

1/7/73

Dear Mr. Rault,

You, not Jim Garrison, are the real target of the Clay Shaw civil suit. You and your money and a few of your associates and their's. As soon as it was filed, knowing Jim and his situation fairly well, I assumed it. Since then Sal Panzeca has confirmed it to me personally.

As I then told Sal, I believe his suit is legally and morally wrong and bad.

For two years I have been intending to write you. We never met on any of my trips to New Orleans and I never made any effort to meet any of Jim's friends. I did my own work my own way. I never had his interest in Clay Shaw nor did I ever credit the Russo story of Russo. (This is recorded in my book Oswald in New Orleans, which was finished in April 1967.) However, some information about Shaw was incidental to my other work, as it was about Russo, with whom I also had a number of long talks.

When Jim charged Shaw with perjury in such haste, I wrote him a letter I am certain he did not like. He did not respond to it then and he never mentioned it on any of our subsequent meetings. I am absolutely certain that Shaw did commit perjury in the trial, certain that Cobb did also, and that had not Jim over-reacted in such haste he'd have been aware of it. As it is, the real perjury is not included in the charges filed. As you know, Cobb was not charged at all. Because Jim did not respond to my letter about this, I have not given him this evidence.

I am not a lawyer. As I understand it, perjury is deliberate false swearing about what is material. If this is so, and if your being able to prove it in the civil suit is a viable defense to it, then I can help you and I am willing to.

Moreover, there are other ways in which I think I can help you. One is if your lawyers proceed with discovery efforts. Another is if they conduct their own, independent investigation. Still another is in the event you lose, addressing the amount of damage. But I don't think you need lose, as I told Sal the Tuesday before Thanksgiving 1971. He was anxious to know what evidence I have, but I would not tell him. I gave him a hint of one area in the hope it might persuade him to drop this suit. It didn't.

Jim and I were more or less at cross-purposes beginning in early 1968, a situation not of my creating. Despite this, in non-Shaw areas, I helped him all I could. All the medical materials he used at the trial were my work, parts of a book I had written and could not get printed. The credible evidence used in his Washington efforts to get the autopsy materials also was mine. I fear that the more I did that his staff could not do, the more unwelcome I became.

There were members of his staff with whom I felt I had fairly decent relationship. However, this kind of work was beyond the experience of his police investigators and his assistant D.A.s, as they told me themselves. I was not in New Orleans between the time of the beginning of the Shaw trial and after the federal charges. Before I was there after the federal charges, I knew that another federal informant, at least one, was going to surface at the opportune moment. Therefore, I felt and feel that circumspection on my part was called for. Thus I have not told any of them what evidence I have. I did tell an assistant D.A. that I have such evidence, as I did an investigator. If your counsel have not heard of it, I am sorry and I have questions.

Because this work has been bankrupting, I cannot offer to go to New Orleans and discuss this with you and/or your counsel. However, I am but an hour from Washington and will go there if you or they have occasion to be there. I think your personal interests and those of some of your associates, as well as the interest of justice, are much involved.

Were it not for today's tragic events in New Orleans, which from the initial and incomplete radio reports remind me so much of the tragedy at your building, I would probably not have overcome my long reluctance to write you. The fire, I suppose, is the reason I write you rather than one of the others. It is not that I am unwilling to be involved, for I am and I have been. To cite but one example, Jim never paid me for any of the work I did in New Orleans. He did not even repay all my expenses, which was the understanding we had. Meanwhile, as I knew only too well and tried to warn him, he was frittering money away on foolishness not connectable with his court case, and he was trusting people I knew without possibility of doubt could not be trusted. I warned him quite specifically about the Farewell America trap and about Bethall and Boxley, but he would not listen. None of these things prevented my doing what I could thereafter. And if you think you have trouble now, that is nothing to what you would be facing if I had not been able to frustrate what he planned to commemorate the JFK assassination in 1968.

You realize I have never said any of these things in public. I ask that you also keep them confidential. Despite his exploitation of me and my work and his piddling away his money on futilities while increasing my indebtedness, I am not bitter about this and I am without doubt about the genuineness of his intentions. I am likewise without doubt that it was right and proper for there to have been a New Orleans investigation. I developed enough of this evidence on my own and have it in my possession and duplicated outside my possession.

