

10/30/70

Dear Gary,

I've just completed the rough draft in the clothing/pictures suit, my response to what the government calls its "answer". It is about 7,000 words and I've not read it. I finished it just before supper, which gave my mind a few minutes to wander back over it.

As I did, a few ideas began to take form. I am not at all certain of their validity, but as of now no more plausible explanation suggests itself.

You will recall that I described their paper as false, incompetent and lacking in the traditional formalities, like asking dismissal of my complaint, alleging it to be without merit, asking it for more information, etc.

I think it foolish to assume the government can be nothing but incompetent. This is not to say that they never are or that in this case they were not,

Nor is there no way of life for them other than falsehood,

So, I ask myself why. One of the things that suggests itself to me is that this is the case they have selected to go to court with and that they prefer it to be the first. There are reasons the government could find attractive and one of them traces back to what you referred to in quoting what Clark told Crosby about the panel report and the need to threaten subpoena. (Which, as I should have told you, ought not be true, if you've read the Letter Agreement, which does provide for access to just such bodies, without anyone's permission required.)

This case differs from the others in that it is restricted narrowly and to, essentially, the GSA-family agreement. Without that there is no shred of reason for denying me what I seek. Of course, they intend suppression, but I am addressing legal reason. My limited interest is in the clothing and pictures of it.

What can make this the case on which the government may want to go to trial first are these things:

I'll have to be my own lawyer, which lays the odds heavily their way.

The basis for everything is in the previous administration. All the arrangements were made by the Democrats and they can and undoubtedly will say is that all they are doing is abiding by existing deals and commitments.

They can pin everything on Bobby and, to a degree the living Teddy. They can saddle the name Kennedy with all responsibility, and remember, it is for the suppression of evidence dealing with the assassination of the brother and the official investigation - when Bobby was AG, whether or not connected with that investigation.

The rest they can lay to Clark, and I think they will make the effort. This had struck me as a possibility much earlier, one of the reasons I sought a number of ways of approaching him before writing him. And there can be little defense of Clark, who was AG when this deal was made and who misrepresented his own panel's findings - after suppressing them a year. Thus it seemed to me that Clark's narrow, self-interest lay in at least being an honest witness for me where the area is narrow enough. I had hoped for no more, though I think that more would be good for him. And the country.

Whether or not right, these things make sense to me. It might be a good idea if you discuss them with Noyes. If he would find time to look at what I have in this narrow thing only, it would be comprehensible and it should be to Clark, too...Clark will never do what he should offer to do, be co-counsel with me. But that is where his salvation lies.

This position will also be bad when the King book is out. Again, he would not respond. He gave me no options, and severely as I deal with him, it is not nearly as tough as is justified. He is wearing Hoover's saddle and strangely doesn't feel the sores. So, he'll bear Hoover's blame in the long run, too. I really think he intends well but in history he will be a villain. I think he'll be unwilling to consider this now.

Meanwhile, all those on the operating level under him are in the same positions now. They know all there is to know and, you can be sure, have laid their own backtracks. They'll pin it on him. Their futures no longer depend on him—rather on his enemies.

...I expect Jerry beginning in about two hours. It is raining and I hope he is more careful than I have any reason to expect. He is not yet an experienced driver. However, the one time he followed me, when he had just begun to drive, he did very well.

...A strange and inexplicable thing happened with the government's "answer". I have to keep after Bud/Jim, so as soon as I glanced at this I phoned Jim. He said he'd go to the court this a.m. and read it there. He didn't phone so just before his leaving time I phoned him. It turns out that the government didn't file any papers with the court. I think this puts us in a position to move immediately for a default judgement, but Bud's detachment threw that away. If they'd checked this yesterday, which they should have and as we'd discussed a week ago, they have the paper already drafted for me. It is but a single sheet. I could have been there for the opening of court this morning and it could have been an automatic victory. I am not saying there was no avenue of appeal or anything like that. But I am saying that when the response was not filed in the court within 60 days the government did default.

I suppose it is just as good that I have anxiety, for I don't have to worry about it developing, do I?

Sincerely,

10/30/70

Dear Gary,

Although I did not get to bed early, ~~and~~ I did get up early and have a fair start on the legal work of which I wrote last night. I've just returned from taking Lil to her morning's work and answer your 10/27 before I get logged down. Aside from two legal documents on which I must work, 120 more sheets of proofs came today, Jerry is coming tonight, and another friend not yet known to you, with his wife, either tonight or tomorrow, for the weekend.

The letter was to Matt, from whom I'd been hearing since a year ago, one when J wrote me of their undying love and his intention to write as soon as he finished a then-current project.

Charech: I'm staying away. I haven't time and I do have doubts. The Conn. number may be that of Mrs. Joe Pomerance. Those who met him at something arranged by Bud were so unimpressed it rubbed off on Bud and Jim, but I think will not prevent Bud's fucking away the time and money required by his pre-existing obligations. He is, alas, a lemming. Eaten by desires he cannot achieve except by means his ego cannot accept.

Lacking scientific knowledge as I do, I can't have a valid opinion, but my unscientific one is that if Siran is a paranoid Schizo, as I'd just assumed, this should make him more susceptible to suggestion, not less, if that suggestion can be accommodated to his condition(s), which I'd take to be child's play for a pro.

Butler-Washington: that was Dodd, Internal Security. PH has done much good work on this. Bud was close to their counsel, but could not get or get to see that "testimony", still not released. It has to be crap. However Butler himself remains of interest for several reasons I don't take time for, none having to do with his politics, all with what he knows, did, etc.

Matt's trip is a great idea for the reasons given, but I believe more lies behind it, as does behind his silence. He is torn by his abdication from any struggle for a better society and has become part of the easy life of the formerly concerned. Too bad, for he's a great guy.

