1/10/68

Dear Gary,

It was one in the morning before I finished writing the letters and memos I felt I had to before going to bed. Then I read the Lifton letters with yours of 1/7. Then I couldn't sleep when Ig got in bed. The explanation requires that I get a too-early today in order to get the other things I'd planned done.

As a general thing, I wonder what there is you can get from him that can be worth the converse? I believe you are doing this in part in the hope of helping me, because he has been running such a campaign against me. I am not at all concerned about what he can do to me. There is no way of preventing him from making things up, no way of answering many manufactures, and the truth will not hurt me, for there is nothing wrong in any of it. When I was last in California, for the first time ever, I took the initiative in calling him. I did this on Paul's recommendation. Paul was right. I did learn much from him and, I think, about him as a consequence. Among the things I learned is that knowing the truth will not deter his dissemination of falsehood. With such a man there can be no genuine communication, regardless of the cause. I happen to think it is because he is sick.

When I first read his letter giving you his opinion of Jaffe and his analysis of Jaffe and the "Farewell America" film, I was impressed by his astuteness, at how close he really was. Then, as I thought of it, I realize he was playing games with you. This, too requires explanation, and because I think I should send a copy of this to Paul, I'll explain that, without copies of your letters (which I now would like as fast as you can send them), I can only surmise from his that you engaged in a discussion of what Jaffe might have done and that you opened the question.

Now when I learned a certain thing I got in touch with Ray Marcus, whose intensity and ego had driven him to some entirely wrong conclusions about Jaffe and his work. I believe you and Hal read that file when you were here. I know Hal did. Ray I had three long, long-distance phone conversations Wednesday. He was so concerned after I phone him and we had a long talk that he called me back twice. Among the things I learned is that, despite the concern I have expressed over the potential of this book and film and my asking the Los Angeles people for all the knowledge they had, they held the most important single thing out on me. What Dave told you about the "star chamber" at Maggie's actually happened, though not as a star chamber, as he put it. Jaffe was willing. He taped what he wanted and was allowed to leave off of tape what he didn't want on tape. It was for a different reason. Earlier, he had, indeed, told someone who has been easily intimidated by Dave and has given Dave things he knew he should not, knowing Dave would use them against what we all seek and against one of us, and knowing it had been given in trust. When another person told Ray or Maggie about this, they asked Steve to discuss it with them. In short, what I will tell you he has said three times in the presence of perhaps a half-dozen people.

Knowing Ray, if you do, and knowing that he had cast me into his limbo of the lost, swearing he'd talk to me no more, knowing his own intensity and sincerity, I think you will understand that to overcome this feeling, genuine if based on foolishness and error, he had to be convinced what I spoke to him about is important. He called me back twice, at his expense, daytime.

There was one plus in Lifton's letter. He did come close to isolating the one in the group out there who has been briefing him on what goes on. I will pass that along to Maggie (about his dispute with her he gave you an entirely distorted account). What he gave you as conjecture, with enough error in it to

Make it seem like he was guessing, was not, for he knew. You see, I learned from Ray on Wednesday, one of the things he called me back to tell me, that Jaffe had said that he had given Lamarre the Z film. Whe, the morning I was driving him and Lamarre around, and knowing that they had the Z film in FA, I began to really worry because I knew Jim had it from LIFE. As soon as I could I asked Lou if it were possible that they had gotten access to this copy. He assured me they could not. I know he would not consciously lie to me. I have a very high opinion of Lou, as you know. I also know he is human and can be wrong. So, I then and still regard it as possible that when he was out of town or for other reasons it was nefessary for others to have access to his locked materials, it might have happened.

There is no doubt about one thing: Jaffe said he did it. Take it either way, he lied or he did. Either way, with what the film says about Shaw and with Steve given film credits for nothing - and with his having Garrison credentials - you have the basis for a possible mistrial. It is, perhaps, worse if Jaffe lied. As soon as I learned that they had the Z film, with Lamarre out of the car, and for other reasons, I persuaded Jaffe it was necessary for him to surrender his credentials. He had agreed to before Vince created that deplorable scene.

As soon as I learned what Ray told me, I phoned Louis. He said he considers it impossible. I do not, for I know that things I have sent him got into Jim's hands and immediately and forever disappeared. You cannot say no to the boss. Louis said Jim never asked for this. I discussed this with Moos about midnight. He is of the same opinion. Also that it is worse if J lied. Remember, big Mr. Bigwouth announced to the world that he had had an <u>exchange</u> with this so-called friendly country's intelligence (which happenes to be a federal crime). Can you imagine what Shaw's lawyers might be able to do with this- the major sensation even an unsuccessful effort would cause?

