

Hull

v.

John C. Nickerson, Jr.
U S Army

STIPULATION

It is hereby stipulated by and between the Prosecution and the Defense, with the express consent of the accused, that if Edward Hull, American Aviation Publications, Inc., 1001 Vermont Avenue, N.W., Washington 5, D.C., were present in court and sworn as a witness for the Prosecution, he would testify as follows:

My name is Edward Hull and I am now, and was during the month of December 1956, Assistant Editor of Missiles and Rockets Magazine, published by American Aviation Publications, Inc. My office is located in Washington, D.C. I am not now, nor was I during the month of December 1956, either a member of any of the Armed Forces of the United States or an employee of any branch of the United States Government. Accordingly, I had no duties during December 1956 with the United States Government which required me to have knowledge or possession of official secret defense information belonging to such Government, I do not mean to state or infer that the information later referred to in this stipulation was in fact secret defense information. I did not read it.

On 19 December 1956 I was at work in my office in Washington, D.C., when Jean Godnecht, Mr. Erik Bergaust's secretary and an employee of Missiles and Rockets Magazine, was opening the mail. When Jean Godnecht opened a package addressed to Mr. Erik Bergaust it was found to contain an inner envelope stamped "Secret". She turned this package over to me. This package was addressed to Mr. Erik Bergaust, the Managing Editor of Missiles and Rockets Magazine and a return address was contained on the upper left hand corner of the outside of the package. The envelope inside the outside envelope of the package first received was marked "Secret." I opened this inner envelope which was marked "Secret" and removed the contents. Enclosed were a letter of transmittal and some documents. Prosecution Exhibit No. _____ is the letter of transmittal that was contained therein. I do not recall the title or identifying symbols of the documents contained in this envelope; however, I do recall that one title was concerned with the Jupiter-C. I know that the top page of the documents was marked "Secret" and I did not read these documents. Prosecution Exhibits Nos. _____, _____ and _____ appear to be the same general size and shape of the documents I have spoken about and bear the same titles as those listed in the letter of transmittal concerning which I have testified.

I discarded the envelopes and placed the material I have described in a fresh manila envelope and gave it to Mr. Erik Bergaust late in the evening of 19 December 1956 along with the letter of transmittal, Prosecution Exhibit No. _____.

Ray Jenkins
Ray Jenkins, Defense Counsel

Robert E. Bell
Robert E. Bell, Defense Counsel

Charles R. Zimmer
Charles R. Zimmer, Lt Col, JAGC
Defense Counsel

John C. Nickerson, Jr.
John C. Nickerson, Jr., Accused

William G. Barry
William G. Barry, Lt Col, JAGC
Trial Counsel

UNITED STATES

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