Dear Jim, 3/26/74

Your letter of the 25th and the unread McMillan file came here today, part of a heavy mail on a busy day, as the enclosed letter to Hoch indicates. I write in response to two aspects only because of the chance this may reach you before I get there Thursday.

I am all for the new suit over the FBI material and, as should not by bow surprise you, took the initial steps long, long ago and in writing:

I did ask the late, sainted St. Edgar in writing for that to which he had given access to all the others. I know I mentioned Blair and I think I included Hoie at least.

It will take some time to go through the files, but I think I have a letter in which one of your suspicions is confirmed, that Stoner did recommend McMillan to Jimmy. I think it was in connection with an offer of $5,000 and I believe it is one of the things to which I made elliptical reference in writing Shattuck yesterday.

I had independely decided that it was time to raise Stoner's ugly head again, as you should see in my yesterday's letter to Jerry.

So I am in accord with your general approach and what I think you have in mind.

The real question is, is Stoner alone?

The FBI could have put Jerry away years ago. Of the legitimate charges harboring is without question.

So, there is the possibility this may not be as simple as appears on the surface.

Let us talk this over after I read the new letters.

Your recollection of the time of Stoner's visits to Jimmy is in accord with what you then told me. It also happens to be a point on which Jimmy lied to me and I rather pointedly, I think, told himhe was laying and he came back meekly with regard to Jerry as not a self-starter.

To the First and Fourteenth Amendment approach, with which I agree, I again remind you of the suggestions of the Administrative Conference. I can show damages and want to claim they as often and as widely as possible. I think also that where possible they should be charged to individuals if only to deter them and others in the future.

I have some McMillan tapes, where the ~~guys~~ Rays taped him.

Hastily,

JAMES H. LESAR
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March 25, 1974

Dear Harold,

I've just read the McMillan letters to John with more care than I had when I called you on Friday. There is a very strong suggestion of Stone-McMillan cooperation, or perhaps even collaboration. McMillans October 5 letter says: "Just a couple of weeks ago I spoke to Stoner who spoke to Jimmy about seeing me. Stoner told me yesterday that Jimmy wouldn't see anybody."

When I went down to Nashville with Paul Valentine, I copied down the list of Jimmy's recent visitors and the dates. I can't locate the list at the moment, but I clearly recall that Stoner visited Jimmy on September 29th or 30th. Whether Stoner actually advised Jimmy to see McMillan, as McMillan represents, I don't know. But what other purpose would Stoner have for making a trip over to Nashville last Fall? I certainly don't like the implications of this.

There is some stuff in McMillan's September 14 letter which I think you can use very effectively on all the Rays. McMillan states that the FBI file on the Ray case has been made available to him, Frank, and Huie. Now just how much common sense to you have to have to know that something's drastically wrong when the FBI file on Jimmy is made available to these three but not to Jimmy's own lawyers? I'm not sure Jimmy has seen these letters from McMillan and it might be a good idea if he saw them along with a little appropriate commentary.

It occurs to me that maybe you ought to file suit for the FBI file on the Ray case which has been made available to Huie, Frank, and McMillan (and probably Blair, Bishop, and others as well). This time I think you ought to bring the complaint under the First and Fourteenth Amendments as well as the Freedom of Information Act, and allege money damages traceable to arbitrary and unequal denial of access to information relevant to your literary works.

McMillan's October 5th letter also makes clear what we suspected all along as to the reason for Jimmy's dissatisfaction with Bud.

I think it might not be out of line for you to suggest to Jimmy that McMillan has been working so intently on John and Jerry because the FBI wanted him to.

I'm sending you the McMillan letters under separate cover. The GSA has filed an opposition to our motion to strike the Rhoads affdavit, but I've not yet had the chance to copy it for you.

Best,

Jim