So far as I am concerned, Lifton's intentions are not meaningful. What he does is. His Thornley affiliation and dedication makes him, to me, part of the other side. I regard it as hazardous to tell him anything you do not consider it to our advantage for him to know. Because he is bright, the hazard is greater. If he was not putting you on in the letters, you alerted him to that of which he had no previous knowledge. I regard this as a serious mistake in judgement on your part, and it makes me worry about some of the things I have shared with you that I want no one to know except a few on our side I do trust. While, generally, there is little I will not put inmletters or on the phone, on this there are somekk things the other side does not know I know. If the Lamarre effort was not staged by the other side for entrapment and other purposes, it now makes no difference, for it now can still be used for this. You now see my concern about what I regard as your indiscretion. I am confident Lifton will be telling them if he has not already. I am deeply concerned about this entire matter and have been putting much time in on it when there are other things I must do and do not have time for.

As I write this, although I inteded writing Maggie anyway, I think I'll send her a copy of this, too. I feel we must assume we will have to face motions for a mistrial, that this is one of those possible, particularly if it is not used today in the arguments for a change of venue which I am convinced the other side does not really want. There is no advantage to their getting a rednecked anti-Garrison judge in the sticks where they will get a jury that will not have to leave the box to hang a homo. This is what they will get in rural La.

My apologies for the too-pale ribbon. I have been delaying changing it because a new one will dry out while I am gone. But I will before I write you again. While I am doing others things after she awakens I'll have Lil change this. My fingers are too large for the space in this old machine. It is awkward for me, hence I do not do it now. Sometimes I cannot, and then I'd not be able to type. This reminds me, M.O. has apparently changed its mind about my getting down there before the trial. The want their entire case put together first, which is good, save that perhaps by then there will not be enough time for me to devils-advocate all of it, to catch all the possible error or pitfalls. Also, Bud insists I be here for the pictures and X-rays argument in court in Washington, which is scheduled for 1/17. Knowing they had wanted me down there even before now (and knowing it is not possible for me to catch all the possible troubles anyway), I had planned on the tentative date we had set when I was there, 1/15. I got my ticket yesterday (without paying for it-I have a wonderful travel agent!), and now I'll have to change it. There are some benefits to the delay. And, frankly, I do not look forward to this trip. There is so much I want to do, so many other things I now have I want to weeks over, and I do want to put the finishing touches on the two written books. Anyway, as of this minute, my travel plans are in the air. I'll keep you posted. Bud is convinced they are using the wrong legal approach. I hope he is right, for I believe the choice between their winning and losing, based on what I know of the fact, makes a loss more of an advantage. However, I sent a memo on including the autopsy notes, which were not destroyed, as I have proved, and Moo told me they look with favor on this. There we are on solid ground, and while it will seriously damage the great cost I have in POST MORTEM, I feel it will also be a great plus, generally. You see, with the notes and the doctor on the stand testifying to them, there is less hazard in misrepresentation, less chance of it, for he will have to worry about perjury.

Aynesworth and Gurvich seem to have a list of the probable witnesses and to be going around interviewing them before the office sees them. There are a number of obvious possibilities about the source. It has to be from the inside.

Until I got your letter I had hoped to be in a position, by trial time, to have their use of Lamarre agrest boomerang for them, something with which we could really clobber them. I am not not confident. Perhaps this makes no difference. I do not hide my concern over what I regard as your error. I think you should knowk off your attempt at a dialogue with Lifton if you cannot restrict it entirely to the innocuous. In this case, I suggest that you simply tell him you consider it impossible from what you have been told. (Vince, who is so apx paranoid about agents, made a real boner to confirm to Lifton that Jim had the film physically in his position. When Lifton did not spend the money to phone you and did to phone Vince, do you see the possible significance?) Tell him the truth, that Louis has had this and other key or secret things entirely and exclusively under his control, and you can say it is one of the things I wanted to satisfy myself about and did. I think there is no harm in telling him that as soon as I heard L had the Z film in his I checked on this and was assured it had never been out of Louis's custody. Lifton certainly knows better than to suggest Jaffe could have had it long enough to take it to Europe - or that Jim wouldn have dared risking it through customs inspection and interception.

P,EASE be more careful. Must get to other things.

Sincerely,

Harold Weisberg