It is unfortunate the legal aid I need is not available, for we have some of the best opportunities yet. Their success should not be dominated by my ignorance, but I fear it will be. I have no choice but to proceed, for one paper must be filed in a week, and after I get it done and corrected, Lil will have to find time to type it, etc. The other should have been done before this, but my associates, typically, could not decide, decided every different way every time I saw them, wound up agreeing it should be done, and leaving that to me. It, too, has an enormous potential I may not be able to reach -- may blow. This is not just a matter if I do not do it, it will not get done. It is something that should have been done a long time ago and was agreed to in the Spring!

Nothing else new.

Best,

THE MINNEAPOLIS CLINIC

OF

PSYCHIATRY AND NEUROLOGY

October 27, 1970

820 METROPOLITAN MEDICAL CENTER  
MINNEAPOLIS, MINNESOTA 55404

4225 GOLDEN VALLEY ROAD  
MINNEAPOLIS, MINNESOTA 55422  
TELEPHONE 588-0661

242 SOUTHDALE MEDICAL BUILDING  
MINNEAPOLIS, MINNESOTA 55435

Dear Harold:

ADMINISTRATION:  
WILLIAM M. BOTMAN

In my last letter I referred to Elliot Gould at Newsweek. It should have been Osborne\*Elliot--that was quite a slip!

NEUROLOGY:

JAMES R. ALLEN, M.D.  
C. DAMAK BAKER, M.D.  
LOWELL H. BAKER, M.D.  
HAROLD BERRIS, M.D.  
MICHAEL D. BRONER, M.D.  
THOMAS H. DAVIS, M.D.  
LAWRENCE A. FARBER, M.D.  
ROGER E. FARBER, M.D.  
RICHARD F. GALBRAITH, M.D.  
MALAND C. HURR, M.D.  
RICHARD V. JOHNSON, M.D.  
JOHN M. MC KELVEY, M.D.  
HAROLD H. NDRAN, M.D.  
GLEN T. SAWYER, M.D.  
LAWRENCE J. SCHUT, M.D.  
PAUL M. SILVERSTEIN, M.D.  
ROBERT C. STOLTZ, M.D.

Ned called Issacs in LA, Charach's lawyer, who gave him 3 numbers at which Charach could be reached in NYC after telling Ned that they were interested in publicity. The numbers are: 212 838-6927, 212 751-0319, 203 869-3932. (First two are Manhattan and the last one Connecticut.) Charach is staying with someone in New York (first name Barbara possibly) and planning on forming a citizen's committee. He asked Ned if he knew Sprague. Ned asked him about the bullet in RFK's back which is alleged to have been linked to Sirhan's gun and how Charach could counter that, and Charach said he couldn't talk about it over the phone. Ned was not impressed with Charach and called Sylvia, who had trouble talking because she is sick, who said that someone she knew who had met him was also unimpressed.

PEDIATRIC NEUROLOGY:  
RENO E. BACKUS, M.D.

DEPARTMENT OF PSYCHIATRY:

BURTON I. ABRAMSON, M.D.  
RONALD N. BERRY, M.D.  
ROBERT S. CLARK, M.D.  
DONALD R. DAGGETT, M.D.  
GEORGE C. DORSEY, JR., M.D.  
WILLIAM E. DORSEY, M.D.  
CLIFFORD D. ERICKSON, M.D.  
JAMES T. GARVEY, M.D.  
CHARLES A. HABERLE, M.D.  
BRUCE H. HILLER, M.D.  
GLENN M. LEWIS, JR., M.D.  
MURRAY S. LOCKE, M.D.  
TIMOTHY M. MAGEE, M.D.  
DEANE C. MANGLIS, M.D.  
DONALD M. MAYSBERG, M.D.  
JENNINGS C. L. PETELER, M.D.  
LORAN F. FILLING, M.D.  
JAMES D. SWENSON, M.D.  
LOWELL C. WIGDAHL, M.D.

By the way, one of the books on the RFK case has Sirhan's Borschach records, and they are way out. He is clearly a paranoid schizophrenic based on them. I am still mystified about the messing around with the MMPI and withholding of data and poor testimony and would like more info on it, but now do feel that there is good reason to believe that he is a nut. As for the possibility of programing or hypnosis we need to know much more.

PSYCHOSOMATIC  
SEXUAL DISORDERS AND  
CLINICAL HYPNOTHERAPY:  
MILTON ABRAMSON, M.D.

ADOLESCENT AND  
CHILD PSYCHIATRY:  
GEORGE J. BARRY, M.D.  
PAUL W. BRANSFORD, M.D.

CONSULTANTS  
ADOLESCENT AND  
CHILD PSYCHIATRY:  
HAROLD B. HANSON, M.D.  
MARY H. PENNINGTON, M.D.

Thanks for your letters of 10-20 which arrived today. Re Butler comments, something else worthy of note is that the INCA record of the debate claims that ~~Butler~~ was called to Washington very soon after the assassination for a big conference on LHO. Some INCA propaganda is coming with the Hargis stuff which I mailed today in 4 packages. INCA itself put that Butler stuff on the record. Is that one letter to Matt Herron? If so he is silent because as of several months ago he and Jeanine were off on a boat for a year to 1½ year cruise of the coast of Africa for a vacation and to do a book. I happened to call them (a friend was going to N.O. and wanted to meet some people) a few nights before they left. Perhaps Garrison has copies of his photos--neither the archives nor Sprague do. As for the convention of legal investigators, I did it for free--they had no money, and that would be a decided hangup. I have been out of touch with

my expert on Oswald's language defect for some time--will try to contact him. He was going to differentiate bet. those letters likely written by LHO and those he at least had help with. I don't have a law student handy at present for the other problem. Best wishes. Gary