

3/22/72

Mr. Steven Duke
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Dear Mr. Duke,

As from your own experience I think you can understand, what I have been doing so long has been so impoverishing I can't even afford to give a book I have to buy away. So, I'll be glad to lend you a copy of FRAME-UP. Your inability to obtain a book that is listed in all standard directories is not uncommon. I am perhaps the only person I know who does not really believe my publisher was "reached". I haven't been able to collect part of the "advance", he committed fraud with alleged "author's alterations" and did other dishonest things, but I have had sufficient experience with publishers and the crooked business not to assume incompetence and dishonesty mean government pressure. On the other side, indications it exists begin with his refusal to engage in a single promotion and to do his best to discourage those friends and I arranged. So, if by the time you get this you have not been able to get the book, if you will merely ask your secretary to mail me an addressed label, no letter being necessary, I will send the book to your home or office, whichever you prefer. You can then return it at your convenience. Supposedly Dutton is distributing it. The price is \$10.00.

Bickel is only one of those I had in mind. There was a liberal, knee-jerk reaction, apparently motivated by an appreciation of Warren and the strange concept that defending him meant he could do no wrong. I fear the historical end will be for him to be blamed for more than his share of whatever blame ultimately will be assessed.

I have asked an associate who has copying facilities to send you a copy of all the available pleadings, etc., in this case. I do not know if they will interest you, but you will have them if you are interested or later develop an interest. To a layman the record is an incredible one. The hearing in Judge Williams' court, of which I have also asked that the transcript be sent you, was so unreal I couldn't believe it when I was there and saw and heard it. He held there was, in effect, no undue duress because Ray had not been bound in chains and then buried in a sweat box. That he was under 24-hour artificial light for eight months, during which he never knew whether it was day or night, under constant closed-circuit TV observation with added listening by microphones (two TVs, two tape recorders), in all that time couldn't void his bladder in private, and when he was visited by his lawyer had to lie on the floor so they could converse without apprehension about lip-reading if the recorders were off, and that his lawyer had to show his notes to two guards, among other things, were held not to impair his capacity to assist in his own defense, not to deny him effective counsel or privacy in consultation with counsel and, of course, no duress. The strange thing is that there is precedent. The man who was judge had been prosecutor. As prosecutor he had held a prison under lights not for eight months but for 36 hours, during which time he read from the bible, resulting, as in the Ray case, in a plea. That case was reversed by the Supreme Court. But as judge he held such eight months no violation and then Williams agreed. It seems to mean nothing that every judge who has ruled on any point in the Ray case has been reversed on identical points in previous cases.

I have no knowledge of the Cotroni organization. My first recollection of hearing the name of of seeing it is in the papers you sent me. There are so many parallels in the framing of Miller and Ray that it shook me up a bit when I read the New York Times story. Foreman's incredible performance in both cases, as you know, was striking to me. I was looking for your case because of a pre-existing suspicion and the conspicuous ellipsis in referring to that case in Dorman's biography of Foreman. I wish it were possible for me to get there to go into some aspects with you and to examine any records I may properly see and to see if the former prosecutor can talk to me. May I note, parenthetically, that he resigned from the Ruby defense when he could not control it, something that need not, I know, be regarded as conspiratorial. But when I find a case similar to yours but not nearly as clear in Chicago, my interest is not diminished. And for a parenthesis within a parenthesis, it may interest you to know that tracing that back one finds an earlier murder case in which there was a jewel robbery in which a ring wound up in the possession of a man identically named with the man in charge of the Black Panther murders in Chicago. So, it gets more fascinating, not less, with each tidbit, whether or not some ultimately turn out to be irrelevant.

But to return to the Cotronis, when I was in New Orleans before Thanksgiving I spoke to a number of people who should know and who I believe spoke honestly when they said anything. These ranged from one of Carlos Marcellos lawyers to the local narcs and included street people, well-informed lawyers, the prosecutor of local narcotics cases, etc. All are agreed that Marcello has never had anything to do with the hard stuff. I am pretty certain I remember reading of an internal fight on that long ago. It ended in his refusal to have anything to do with horse. Meanwhile, everything in which Ray was engaged points to New Orleans and begins with the smuggling into this country of packets of pure heroin, of which I have from him pretty complete details. They are on tape and so complete that there may be a fair inference that someone in the border patrol was in on it. From Canada and apparently going to New Orleans? When New Orleans itself is so wide-open a port and there are others nearby? Now to complicate what had seemed simpler, as of my recent trip there, local authorities had reason to believe that pure heroin was going to that area from Canada. Of course, aside from helping in Ray's defense, which in my concept includes helping keep him alive as well as making the law and society work, I would like to help authorities there. I had known the prosecutor personally before this trip from having been to Garrison's office on other work. He introduced me to the right man in the narcotics squad, whose dedication impresses me.

From the foregoing, perhaps you can better understand my intense interest in getting everything I can that in any way relates or can relate to the Miller case. There are too many circumstances reproduced identically. Above all, pictures of all known to have been or even suspected of having been involved. I would show them to Ray and the New Orleans police. Also, I have as one of my sources a person who had been a narcotics informant for the police and who, without question, had connections with those handling heroin there as recently as after the Miller case and after Ray's smuggling of it.

