Rt. 8, Frederick, Md. 21701
11/17/74

Dear Jay,

Yesterday I received a letter from Wayne Chastain reporting he has been fired by the Press-Scimitar, allegedly because they consider him no longer dispassionate, the reasons including, if not limited to three drinking sessions he had with me the first week of October, probably 1-3. Wayne reports he was under surveillance when he was with me, with accurate reports coming back to him of where we were and when. He believes he was under surveillance where he lives and in this connection mentions Well-Fargo. I have written him asking for more specifics. He attributes his information to superiors at the paper.

Perhaps Wayne was under surveillance for the paper but this appears to me to have been unnecessary if the paper wanted to fire him for not being detached. Among the more substantial reasons, because we have been friends for some years, is his writing in a miner magazine, writing he knows I do not agree with.

However, once he was taken off the Ray/King story there was no basis for this.

There is little doubt that there was surveillance the times Wayne and I were together. There is a question about who did it and why. I have asked Wayne to provide more specifics. When he was told accurately where and when we were together and until what hours and it was accurate, somebody knew.

And I don't think there would have been objection to his drinking with Haile.

You may remember that when I spoke to you about the accumulating indications of improper interest in me I specified that my motel room had been searched and that a trap I had set had been sprung. This coincided with the times Wayne and I drank together. And there is a gross omission in what he was told that indicates the surveillance was not directed against him. I have not told him of this omission because if he does not recall it independently and he was not told about it, it is a sufficient limitation to establish he was not the primary target, if the target at all.

Just a few days ago I learned from a very dependable man, a retired, experienced and exceptionally competent reporter, that a letter I wrote him from Memphis 10/31, the second trip, was postmarked 11/4. Now I left Memphis the early afternoon of 11/2/ And it is my recollection that I mailed that letter that morning in the box at the bell-captain's stand at the Pick. If I forgot to mail this letter until the last minute it still should have been picked up and mailed 11/2.

Indications of this sort are without end. Yesterday, for example, I received a mailed package of copies of discovery material I should have gone over for the hearing. Lesar mailed it in Washington, at a post office whose postage meter is on it, five weeks to the day earlier. This package, clearly, had been opened. It was clearly and accurately addressed. Even mail at the Pick was opened. They say by "accident."

My question is: can something be done about this? If so, does it fall within civil or criminal practise? Or, if something can be done, would you handle it?

My own hunch is that it was not commercial surveillance, that of the officials who may have done it Memphis police are most likely, and I'd not be at all reluctant to raise the question with Inspector Swann, accross the hall from you. He may, in fact, have his own reasons for being interested and perhaps learning more.

Further explanations may be appropriate because neither Wayne nor I engaged in any impropriety. We have been friends. And we each had special interests. His were largely in discussing the content of his book, testing them against my knowledge and belief.

Mine began with wanting to get the feel of the community so I could sense whether there had been change and if so in what direction. For this the best source is an honest reporter whose professional life is not complicated by discussing it. As we talked, two areas of special interest to me developed. He was assigned to neither. In fact, I don't think he is aware of the interests I developed because I began by telling him I would make no explanations and would not discuss anything under the protective order of the court even if conversation could have dealt with independent knowledge, not what was covered by the order, which was discovery only. Because Wayne is a lawyer he understood and respected this and asked me such questions.

It turned out that he was quite helpful in two particular areas. In each I followed up with a lawyer. You are one. You know how soon I looked you up after we returned to Memphis for the 10/17 hearing. It was that afternoon or the following one. In each case to this day I have not told Wayne what I learned in following up what leads I got from him nor has he asked.

In short, there was ni impropriety on either side and his meeting with me are not a reasonable basis for the paper to act against him. Or to surveil either one of us.

You know who was interested in me. (And I would enjoy a dub.) They were so open about it they asked questions they knew would get back to me.

Bud was to have opened with a motion on any and all surveillance on anyone on the defense team. I don't know why he didn't. And I had proofs with me so it would not appear to be without basis. An fact, I have carbons of surveillance on me.And other proofs, including tapes. But not in Memphis. These are federal and in more than one city.

Because there wasn't enough time to prepare Ray for his direct testimony- none at all for cross - it was not possible to learn more about the surveillance on him until after the hearing was over. I then learned that the sheriff signed all his files the night he was delivered to the sheriff and kept the, that night only. And that all his mail at the Nashville jail was opened in advance and out of his presence. This includes defense mail. I immediately made an issue of this with Warden Rose and the first and only letter I wrote Jimmy was not opened outside his presence. When this continued after what we discovered was know and it is a violation of his Constitutional rights, I have to conclude that these all are the hardest of hardheads and capable of any impropriety.

In addition to the earlier reasons for official interest in me I have a new book appearing this coming Friday. Where it can appear, that is. It is a substantial expose of the CIA and FBI, based on one document in particular that I obtained after losing a Freedom of Information law suit for it. My presumption is that heads less hard pondered what would ensue. To make this easier I discussed it at length by phone with Lesar, who handled that suit for me and is my associate in the book. This book also has a number of FBI and Secret Service reports in facsimile.

Best to everyone,