Rt. 8, Frederick 21701
7/30/72

Dear Mr. MacKenzie,

Both your stories in today's Post are interesting and draw attention to urgent needs and dangers to a free society.

Changes in the illegal-evidence rule may have been brought to pass already and not noted because of the unpopularity of the defendant whose conviction has already been affirmed by the court of appeals. In that case, illegally-seized evidence was ruled inadmissable against the defendant with whom it was allegedly connected and, as his co-defednant and counsel tell me, was actually ruled admissible against the co-defendant never tied to that same evidence.

What makes this more perplexing and somewhat suspicious is the failure of counsel to supply copies of the decision and his petition cert to the Supreme Court to another lawyer who has proper interest, to me (and I have an accredited interest), to the family of the prisoner, which made repeated requests, or to answer repeated letters from the prisoner, which this lawyer confirmed to me after I interviewed the prisoner. I am now seeking copies of both by means not locally available to me. If this decision is affirmed by the Supreme Court, I imagine it will become one of the more repressive ones.

The case is that of John Ray, brother of James Earl, charged with driving the getaway car in a bank robbery. It is a St. Louis case. John is now in Leavenworth.

There is a concomittant to your editorial-section piece I hope you can at some time address with equal scholarship. (By the way, that "The Place of Justice" quote is on the pediment of the Department of Justice Building.) Incredible conflicts of interest by lawyers go entirely unreported in the papers and ignored by the bar. Both of James Earl Ray's original lawyers were so saddled. The first, Arthur Hanes, admitted it to me when we confronted on a(taped) TV show. He admitted that he had first gotten Ray to sign a literary-rights rather than a defense contract and that under separate contracts agreed to with William Bradford Huie Hanes would not get a cent until Ray was returned to the United States. He thereafter persuaded Ray to abandon the appeal he desired to pursue under the extradition treaty, and appeal that had every prospect of success because under the treaty political crimes are not extradictable and no other motive was ever attributed to the accused. Percy Foreman, Ray's second lawyer, agreed to this confrontation and actually fled the studio after flying to New York for that show alone when he learned he would confront me in a gang-up with Hanes. I print these contracts in facsimile in FRAME-UP, so Foreman knew I had and understood them. Both lawyers were dependant upon the revenue from literary rights for expected and agreed-to large fees. But with a trial all rights became public domain and there were no exclusive rights to provide any income. Moreover, each lawyer represented himself and Ray in the financial dealings in which their interests were competitive and from which, in both cases, Ray got not a single cent from these literary rights. About $40,000 did change changes. Foreman actually got Ray to sign away all his rights. The pie was cut 40% Huie and 60% Foreman.

I was, naturally, disappointed that no paper found this newsworthy and that the bar association was totally indifferent. The Texas bar was informed. The presiding judge knew the whole story and accepted it. Huie swore in a deposition, as I recall, that he showed or gave these contracts to Judge Battle.

Since completing the book I have developed more information that makes this a nastier mess. Justice becomes impossible in such cases, and repressive precedents are set without Congressional enactment.

I gave Paul Valentine a copy of the book and of a related suit under 5 U.S.C.552.

Sincerely,

Harold Weisberg