5/16/70

Mary, Paul, Gary, Dick, Howard

Enclosed are rather unclear copies of covering letters to which I've attached the executed DJ118 forms preparatory to filing new suits if they do not respond with making what I seek available. I regret the poor quality. This is new carbon, but it is also cheap carbon, and I needed many copies.

I'm really too tired to give you all the details I'd like on the past week of DJ discomfort over having to abide by the law. I'm quite happy that my instinctive decision to separate this one and move rapidly turns out to have been correct, as it has for a number of reasons, not the least, with the Skolnick skullduggery being precedent. It may not be the first successful effort, but in two areas I think it is: on the assassinations and on their chickening out.

I have left a list, modest in size, of what I want to be copied. Eardley, who blundered in by accident (the lawyers must have been told I was immune to the plague was was carrying it), was unhappy, disagreeable, and indicated he- and he made it personal, despite the fact he is not of record anywhere in this case- will not agree to two of the things: my request for a copy of the cover of the file and for a letter saying that what to which they gave me access is all of that for which I sued. Budand I left praying they refuse me anything, for as responsible people we cannot needless force litigation, we can also hope these arrogant stupes do the forcing, for we want to clobber and expose them in court and there is enough media interest now to get good coverage. I fear Eardley is so used to being dictatorial he is spoiled and that he knows so little of the case and the contents of the file he doesn't realize the significant relevance of my request for the cover of the file. The truth is that I made no single flippant request. Five are for pictures. That thorough FBI to which I refer in the enclosed letter is so thorough the files doesnnt include a picture of the rifle, scope or binoculars, only the small areas where there were prints. Any decent lawyer would have clobbered them on that alone. Another is of the finding of the carefully dropped package, if you read and believe COUP, and of a package so far out of the way in the picture you can take COUP's word for it! Another is of the motel registration, which the handwriting expert goes into only on the Ray sinature but which the prosecutor makes seem as though all the data came from Ray, whereas there two others who wrote on it. It may be innocent in fact but it is close to culpable in law. So, Bud and I dream of the best of two worlds: having had access to the file and derived significant knowledge from it and facing such overbearing, fascist-minded lawyers we dare hope they will yet force this into court. In any event, we will draw this to an end in a form other than Mitchell's false appearance of all of this being from the goodness of his heart. One way or another we will make the record show it is because he was forced to abide by the law. For all its weaknesses, I think we have an obligation to make thatba viable law. I think it is important in any concept of a democratic society, and I know this is also Bud's view....I've not yet read the Ray brief Bud filed. I know only what I gave him for it. Irrespective of whether Ray is good or bad, there will now have to be a serious miscarriage of jusrice for him not to have a trial. What we have is simply overwhelming. Nothing in COUP requires changing from access to this file and there is nothing in it not forecast in the book, which was written without access to it. The suit advances Ray's chances marvelously, however, and we may yet have a decent trial on an assassination.

Best,

5/16/70

Mary, Paul, Gary, Dick, Howard

Enclosed are rather unclear copies of covering letters to which I've attached the executed DJ#18 forms preparatory to filing new suits if they do not respond with making what I seek available. I regret the poor quality. This is new carbon, but it is also cheap carbon, and I needed many copies.

I'm really too tired to give you all the details I'd like on the past week of DJ discomfort over having to abide by the law. I'm quite happy that my instinctive decision to separate this one and move rapidly turns out to have been correct, as it has for a number of reasons, not the least, with the Skolnick skullduggery being precedent. It may not be the first successful effort, but in two areas I think it is: on the assassinations and on their chickening out.

I have left a list, modest in size, of what I want to be copied. Hardley, who blundered in by accident (the lawyers must have been told I was immune to the plague was was carrying it), was unhappy, disagreeable, and indicated he- and he made it personal, despite the fact he is not of record anywhere in this case- will not agree to two of the things: my request for a copy of the cover of the file and for a letter saying that what to which they gave me access is all of that for which I sued. Budand I left praying they refuse me anything, for as responsible people we cannot needless force litigation, we can also hope these arrogant stupes do the forcing; for we want to clobber and expose them in court and there is enough media interest now to get good coverage. I fear Hardley is so used to being dictatorial he is spoiled and that he knows so little of the case and the contents of the file he doesn't realize the significant relevance of my request for the cover of the file. The truth is that I made no single flippant request. Five are for pictures. That thorough FBI to which I refer in the enclosed letter is so thorough the files doesnnt include a picture of the rifle, scope or binoculars, only the small areas where there were prints. Any decent lawyer would have clobbered them on that alone. Another is of the finding of the carefully dropped package, if you read and believe COUP, and of a package so far out of the way in the picture you can take COUP's word for it! Another is of the motel registration, which the handwriting expert goes into only on the Ray signature but which the prosecutor makes seem as though all the data came from Ray, whereas there two others who wrote on it. It may be innocent in fact but it is close to culpable in law. So, Bud and I dream of the best of two worlds: having had access to the file and derived significant knowledge from it and facing such overbearing, fascist-minded lawyers we dare hope they will yet force this into court. In any event, we will draw this to an end in a form other than Mitchell's false appearance of all of this being from the goodness of his heart. One way or another we will make the record show it is because he was forced to abide by the law. For all its weaknesses, I think we have an obligation to make thatbe viable law. I think it is important in any concept of a democratic society, and I know this is also Bud's view....I've not yet read the Ray brief Bud filed. I know only what I gave him for it. Irrespective of whether Ray is good or bad, there will now have to be a serious miscarriage of jusrice for him not to have a trial. What we have is simply overwhelming. Nothing in COUP requires changing from access to this file and there is nothing in it not forecast in the book, which was written without access to it. The suit advances Ray's chances marvelously, however, and we may yet have a decent trial on an assassination.

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