

7/14/76

Mr. R.W. Seamon
Time Magazine
Time-Life Bldg.
Rockefeller Center
NYC, NY 10020

Dear Mr. Seamon,

You appear a little reluctant to make a complete and accurate court record in the matter of our recent correspondence, your corporate structure, the use of its wealth to buy and suppress unique vital evidence in the political assassinations and subsequent efforts to commercialize.

Today's mail included the return of some of the files I'd forgotten I'd loaned out.

I'd also forgotten your corporate silence prior to this in the King assassination and, I regret, that this had become a matter of court record in Memphis. I should not have forgotten the last.

One of the returned records is AP's wire copy slugged "Ray 280," dated "07-25-74 16:15edt."

The opening paragraph of the lead reads:

"James Earl Ray's attorneys have asked a federal judge in Memphis to order Life Magazine and a Houston, Tex., attorney to produce photographs of the John Kennedy assassination, court documents showed Thursday."

Toward the bottom, "Ray has stated that about Feb. 3, 1969, Foreman asked him to identify photographs of some men in Dealey Plaza," Leser said in the brief. "As best Ray recalls, Foreman had some deal cooked up with Life Magazine about these photographs," the brief said...

Foreman did testify to this in a deposition. He did not appear at the hearing. My first information on this came from James Earl Ray, who had been promised a large sum of money if he made an "identification" of these pictures on which you held. The newspaper that owned them did not have lefts-to-rights. My source is the managing editor. I had to check them out because those pictures you tried to exploit are perhaps the largest single disinformation operation in the story of the JFK assassination.

Earlier I was involved in this but in an entirely different way and for entirely different purposes. A sketch of a suspect in the King killing, attributed to the FBI, had been published. The resemblance of this sketch to one man in those pictures is remarkable. The sketch having been attributed to the FBI in April, 1968, I provided, without charge, copies of the sketch and that picture to others, including AP and the FBI, which today claims to have no record of it. The next year your corporation appears to have offered Ray money for a false identification.

Although I did not then know about it, the federal court of appeals for the District of Columbia handed down a decision in another of my FOIA cases (75-2021; 75-226 in district court) that is quite specific on the perfecting of the records in historically-important cases with first-person testimony. While it has no direct connection with the case that led to this correspondence (C.A.75-1996) I believe that the same legal principles pertain. You may want to read it. In the immediate case we await a written order from the judge on compliance. Once I receive it and the transcript of the session at which it was delivered verbally I will be happy to provide you with xeroxes, if you want them, at my actual cost.

Sincerely, Harold Weisberg

Dear Jim, re my eclosed to Seamon/Time

HW 7/14/76

Do not pass this off as smart-aleckry or my whiling away a few moments before I go for Lil, who returns soon.

I had forgotten this until I received the AP story back from you today. Maybe you also did?

I did give these comparison pix to the FBI through the local agent in April, 1968, to the AP and to others. Later the NYTimes carried them both, so Time-Life could reasonably be expected to have that clipped and filed.

(The sketch, as I later learned, is not the real one. It is the Mexico one.)

But what journalistic value was there for the Time corporate structure in Ray's making a phoney "identification" of the irrelevant? What the picture services did supply them established this sketch as a fraud.

If we can't read the corporate mind of seven years ago, the one apparent purpose that could have been served by a phoney identification (with pay, I think Jimmy told me of \$5,000 - that Foreman would have snaffled) would have been the destruction of Ray's credibility. Or, an FBI purpose.

What I'd also forgotten in the mass of this material is the conclusion of the AP story, which can direct you to your own brief.

I mean by this what was before McRae from July on in 1974 and thus was within his knowledge at the time he behaved so badly and took Haynes' false word during early-October discovery: "Lesar also asked McRae to allow him to see color slides of the King autopsy and ballistics evidence. Lesar contends former Dist. Atty. Phil Cabale and 'other members of the prosecution team' have 'publicly displayed those items when giving talks on the King assassination.'"

Let us for a moment bracket this with what he did in the penis-malpractice case he interrupted with Haynes and his refusal to declare Dr. Francisco a hostile or court's witness.

McRae knew that the prosecution had shown in public pictures he refused to let the Ray defense have.

Not having them foreclosed us from using them to obtain an expert witness. He also foreclosed us from proving that Francisco perjured himself in the evidentiary hearing, before him; and that his guilty-plea hearing testimony was not only at least deliberately deceptive but very directly addresses the issue of effectiveness of counsel.

This is where you phoned. I agree the question is time. However, in the future I think we can use this before any new habeas corpus. I think you can use it in any petition cert. It is in the court's records.

I'm uneasy about your telling Jimmy the kinds of things you did in the carbons that came today and you mentioned on the phone. Not because I think you should keep secrets from him when he has the need or the right to know but with each possibility he convinces me even more that if he is only stir-crazy he is lucky. He has gone off half-cocked and on his own or worse, with pther legal advice with what you have written him. I do not think this serves his interest and I therefore believe you should not communicate these things to him if only to prevent his frittering away what can be essential to his rights. There is no doubt about the extremist political motivation of this unknown new counsel and I think none about serious ethical questions. To put this another way, at this juncture I believe you best serve Jimmy's interests and preserve his rights by not telling him these things he or he and others can misuse. (Ryan did file that joke of a suit.) Don't let some shyster come along later and make charges against you on these things.

Best,

MEMPHIS, Tenn. AP -

James Earl Ray's attorneys have asked a federal judge in Memphis to order Life Magazine officials and a Houston, Tex., attorney to produce photographs of the John F. Kennedy assassination, court documents showed Thursday.

In a brief filed in U.S. District Court, James H. Lesar of Washington D.C., one of Ray's attorneys, asked Judge Robert M. McRae Jr. to order former Ray attorney Percy Foreman of Houston and officials of the defunct national magazine to produce the photographs.

Lesar said attorneys for Ray are trying to find out if there is a connection between Kennedy's death and the shooting of Dr. Martin Luther King Jr. Ray is serving a 99-year prison sentence after pleading guilty in King's death.

Ray is seeking a new trial, claiming he was pressured by his former attorneys, Foreman and Arthur Hanes Sr. of Birmingham, Ala., into pleading guilty. The U.S. 6th Circuit Court has ordered an evidentiary hearing to deter-



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mine if Ray is entitled to a new trial.

McRae has said he will decide Aug. 1 what state's evidence he will allow Ray's attorneys to examine.

Lesar said Ray wants to see photographs allegedly snapped in Dealey Plaza in Dallas seconds after Kennedy was shot.

"Ray has stated that about Feb. 3, 1969, Foreman asked him to identify photographs of some men at Dealey Plaza," Lesar said in the brief.

"As best Ray recalls, Foreman had some deal cooked up with Life Magazine about these photographs," the brief said, adding that Foreman has said he contacted Life about the sale of some photogf fo

Lesar also asked McRae to allow him to see color slides of the King autopsy and ballistics evidence. Lesar contends former Dist. Atty. Phil Canale and "other members of the prosecution team" have "publicly displayed those items when giving talks on the King assassination."