

McKinly, Playboy. Ref: club to the jackass in my letter to Bud.

Dear Jim,

12/28/74

Sometimes I make notes for myself in the form of a letter to someone who may be interested. This is one. Confidential, please: not for your story if you write one. But for your understanding of how it has been to work on the Ray case, what we have to work around and in spite of.

You are aware of the load I've been laying on Bud. He has been silent, infrequently make lame comments to Jim in reaction. Jim told me an amusing story yesterday, of his meeting with Bud the day before.

To appreciate it and to understand Bud you have to understand that for years I've been fighting with him over cheap, chickenshit and irresponsible publicity. He has believed that no matter how irresponsible and factually incorrect comment was in the end it would create enough ferment to succeed.

To begin with he had no idea what was right and what was wrong. To this day for the most part he can't, not having done enough work and not having read the decent books. I know of no work he and/or his committee ever did that was real work with a legitimate purpose. How wildly he used to speak when he saw a Mike you can't imagine. And, of course, it is all taped, ready for retrieval. You have seen references to Paris Flammonde. Bud has planned from the first for Flammonde to write the kind of book about him he did about Garrison.. The only real fight I had with Bud when he returned from vacation was to get him to stop pretending he wasn't responsible for Flammonde's planned appearance in Memphis and to admit to himself what Haile would have done by playing tapes of Bud's and Flammonde's joint appearances. I have one that would have been ruinous to us and there are more.

(The current flap on CIA and domestic intelligence is relevant. I have a complete case, documented, on how they do this kind of surveillance through a front. Bud toyed with the idea of filing a suit over it for some years ago and "esar will when he can now. We have been trying to find time for it since summer, when a Nader lawyer was considering joining Jim in it. My proofs range from carbons of the transcripts of what I said to bills, checks in payment and envelopes in which mailed plus identification of the front as CIA's.)

So now, day before yesterday, for all the world as though he and his gang had not for all these years been spouting off utter nonsense that is used, I am sure, effectively behind our backs where the real power is, Bud suddenly told Jim, again as though it were his own original idea, as though nobody had ever spoken of it to him, that we had to do something to silence those who were doing all this counterproductive mouthing of the irresponsible. I suppose Jim had trouble keeping a straight face as he agreed. He didn't try to keep from laughing when he told me.

There may be something else that figures in ^{Bud's} sudden discovery that he is the epitome of rectitude. Learning that the CIA has a file on him can be part. But Jim and I both think it is what I've been dumping on him.

If I've not explained it, I had proof that my room was searched in Memphis while Jim and I were exercising discovery. Later a reporter was fired when surveillance was reported to his employer. It placed him with me socially to all external appearances, only as we drank in private but in public. I had proof that my mail was interfered with, including that to and from Jimmy. I have this proof of the CIA's surveillance of my public appearances and reason to believe they interfered with publication of my first book. I've located a unit they had on publishing, too. I know two phones on which I was eavesdropped on if my own is not tapped. More than this plus Haile asking questions about me that reflected knowledge of my family that is not public, has never been printed. So, one of the first two surveillance notions Bud had agreed to open the hearing with was on this, surveillance of the defense team. Now he learns by accident that the CIA has a file on him, exactly what we'd fought over the Sunday before the preliminary hearing, or 10/13, the Flammonde flap. Or that he erred seriously in his abdication, one of the clubs I've been trying to open his mind with.

Dan Schorr, whose source was obviously Baker's honcho, reported that Baker has seen CIS files on Bud and Jack Anderson. (Those were the only names that meant anything to Thompson, Baker's former campaign manager and committee counsel, a Tennessean, as is Bud.) CBS killed all mention after this one broadcast, even editing it out of radio replay. AP moved a story mentioning Anderson only. Bud is McGord's lawyer, too.

Just before Xmas last year Jimmy did fire Bud, but he did it his own strange way. As soon as I got wind of that and what else he and Jerry were doing behind the scenes and new plots against him, I rushed to Bud's office, having phoned Jim, who also went there. We spent the day shushing Bud, who had been saying wild and foolish things. I got him to sit still while I dictated a safe statement, to which he and his partner both agreed. He then also agreed to say nothing else and to read that statement verbatim when reporters called, as they were from all over. During a moment of phone silence Jim left for a coke and I for the toilet. Jim returned to Bud's office earlier and caught Bud in the midst on his paranoia to a reporter who was a stranger! As soon as he was aware that he had departed from script, Bud resumed reading it! He knew what he was doing but realized suddenly that Jim had caught him at it after his promise and his realization that he was a naughty boy again.

This is the reality and the real Bud. He is a lemming.

So, don't expect too much to come from this.

Actually, each time he finds out I was right he resents me more and becomes even more determined to oppose whatever I favor or recommend.

So, he no longer opposes Jim's filing the motions Bud was to have filed 10/17, motions that would have had an enormous impact in the courtroom. Jim is drafting them to replace what Bud's partner did prior to the hearing, to update with what I've developed since and include this CIA proof, for which there will be a letter to attach, from Thompson. Jim and I will get together on them Monday, the real purpose of Jim's call to me yesterday. He wants me to go over his drafts.

How the way this has worked reminds me of one of Martin's stories in the form of a compliment that I so enjoyed, that about "overkill," and other parable he made up for me about the man who spent his life looking for bridges to cross and coming to none. My response was that he saw no mud on me from not seeing bridges that had to be crossed.

Bud's partner could find no recorded Ellsberg decision to cite. I asked Dick, Jim's red-headed friend you may remember, to get xeroxes of the Times' reporting and don't know whether he did. However, I've got enough ready for Jim if Dick didn't. Byrne's verbatim is in Peter Schrag's Test of Loyalty and awaiting this moment I've read it, have it all marked up, and will give it to Jim Monday.

Jim and I try to anticipate all we can. We never have trouble with each other. We can't anticipate everything but the track record is better than good.

I've been building a written record on this issue of surveillance with Haile, who made the mistake of responding for the respondent, the warden, whose lawyer he is. Worse, he was evasive with the devil who loves scripture and since then hasn't responded at all, his evasiveness being his only alternative.

We have a problem with Jimmy on this that might interest you. He is blindly determined to proceed by the book and on the central issues only. He appears not to be content to be acquitted on what to him is a technicality. He wants acquittal in open court and on the central issues. So he has been less than fully cooperative on this surveillance issue, which can be everyone's salvation. I didn't get out of him until the morning after the hearing ended the fact that they had stolen all his files from him the minute he got to Memphis and didn't return them until the middle of the next day. Henry had threatened this in chambers and the judge had then passed it off as a joke. This was about three or four days before it happened.

As I've said before, we have a helluva way of trying a lawsuit.

Maybe this gives you a little more insight. The problems are not nearly as simple as described in the possible title Anatomy of a Frame-Up.

Have a good year!