

Dear Steve,  
~~sk~~

7/27/97

Did not realize this was a used sheet. Thought it was a blank in what I've been xeroxing from which, believe it or not, I now have to rest. Can't use my arms that much.

After you phoned I wrote Tague and Mack. I hope that when you get there, which will be the day after our 55th wedding anniversary, they are helpful to you and any you may have with you.

Your letter asked about Ray. I suppose you knew I was his investigator for some years. When I once told you my records are loaded with thesis material, that is one area of real intellectual riches. I did the investigating for the successful habeas corpus and for the two weeks of evidentiary hearing we got by it. I also have the stenographic transcripts. I'd gotten Ray his pro bono lawyers when I'd not even spoken to him, or had any letters either way. Did that through his brother Jerry, to whom I'd also never spoken. Long and complicated story. I'm not now up to. Started rather pedestrian skeleton for a book I planned, The King Conspiracies, and when no black was interested laid it aside and returned to my JFK assassination work.

There was a de facto conspiracy to frame him. There was the subornation of perjury on the official level to get him extradicted, and perjury, of course. About which there will forever be immunity. Besides which that statute, those statutes, have run.

The basis for the request for a trial was that his lawyer did him in, in plain English. First by coercing the guilty plea and then by not rendering effective assistance as his counsel. With the then most famous criminal lawyer his attorney, the scoundrel Percy Foreman, how do you prove he was not effective in the assistance he gave? (In fact he gave none at all.) That part fell to me to do and I decided that confronting the case alleged against Ray and disproving it under oath should do that. As it should have when I did it, without refutation and with live witnesses. But the judge, who knew he'd not have been able to continue to live in <sup>in their hands</sup> "emphit" if he gave Ray the trial, just ignored the fact, as they can and do do. He held that, and these are his words, guilt or innocence were not material to what was before him. He had to say that from the record I made, that Ray could not have been the assassin. I even proved that rifle could not have been used. But it meant nothing.

I also file for all the DJ records on the case under the Freedom of Information Act. I got, with a <sup>by</sup> struggle over a ten-year period, about 60,000 pages. They are in the basement and I can't use the stairs safely so I can't check. But

it is my recollection, contrary to what you may have read in the papers, that the FBI did not test fire that rifle. The current story is that it cannot find the bullets then ~~to~~ test fired. It did not even do what no jerkwater police department would not do, run a swab test on the rifle. That is simple and irrefutable. The swab of cloth picks up oil or traces of firing if the rifle was fired since the last cleaning. If the cloth is clean or has only oil, it wd not fired. The FBI knew damned well that rifle was not used so it ran no swab test. As usual it got away with anything. It has dossiers on all who are in or run for office and just about all fear it.

If you got a copy of what I refer to as its damage control tickler when you were here you may remember that Hoover ordered that dossiers be prepared on the members of the Warren Commission as soon as they were appointed. There were dossiers on the staff when it was hired and then after the Report was out, a second set of <sup>staff</sup> dossiers. Even on the critics, there referred to as "sex dossiers."

So, it was and it is feared. People like me are the exception that when I started they seemed to have trouble understanding.

The current Ray lawyer imagines himself another Perry Mason, which he isn't. I wrote the current judge, got no response and expect none. That letter will be in his records for the future. I gave this current lawyer access to all I have while he was here and got a student to continue that searching and copying for him. He never asked me about the hearing I did all the preparation for or about any of that evidence and he never even looked at those transcripts. Jim Cesar is now his Washington lawyer and on his own he has sent this man. Bill Pepper, copies of some of those transcripts, what he should have had and have used before this judge, who seems to be the first who began without any kind of prejudice. A black judge, too. If you are interested in the case, I think that Jerry McNight is going to have copies of that hearing made for his work and if you want them copies can then be made for you. I think it is more than you may want, about 15 days of transcripts.

When all the copying is completed, my friend Dennis MacDonald, to whom I referred earlier, of St. Anselm, will have copies of all my unpublished manuscripts. I've just finished one on the phony Assassination Records Review Board, which is supposed to make all assassination records public, based largely on the indecent flaunting of his subject-matter ignorance by a member of that board, Kermit Hall, who is dean of the Ohio State University and I think hopes to use the attention he is getting from his stupid and ignorant propaganda to get him the presidency.

Best,

Harold