

Dear Bud,

4/26/72

I've finally had a chance to skim the memo for the CA and I think in every way it is a first-rate job, for the immediate need and for the future, in terms of what it says and how it says it, in the exhibits chosen and appended -in every way. Jim anticipated enough of what I recommended to you and you agreed to after I read the government's I agree that the supplementary memo can be as brief as you say. Jim and I discussed this yesterday and I think we are in accord on two things: noting even though the judges may the parenthetical acknowledgement that Kleindiest is a liar (part of my reasoning is that especially a short memo may now or later be read by one who may merely skim the rest of what is becoming a voluminous record) and some kind of indignation, protest, denial, complaint, condemnation or even subtle ridicule -any formulation the two of you prefer without consultation we me that sets for these very simple things: This was and is my suit, initiated, as the record show, long before we knew each other; that it is not as the government undeviatingly tries to suggest to the court in its memo, your use of me as a front, an impropriety by the government; and that I (and if you elect you) think the record should be cleansed by the government so that this slur is removed from the record. You might want to add, and this should be your decision, that quite independent of your efforts of my counsel and aside from verbal efforts and requests I ~~xxx~~ have 14 separate communications with the government on this one document, with two different agencies going back to the spring of 1966. My only point in this letter, and I have checked the index of my correspondence Howard has made, is to drive two things home hard: that they have been putting me to enormous trouble for a long period of time, during which I have been patient, at some considerable cost, for the purpose of suppressing public information; to to emphasize the dirtiness of the slurs, for the court will, I think, assume that government counsel have all these letters and all memos of verbal efforts, some of which really took a lot of time, like my first real effort with Johnson. If you disagree, let it out, but I do think the dirtiness ought not be left to the perception of the judges in the present, or that of some clerk in the future, or unprotested in some way.

I appreciate your apparent effort to spare my feelings in not telling me that you got copies of Frame-Up for 99%. Please buy all they have for me at this price, in my name, get a receipt in my name, with the number of books itemized and the unit price specified, for under the contract I am to be given first crack at the remainders, they have denied remaindering, and have written to assure me they have no such intentions and would not without first consulting me. With all the crookedness on this book, I do want all the evidence I can get, I can shoe measureable loss on such things as this, and it may yet provide us one of the laterative doors we have been seeking to open. I have taken an enormous loss on this book, have been defrauded of about 1/3 of the "advance" plus spurious charges, and in time I'll be able to sell all the copies I can get. The fact is that it is my poorest seller, WW remains the best, and last year, small as the income from such sales was, it was important to us.

By now I hope Jim will have told you of our conversation about your Ray 4/21 tapes. I stayed up late Monday night to listen to them to be able to return Tuesday and be in a position to discuss. I also write letters because of them early yesterday a.m., before leaving for DC. Jim has read and has carbons and approved. I am really quite weary, far behind in too much work, but whereas when we spoke of this Monday p.m. I had decided to write Jimmy and tell him that unless he has some reason for me to go see him this trip I would not, I am now more of the opposite opinion, that I should take the time to see him now, and if it is a choice between this and Springfield, at this time I think this may be more important, for a number of reasons, including leaning on several aspects I have discussed with him. If I am not certain this is correct timing, and can we ever be?, it is my feeling that probably the timing is important, may be even more important after I am at Heavenworth (which can also result in the opposite feeling), and if I find a witness I forgot to mention to you but did to Jim I should seek in St.L it may be important for that reason. I anticipate I'll be loaded with too much for my head to hold by the time I leave Heavenworth and would be better off coming directly home, but from the omissions on the tape and the importance of these two areas, aside from certain separation ventures that have been more successful than I had anticipated in undertaking them and anything

I may come up with at Leavenworth, I am inclined to think I should go there now, on the way back, and probably skip Springfield, which I think can be approached in different and several different ways. On Springfield, too, my thinking has changed. I have discussed my reasons for thinking I should go there with you, in addition to your original ones, after they were fortified by a conversation with Ken Smith. But on balance now, I think the priorities are shifted. Getting a car at Knoxville and even a motel if I have to stay over will probably cost no more than going to Springfield, and if it costs any more, returning by way of Knox, ought not add much to the air fare. To put this another way, if my hunch that I should go after Jimmy on this variety of things now is right, this is the easiest way and by far the cheapest. I have made a couple of approaches on trying to eliminate the car. No response yet. But you appear from these tapes not to have gone into the Stoner matter (you may have missed 45 minutes of what you thought you were taping and actually have gone into this), you didn't catch it when he misunderstood (and I think it was genuine) what you read that I asked you to (he thought you were talking about his prints), and you didn't get to the important possibility of the life letter, what was happening to all his former pals. If his pose that he is not a rat and is concerned about that unwritten code is genuine, this may be one of the ways of reaching him. If the chances are not good, they ought not be ignored, esp. if I can get chapter and verse in Leavenworth (and I may have to stay over there, too, if I am lucky). Inadequately but immediately I wrote Jimmy about these things, and perhaps all of this can be changed by his response, if any, before I leave.

All this involves money, and if relatively small sums, I am very sensitive to \$\$\$ because of our own shortages, even for needs. You will recall our discussion of this Monday and your feeling that you ought not be charging some of these real costs of the case to the firm in fairness to Mill. That is a lofty motive and a very fair attitude, but excuse my directness in arguing with you and taking a liberty on your behalf. These are now, under the law, quite legitimate expenses that are tax deductible. That much you should be able to recover, and you may remember I have the free services of an authentic expert in the field. So, although it was midnight before we got home last night and we were both quite tired, I asked Lil if it is not possible for two partners to make such a separation where one has a case of his own and there is a firm, and she says it is possible and legal. So, while it is none of my business what you do with your money, I hate to see any wasted where there is need for more than can be available, and I would encourage you to explore this with Lil, who I am sure would do all the work necessary. It would thereafter be a simple bookkeeping matter for you and could be a deduction from your share of the partnership yield, or something akin to that. In the course of time, this can accumulate into a considerable sum as the small ones add up. It must have come to quite a figure already. It may be possible for this to become a personal deduction. I am not expert in these things, but Lil is, and I would encourage you to find the time to go into it with her. It may well turn out to be the most profitable time you can use a day for, and you have introduced me to a friend of yours who can, by phone, tell you whether what she works out is as legitimate as I am certain it would be. Lil's approach on such matters is quite conservative, and I have every confidence that if she would even offer an opinion, she is absolutely without doubt. It was because of her that I got you the letter you really require for charging anything to this under the law. With that letter and a separate entry set up in your books, which is a very simple matter and really requires nothing you can call work, all you would then need do is render an annual accounting to your client. I think in itself that may make it worthwhile. He is a very strange cat. This might be one way of reaching him without even seeming to. Again, I think I should be the means of doing it. It would be more subtle. I could do it some time in the future when I am with him, in an offhand way, merely handing it to him, reminding him that I had asked for the letter, and giving it to him only for his own records. No discussion of any kind. In fact, it might well be sealed and I could say that I had asked for it just so it would be legit and so he would know, etc.

As of now, although I can come in sooner, I'll be in 5/5, down town after a dental appointment about 9:45-10:00, and free until about 2:45. I leave midday 5/6, and if you would like me to leave my car at your place again and save the parking costs, I think it would be a good idea, because I also think an immediate debriefing on my return is necessary. If Jim does it, I would encourage him to have a tape recorder that works this time! Best,