Dear Js, 10/7/74

I am making a simplified record, eliminating what is under the protective order of the court in the Ray case. This means I can't make reference to any specific evidence I examined or obtained under discovery.

You will remember that some time ago I wrote Bud, Jim and Ray saying that the time had come to take and keep the initiative, never to defend and always to push on fact and legal issues. (Jim was incapable of it in court this past Wednesday, so he didn t look good when the nasties pulled dirty stuff on him. I'me made the correction of the record possible in an affidavit he'll be filing for other reasons.)

This is what I then started doing, with Haile and the judge on each decent (meaning indecent) opportunity Haile provided. I have met with the judge andhe had no comment, meaning no adverse comment.

The nasties of the State AG's office are so easy to read I told 'im not only that the 6th circuit had not ruled on Friday but on Thursday (Friday he told me Friday) but almost the exact hour. I could read this two ways: by the end of Hayhes's phoning and leaving and by the changes in his behavior.

So, what I've been doing, in whatever way was at any time expedient, was psywar in the form ot two things: taking no crap at all in person and responding with constant needling to keep the State AG's people angry and off balance; and by educating them to the meaning of what we really have.

I don't assume that all lawyers understand evidence nor do I assume that all prosecutors take the time to learn the meaning of what is generally handed them with an interpretation by the cops. So, I've been laying it out clearly enough for the AG men. I think they have read it clearly. I've also been making other displays, like whizzing through some of the evidence, discarding the junk with a mere glance. Over and over and to the chief investigator, too.

He is John Carlisle. After one day on which he appeared to be perfectly healthy he just got sick and wasn't there. If this was his way of stonewalling, we were by then finished with him.

In an entirely different manner I have extended this to the clerk of the court, who boasts of being the last appointment Boss Crump made. Crump to him = God. He just about says it. But although he has the record of being completely unflappable, he read me very,very clearly Tuesday, the day before we began discovery. He flapped. He now knows what I know and he now knows some of what I can prove. His knowledge, I think, is limited to what he knows I saw and to what he thinks I can make of it. But he is smart and he will wonder how much more I have. Well, I have very much more, did not make any effort to hide how and where and from whom I got it, so if I was shadowed they can make a stronger reading. It is pretty hairy stuff. The chain of evidence I have is not complete on some aspects, on others full and enoug to start an entire new Ray defense on Constitutional issues. And not from discovery materials, either.

The clue in the files and for future questioning if and when the case is over is Battle. What I now have beginning with but not limited to the last day of his life and what was done elsewhere when he was on vacation, the State's refusal to let Ray's new lawyers in to see him when they appeared for his signature on a petition for a"new" trial that would have been automatic under Tenn. law. This whole part is especially hairy but I have a complete first-person account on unsecret tape, from the lawyer Ryan.

I think it is not impossible that the prosecution will cop out in either or both the evidentiary hearing and the trial itself. This is the message I have beeb trying to get accross, that they'll be worse off losing than conceding. And that they'll lose for sure.

Harold