The unfortunate thing is that Jim was moved in on right away, that he suffers one of what my wife would tell you is one of my weaknesses, trusting the wrong people, and that those upon whom he could draw were at the best unequal to the task.

Because Jim is your friend and a co-defendant and I am a total stranger, I feel it is proper that I address you frankly about our relationship and my beliefs. It is obvious that I am without rancor because if I help you I also help him.

And because I do not have a current New Orleans score card, I do not know to whom to refer you to establish my bona fides. It should be no major problem to establish them to your and your counsel's satisfaction.

In closing, not to be forward but because I know what I believe neither your counsel nor Jim do, I strongly urge your counsel not to delay in pressing for discovery. There are several areas in which, from my knowledge, I believe this is vital. I know something about what your adversaries have against one of your co-defendants and am confident that all of you will be tarred with it. I think I know how you can get it. I am certain it can be quite hurtful, but believe it can be offset or dulled. Frankly, I am surprised to have read nothing of discovery efforts in the papers.

Whether I hear further from you or not, I wish you well, for I also have no reason to question your motives or those of any member of T & C.

Sincerely,

Harold Weisberg

In writing Joe Rault I run a calculated risk, calculated as best I can without a current scorecard, as the letter says. There is too much that needs explaining on the part of the defense. I address but one, no discovery motion or effort reported to about four months from trial date and after all this time.

Except for Garrison, Fatter and Russo, the defendants are men of considerable means. Their money is the real target, unless this is but another effort to get Garrison in which the lawyers or hidden principals are willing to expend a rather large amount of effort. Sal Panzeca, who may have been less than forthright, made it clear that money is the object. But he also burns for Garrison, as he made no less positive.

In mitigation of damages discovery would seem to be indicated. On the point of whether or not Shaw did perjure himself, and in a civil rather than a criminal action, an obvious means of determination would seem to be open, ought to be an early effort. It seems not to have been made. On this alone I believe the defense could blow the case. That is, kill it before trial. By filing certain motions would, if not ruled out, would open new doors, there would seem to be possibilities of civil counter-suit. None of these or other fairly easily seen moves have been made. I can only wonder why, and I do not think it is because the wealthier defendants. Rault, Shilstone and Robertson, don't have good lawyers.

Russo is a weak link in the defense because of the type of man he is and because he is vulnerable on many grounds. Having him as a co-defendant with no move to separate from him is dubious. There is no need for the wealthy to be associated with him without some showing of conspiracy or conspiratorial intent. That can't exist. There is only one reason to include Russo as a defendant when he is without means, and that is to use against the other and intended defendants. I think it is more than possible that a deal will be made with Russo for him to run the risk of a perjury rap and get absolution in federal courts to pin a subornation charge, which would go a long way on motive and establishing intent to damage Shaw extra-legally. I also know that Sal had a vast amount of information on Russo that he did not use in the trial. His explanation to me is possible and may be the fact: that he felt he didn't need it. My own belief is that he was holding it back and not without purpose, that he knew from Bethell that Garrison had no case and that he planned all along for a damage suit. More, I think they thought they could get reversal if the jury convicted in federal courts. So, it is not at all necessary to but Panzeca's explanation for not using his Russo stuff. I have a pretty good idea what some of it may be, too. I have a fair amount I've never used. Plus suspicions.

Because they were entirely dependent upon Garrison and he was bankrupt, it is not impossible that the lawyers of the rich guys urged them to make an out-of-court deal and let Garrison take the in-court heat. If the case is on a reasonably solid legal basis, given the wealth of these guys, it is likely their lawyers urged minimizing their costs if a reasonable payment was acceptable. With Garrison's great loss in popularity, great even where he was most popular, no competent lawyer would expect a jury friendly to him now. Or, if the suit has basis, most good lawyers would present the worst possibilities to their clients, and with the suit for \$25,000,000 as I recall, the worst possibilities can be pretty bad. Especially with all that can be quoted about the great cost to and the ruin of Shaw. Everything was full of that. Locally, nationally, even Ramsey Clark, who might be produced as a witness to testify to it. HW 1/7/73