

Bud and Jim Your 7/29/30 Ray tapes 8/10/72

The first batch Jim gave me were incomplete. When he was here yesterday he brought five others, 1 60 and 40 90s. I have listened to one of each and am almost through the third. The first two duplicate what I'd heard but are less complete than the other two. I have these few notes, one in particular I think it important for Bud to consider. Incompletely I have discussed this with Jim on a number of occasions since first seeing Frank's book. Frank as much as told me Dwyer was his source on the alleged stipulations. Now it happens that I regarded the voir dire in the transcript as so unusual that I checked it out personally in 2/71 when I saw Buba Blackwell.

Jimmy is correct, incredible as it seems, and unlikely as the story may sound to you, I have my own reasons for believing Jimmy's explanation. And a proposal based on this trust. Aside from my trust, if you feel otherwise, I'd like you to give me an explanation.

Aside: Long ago I suggested to you and Jim getting the Burger committee for the ABA. I think I have only the news reporting.

I asked Buba Blackwell for all of this. He came up with ONLY the original of the final voir dire. I asked if that was the whole thing and he said yes. I think it also included the list of stipulated evidence, but I'm not sure. About 3 pp. of that. Now I still have the xerox Buba personally had made for me and I'm sure the cash receipt and it is still in the envelope in which he gave it to me. So, regardless of what lies Frank tells, there was but the final one agreed to from the clerk of the court's mouth and records. Can Jimmy has more or better support?

His lies have been very few to me. He evades or says he doesn't want to talk or goes into something else, but I can't remember a single direct lie.

If you've interviewed John and Jerry as I have, seen their faces, heard their inflections, you'd also believe Jimmy really felt he'd have money and could appeal and had no chance at all with Foreman. Why else do you think Percy had the "no embarrassing" provisions in his pretended but fraudulent "refund" deals? Or gave Jerry \$500.

This tape runs out when Jim raises my point that Jimmy was reading the stipulations with the judge and corrected him. I think the other one from the first set has him saying he saw only the questions over Foreman's shoulder. Impossible. As I said above, I had the most serious doubts about all of this, as F-U clearly shows, so when I got home with the official voir dire I made a word-by-word check and believe me I am correct. I think I gave you a copy of the memo I did. I should have one if you've lost it.

You two are lawyers, I'm not. So, let me ask you why there had to be any "stipulations" on the plea? Wasn't an agreement enough? Or the draft of the voir dire? Would you have even thought of proposing such stipulations as Frank did to a client? For what purpose? There is no possibility of any interest of the client's here. Nor is there any need of the prosecution, the guilty plea serving that. This was a dirty political arrangement in which without any doubt in my mind Foreman served another client.

Frank did not have an original, did not have a signed copy, and I think he told me Dwyer was his source. His copy has to have been a carbon. It has no checks on it. He couldn't reproduce it in facsimile with James' signature, and not that elsewhere he affixes this signature very obviously not in proportion to the text, so he added it. Here he didn't dare, which suggests guilty knowledge to me. But he also knew that Jimmy has signed the two other sets. You haven't listened to our KPLR ~~mate~~ debate.

What Jimmy told you stacks so closely with what he told me I am on the score without doubt because we put things differently and in different sequences. One of the questions this raises in my mind is did the judge see these or was he part. He says he presided over the deal. Thus he had to know, if he did, what I want you not to forget, that these "stipulations" go much farther than the charge, and what the hell kind of lawyer would go for that without having other interests to serve? So, I have this suggestion: make no reference to Jimmy's efforts or mine, and ignore this in the petition, where the allegations, if changed as I believe I suggested, should be enough. But make an ostentatious but not excessively so series of request for copies and don't fret it you are turned down. In fact, it doesn't really make too much difference if you don't get them and thanks to Frank may be better. Let them think in every way you are cowed by this, as I think I did with Frank. Dave it for when you may have Foreman on the stand. That is the time for this. That is one thing that will twist the tiger's tail to breaking.

= And in remembering this, also don't forget that Hanes was offered a 20-year deal and

rejected it.

That was from Canale.

Frank had told me that at the beginning James was working on some deal. I didn't believe it. Frank also gave me reasons that I also didn't believe, for they'd might have ruined him. On the other hand, they may have been conceived as the only salvation of him. In any event, I think I discussed this with Jimmy the first time I was there on my last trip, as I was packing up. He gives you some particulars I think, on the first set of these I got Friday and returned Monday.

If I don't think everything on Foreman should be saved for when he is on the stand, I think this is one that he won't have the guts to put into a phonetic explanation and will come as close as anything we can anticipate to breaking the old bastard. So, go through the motions necessary to telegraphing concern, but I'd not be at all concerned, as you seem to be. This has to backfire on them.

Earlier today I heard something I would call to your attention. And as you'll see in my early morning notes I reflected the belief Jimmy has now dropped that toughest-reg-in-the-world pose he once had. I think he has come to realize that the conditions of his confinement got to him, as was predictable. He at one point refers to his reaction to confinement, perhaps in this or a related connection. Now I have marked a quote from John on that, at a time when John had no way of knowing it could have significance. He said that James had given up or had come to the point where he didn't care. I still have these in the envelope in which I showed them to Jim.

and please don't forget my line, to which I freely surrender all literary rights. But let's comment you may expect to hear repeated, that Jimmy got fat in this confinement. The answer is that is the way capons are fattened, too. It is, by the way.

By the way, this is far from the whole Foreman package on this part alone. But for now do you need more? Jimmy has to be straight on the "stipulations", straight as the Texas tiger is striped.

But on the other hand, if you want to play detective story, I've already let you know one of the missing pieces, in writing. Warm guess?

IM