

Dear Jim, re my eclosed to Seamon/Time

HW 7/14/76

Do not pass this off as smart-aleckry or my whiling away a few moments before I go for Lil, who returns soon.

I had forgotten this until I received the AP story back from you today. Maybe you also did?

I did give these comparison pix to the FBI through the local agent in April, 1968, to the AP and to others. Later the NYTimes carried them both, so Time-Life could reasonably be expected to have that clipped and filed.

(The sketch, as I later learned, is not the real one. It is the Mexico one.)

But what journalistic value was there for the Time corporate structure in Ray's making a phoney "identification" of the irrelevant? What the picture services did supply them established this sketch as a fraud.

If we can't read the corporate mind of seven years ago, the one apparent purpose that could have been served by a phoney identification (with pay, I think Jimmy told me of \$5,000 - that Foreman would have snaffled) would have been the destruction of Ray's credibility. Or, an FBI purpose.

What I'd also forgotten in the mass of this material is the conclusion of the AP story, which can direct you to your own brief.

I mean by this what was before McRae from July on in 1974 and thus was within his knowledge at the time he behaved so badly and took Haynes' false word during early-October discovery: "Lesar also asked McRae to allow him to see color slides of the King autopsy and ballistics evidence. Lesar contends former Dist. Atty. Phil Cahale and 'other members of the prosecution team' have 'publicly displayed those items when giving talks on the King assassination.'"

Let us for a moment bracket this with what he did in the penus-malpractice case haile interrupted with Haynes and his refusal to declare Dr. Francisco a hostile or court's witness.

McRae knew that the prosecution had shown in public pictures he refused to let the Ray defense have.

Not having them foreclosed us from using them to obtain an expert witness. He also foreclosed us from proving that Francisco perjured himself in the evidentiary hearing, before him; and that his guilty-plea hearing testimony was not only at least deliberately deceptive but very directly addresses the issue of effectiveness of counsel.

This is where you phoned. I agree the question is time. However, in the future I think we can use this before any new habeas corpus. I think you can use it in any petition cert. It is in the court's records.

I'm uneasy about your telling Jimmy the kinds of things you did in the cartons that came today and you mentioned on the phone. Not because I think you should keep secrets from him when he has the need or the right to know but with each possibility he convinces me even more that if he is only stir-crazy he is lucky. He has gone off half-cocked and on his own or worse, with pther legal advice with what you have written him. I do not think this serves his interest and I therefore believe you should not communicate these things to him if only to prevent his frittering away what can be essential to his rights. There is no doubt about the extremist political motivation of this unknown new counsel and I think none about serious ethical questions. To put this another way, at this juncture I believe you best serve Jimmy's interests and preserve his rights by not telling him these things he or he and others can misuse. (Ryan did file that joke of a suit.) Don't let some shyster come along later and make charges against you on these things.

Best,