

2/23/69

Art Kevin also told me Jim had decided that when Finck, who is scheduled to be tomorrow's witness, leaves the stand, he would arrest him and charge him with perjury! Alcock opposed this and finally won out. Of course, Finck will repeat his testimony before the Warren Commission and the statement he gave to Clark, but that does not prove perjury. If Garrison is going to use the evidence he has already put on to impeach Finck, Finck, who will in all likelihood commit perjury, would be acquitted. However, with the proper questioning of Finck, the basis for such a charge would be laid, and a proper basis that would stand up in court. A week ago Inphond Moo, before the case in chief was closed, and begged him to use his influence to have Humes called as a witness. Then proper examination would have elicited the truth and a perjury within Garrison's jurisdiction and competence to prove, without the tenuousness of peripheral opinions.

C It must be obvious the defense is using Finck instead of Humes for some reasons, when Humes was in charge. Humes' reluctance may be one, but a subpoena would have overcome that. Humes lack of experience in forensic pathology vs Finck's accreditation may be another. However, my opinion is that it is Finck's more remoteness from perjury that is controlling, and that recommendations have been made to the defense.

O The presence of so many US attorneys in court may have other meaning, but in the future the government can choose to interpret it to mean that they were so anxious to learn what, if anything, Garrison turned up they assigned this large force to be certain there was nothing it missed.

P Frazier was never shown the existing pictures that show, at the time of the reconstruction, that the rifle with the sight could not be put into the conjectured position without the window being wide open. He apparently was never asked about the Hughes film, showing no one in the window (or the other interpretation, standing men, not shooting). From what Art says, the most that can be said for the futility of cross-examination is that the most obvious of the obvious is dabbled with, the little about which one need know nothing, and the most effect it could be interpreted as having is ~~in~~ what could be expressed in a deliberately faked question, "Now, Mr. Eichme--, I mean, Mr. Frazier".

Y Art has been talking about leaving for a week. He says there is really no news reason for staying there. He believes the reversible errors are more than numerous, if they are ever needed