

Dear Bud,

9/21/74

I was disappointed to read of your failure in court yesterday and frustrated to read in Arthur Miller's generally good editorial article of the lack of contact with the basic reality ~~in~~ he displayed.

You lawyers stay so busy with what keeps you busy that you are often reduced to theorizing on precedent without ever mastering the fact or what precedent there might be that is not generally known.

As soon as Ford's deal with Nixon was reported I also felt it should be blocked and a means by which I believe it can be accomplished occurred to me. I think it has a good chance. I took it up with ^{him} in confidence to get a lawyer's evaluation. He agrees it is worth a try and can work.

But as I told you when you were about to depose Bennett, my days of undertaking new work from which there can be neither profit nor personal benefit to me are over. To a degree you should have learned what you would not take time for with Bennett. I limit this to a degree because only a small part has come out. At that time you had associates whose interest ran into seven figures. They could well have afforded a proper fee, which they would have paid a lawyer who lacked the information and the vision and the knowledge. Some of them were so self-important they would not even part with a copy of a deposition. A public record.

If there are answers and solutions I believe I have not less than more of them than anyone who has gone public. I am aware of the Nader endeavor, too, and I've stayed away from it.

This is not personal. I'm not making a demand on or a solicitation of you. But there are many of means and interest who'll waste fortunes on futilities. If I had a means of approaching them I would not because I'm not going to be in a position that anyone can distort into that of a beggar. This happened at the end in New Orleans and it will not again from anything I do.

On the Nixon tapes situation I'll merely give you a few hints. I will not give anyone details without an understanding that if whoever it may be goes ahead it will be with a specific understanding. (I've learned painfully again recently about breaches of confidence.) ^{is} a thing that would appeal to me would not be personally profitable. What is the printing of POST SORTEN.

A suit that should have been filed, with other defendants, was not filed. Charges that should have been made were not made. (And this would have crossed into the original and into an area where you have one friend who is an authentic expert.) And there is a combination of the most basic facts of which there has been no indication any lawyer of the many who have been involved or written and spoken on this has the remotest awareness. There is no law that can overwhelm some of these facts.

When I can ^{plug} away at the Watergate book. I'll be in town again when there is need or when copies of the book are available.

Best,