Those leads I had when I was in New Orleans I gave to the police before checking them out. These were all addresses. They saw no pattern and made no investigation. I made an investigation from which there emerged a clear pattern. I have pictures of all the addresses, with duplicates safely out of my possession. And I expect new leads soon. When that time comes I will have to find the means of seeing Ray again. It is extremely difficult for me to get there. Seeing him whenever I want is no problem. Money is. We are all volunteers and I have no income and my indebtedness is about \$35,000. So, if Miller can see his way clear to release anything that can in any way even only hold the possibility of being helpful, I'd certainly appreciate it I could have it before seeing Ray again and before going to New Orleans again.

If I didn't mention it to you, the March Earth had much on heroin and the CIA. If your library doesn't have it, I will arrange for a copy to be xeroxed for you. There is slight mention of the Cotroni family in it.

The Shaw story in Esquire is notoriously and deliberately inaccurate. For example,

what has to be regarded as the deliberate and prejudicial lie, that J.B. Stoner, a racist, is Ray's defense lawyer. He never was. He did represent Ray in some incompetently-handled civil suits. Not only did Shaw have to know better, but Esquire certainly did. My book, which not only says who represented Ray but how I arranged for it without having ever met or had any direct contact with Ray, was given to Esquire as proofs in an offer for condensation and after printing, for review. Do you think Shaw could have met minimum journalistic standards without reading the one book on the other side? Susceptible of similar prejudicial interpretation is the selective quotation to make it seem that Ray is going to sing and if not to the highest bidder, then for free, in court. Nothing could be farther from the truth. I ask, of course, that you preserve in confidence everything I tell you of my relationship with Ray and what it has yielded. I have never made any public use of it and have refused to do so when he asked me to to sell my book. The truth is that he has regularly refused written offers of as much as \$5,000 per hour from writers who even assure him they will not mention the assassination. I believe there was one of \$5,000 for 15 minutes from NBC. There are others. He gets them to put it in writing and then rejects them. He gives me copies. I have them. But if you assume for a moment that he did not commit the crime but had another criminal association with those who likely did, do you realize what this alone can do to his chances of survival? I could go further in his refusals, but I think these alone make the point. I took to him an official proposal that would have given him the widest possible attention and he turned it down. I didn't have to talk him out of it, as I had told those who gave me the offer to take to him - I would.

Coinciding with the Esquire story - and perhaps only coincidence - are these things: the long-delayed adverse decision in state court, the adverse Supreme Court decision in the Stoner civil matter, and an alleged second attempt to break jail. James denies this to me. He gave a letter denying it to his brother Jerry to take to a reporter in Knoxville. For that Jerry was barred from the jail for six months. Thus James for this time is cut off from the one person who can go to see him at any time and the one member of his family who can see him at all. I know of nothing in the letter that could have justified the refusal of censors to pass it. It was almost immediately followed by the end of censorship. And more specifically, the warden knew Jerry was taking things out for James, sanctioned it, and told me to use this means where James wanted me to know what he did not want censored. In fact, the last time I was there he gave Jerry and entire file of such stuff for me quite openly, Jerry held it while we talked with the warden, and we returned it just as openly the next day, when we returned to the jail. It took more than two weeks after the letter was published before Jerry was banned. Also coinciding is the appearance of another sycophantic work, this one with much commercial steam behind it. That news attention was on editorial desks at just the time proofs of Gerald Frank's book was out for review and subsidiary rights if not already contracted. Thus, whether or not true, the strowies of this alleged escape attempt perfectly coincided with helping the rehashing of the official fiction in Frank's book. If I have no way of knowing who is telling the truth, I do have contradictory versions from officials and every reason to believe James had decided to go the legal way to its end. If he wins, as he should, he is, by a quirk, exonerated on old jail-escape charges because he can be tried for only the offense for which he was extradicted.

Putting all these things together, and there is more in my mind for which I do not take your time, it is consistent with setting him up all over again. The Esquire article is all those responsible for the crime need to inspire them to close his mouth permanently, as it is justification for tolerance by editors, especially of the eastern intellectual community. He's a bad guy. The guilty only try to break jail. He is entirely in the hands of virulent racists, etc.

Thanks to you and Miller for anything you can do. Don't fear giving me what seems trivial. It is better to assess each thing in context rather than deciding in advance that it isn't relevant. I know enough about this crime to know that considerable wealth was involved in it. And accomplishing what should be possible can do much for real law and order and for justice.

Sincerely,
Harold Weisberg



YALE LAW SCHOOL
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March 20, 1972

Mr. Harold Weisberg
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Frederick, Maryland 21701

Dear Mr. Weisberg:

My silence has not been due to anything my colleagues may have said (I assume you are referring to Bickel who, I vaguely recall, reviewed your book on the Warren Commission). It was due to a combination of being far too busy to take care of my affairs and an inability, thus far, to secure a copy of your book.

I merely mentioned your interest in the case to Jimmy Miller, and did not go into your desire to get some details on the case. I will do so, however, the next time I see him.

I read an interesting story on the Ray case in Esquire. Did you see it?

I would, of course, be interested in any information or literature you have on the Cotroni organization.

Sincerely,

Steven Duke