

Dear Dick,

5/24/81

I wrote you the wrong kind of letter under the wrong conditions. I face the same kind of conditions this morning but I'll try to clarify what I wrote.

Once again it is not easy to keep today's problems from the forefront of my mind.

Once again Jobst has sent me venous supports I can't wear. I haven't had one I can wear on the severely damaged leg in six months. I had a dental appointment scheduled and have transportation. I'm extending it for an improvisation with the embarrassed Washington obst people and will see if I can also improvise one with the heavily-scheduled Dr. Hainagel, the surgeon to whom Dr. Segal referred me. (How I wish I had a Dr. Segal here!)

There is no time when the left leg does not give some trouble. Not uncommonly is it painful. I can't walk without some degree of limp. I am never without a reminder of the potential of all of this.

Because you are an old friend I had to give you an understanding of the changes and limitations. But this does not mean that I don't want the help, don't value it, don't think it is a fine thing you've offered. And it certainly doesn't mean that I don't think the book will be important and, with all I've done, can't have an unusual success. It can, if it succeeds, open the closed case of the first and last black messiah.

It also doesn't mean that I haven't started doing what I must to make it possible. I have. This means clearing the decks and I've begun that.

I have a remand in the granddaddy of all FOIA cases. We are still in stalled^N discovery. Anticipating a remand, as I went over more than 100,000 pages of JFK assassination records I got from the FBI after the record was closed in district court, I made copies of records I believed could be pertinent. Just before you wrote me I told my lawyer that I'd not go over these ~~records~~ records until we were about to depose, so they could then be fresh in my mind. However, I've review^{ed} almost all of them and have established subject files from which we can retrieve. I am now almost ready to put it all together for the lawyer in a narrative, with exhibits, if he so desires. I hope to get to see him today, if the medical needs leave time.

Then there is the King FOIA litigation, now in its sixth year. There is a calendar call on the eighth, two days before my 68th birthday. It is the biggest mess any judge ever made and we have faced a series of completely unscrupulous government counsel in it. We plan to ask her to rule against us on motions that are as much as five years old so we can go up on appeal and not waste any more time before her. If she refuses I plan to ask my lawyer to mandamus her, usually a futility. But it wasn't in Brown v School Board.

All of my life I have faced insurmountable problems and I have surmounted and survived them all. And will again.

I was reminded of this last night, in going over some of these FBI records. In 1967 they decided they had to "stop" me, their word. In those days they didn't visualize that the Congress would change the law because of the devil who loves scripture so they filed their schemings and pontifications with serial numbers and they could not be hidden.

(How do you like that for a dust jacket?) Only they lacked the balls and feared to impliment their plot - to sue me for libel, in the name of a special agent who claimed I'd libelled him.

I learned about this before getting these records when that affronted nazi blurted it out when we deposed him several years ago. At the end of that session I told FBI house council that if he'd sue me I'd give a written waiver of the statute. This was not accepted. But when the scam sent me an additional bill as an "expert witness" I denounced him in a letter to him, refused to pay the additional fees and gave him the written waiver plus the promise of paying his filing costs if he'd sue. That here since has been silent.

There is no reason to assume that I can't do the impossible again. The odds are longer because I'm older and unwell but it can happen and if it doesn't happen immediately it can happen later and the book will survive, as all mine have.

I am reminded of a story I recall from my youth, when I had a friend who was educated by the Duponts because of his great promise. During that period he was one of the inventors of nylon while still a student. One of the Duponts told him a story, of the old bull and the young bull grazing in shade at the top of ~~the~~ a hill, the older one slowly and contentedly and the younger one prancing around, nibbling here and there. The young one looked around and saw a herd of cows grazing in the ~~valley~~ ^{valley} below. Hey, look at all those cows, he called to the older one. Let's run down and fuck the hell out of them. The old bull look^{ed} at his young friend, down at the cows, up at the sun, and said, son, you've got a good idea. ~~Only~~ let's not run.

As I think I said, I'd like to be able to talk about this and other things with you but I'm not certain about travelling. I may be trying it out in May, when I plan to get to the 50th reunion of my high school class, in Wilmington. If I have the transportation I'll do it and I'll see how it goes. Flying ought be no problem if I can hold the leg up in flight and to and from the airports. On the train it will require escalators, which there are in Baltimore but I don't know about New York. I can keep the leg up and can move around on the Metroliner because I've done it in their club car, which has or at least had individual seats.

I don't know if you knew Levison and his associates but I enclose a copy of the record I referred to. I understand there will be more but they will not be definitive. Until I see reasonable proof I've no reason to believe it.

Grove is bringing out "Are You Now Or Have You Ever Been in The FBI Files," a sort of FOIA handbook by FOIA, Inc., like Parlin's/Ed Asner's group. If Barney can let me have an advance copy, regardless of condition (as without cover) I might well have some use for it in ongoing litigation. Thanks. Best to all,