 May 69

Harold:

I made up a list of about \$40 worth of photos that I planned to order from the Archives, but it occurred to me that in addition to being very expensive, they would not serve my purpose at all well.

I intend to treat in detail the Commission's efforts to cover up Frazier's good works. Part of that will require comparisons between the way they photographed the three cartridge cases (CEs 543, 544, 545) and the way they photographed other cases that came into evidence. Rather, I want reproductions of their presentation of the photos among the Exhibits, that is, the way they are printed in the Hearings.

What I want, then, is very good photos of pages that show pictures of the Exhibits. I could have that done here, but it would still involve me in much expense. So I thought that I would mention it to you, in case you had access to free photographic work. You mentioned a photographer who is willing to do work for you. If he charges nothing, or charges less than I might pay to have it done commercially here, then please ask him for good black and white photos of the pages that are listed on the attached sheet. I have also included other stuff that I can use, besides pictures of cartridge cases.

I don't need expensive Archives photos, if I can get good pictures of the pictures in the Hearings. That is chiefly my interest now: how they present it, not what it is.

The enclosed two pages will be the end of my article. There will be more material that will be inserted before this, but I want it to end this way.

I am still marking exams and term papers, so I must stop.

Dick

Bernabei

P.S. If you can get these photos,
send me the negatives.

WANTED: B/W NEGATIVES — AS CLEAR PICTURES
AS POSSIBLE

(IF SEVERAL PICTURES OCCUR ON ONE PAGE
OR ON FACING PAGES, IT'S O.K. TO TAKE
THEM ALL IN ONE PHOTO)

~~ALL PICTURES~~

ALL EXHIBITS ARE
IN VOL. 17, HEARINGS

<u>Page number</u>	<u>Exhibits of interest</u>
p. 226	CE 518
p. 264	CEs 587-592
p. 267	CEs 594-596
p. 268-269	CEs 597-600
p 270	CE 601
p. 241	CEs 543-545
p 249	CE 557-558
p 250	CE 559
p 252-253	CEs 561-564
p 254	CE 565
p. 274-75	CE 613-615
p. 276-77	CE 616-619
p 279	CE 622
p 280	CE 624
p 258	CE 574
vol. ? p. ?	CE 141

R. Bernabini