En Banc decision, No./1026, decided 10/24/73, Notes on first reading, as read HW 10/28/73

2. The use of the word "compiled" in the fourth line is not from the complaint and is grossly in error, apparently deliberately because ofnthe language of the exemption. I did not ask for anything that was "compiled" but for what the FBI prepared itself, in its own laboratory.

Nor did I "argue" that I am a writer. The prejudice ooozes out before th gets him into his decision.

3. He has eliminated the short balance of the language of the exemption, which is relevant in that it would have been "available to a litigant."

The language here says what is not and cannot be in evidence except through the Williams affidavit, which makes it the most material thing before this court: "We are satsified that the record before us clearly demonstrates the desired materials were part of the investigatory files compiled by the FBI for law enforcement purposes, and, as such, are exempt from disclosure...." Depending on my memory, aside from the Williams affidavit the only evidence before the court on this point was J. Edgar Hoover's explicit denial of a law enforcement purpose in his Warren testimony, 5H100 approx.

Under I He starts to write his own Warren Report. The Danaher Update, perhaps? I don t believe any of this is in the record and if I am right it indicates he has gone to other than law books. Is this a point?

His footnote 4 os false in several respects.

We did counter the affidavit with Hoover's testimony. I don't know where he says no material issue of fact was presented, but it can t be in the court below because the record there is that we proved no possible law enforcement purpose through Hoover and asked what law was being enforced, without citation.

His footnote 1 on p. 2 is incompleteas an inventory of what I asked for. Not clothing in it.

4. His postulation of what he says was in somebody's mind, also not in the court records or anything before him, is also wrong, as a matter of simple fact. With Oswald dead, who was the suspect, and even on his terms, what the law-enforcement purpose? These tests were made later. It was more than a month before they even got Connally's.

In the last paragrpah he argues as established fact the meaning of the evidence I seek. There is no evidence anywhere that "the assassin's bullets" were fired from Oswald's rifle.

5. His citation of more of Hoover argues against his presumption of Hoover's intentions and if it means anything means that Hoover says he had no law-enforcement purpose and was and could investigate only because the President "has a right to request the Bureau to make special investigations."

Therenot only is no evidence that the State of Texas did not ask help-they withheld the evidence, wanted it themselves, and it is my understanding they never could get it back

So, as another possibility I'd argue under 35(a) FRAp that this qualifies, the gross misrepresentation of fact based upon which the decision is made, fact not in evidence, not asked for.

The purpose of the investigation is explicit here, to "prepare a report which we submitted to the Attorney General for transmission to the President." Hoover qualifies as an expert; Danaher does not.

What rebevance is there in the "magnitude" of the investigation. Its purpose only is relevant.

His footnote 6 refers to the creation of the Warren Commission. It explicitly had no law enforcement purposes.

I do think that as a matter of law he has to be hit hard here. On law enforcement purpose. I can prove that the FBI was counter to the Texas law enforcement interest, although I have never used this evidence. That, in fact, is why the Commission had to siese the case, to be sure tocontrol theoutcome.

I think that on this we should comb the Report, for I think it also says no law

I dongt have time to do this now and it need not be done this instant, but it is in the very early part, as I recall it.

6 The top here and the page before reminds me: if there was this law-enforcement purpose he attributes to the FBI via the allas police, where is the proof that what I seek was ever transmitted to them. It is lacking and it does not exist. It never happened. If they had that purpose, they had ample time to fulfill it. They sent only the inadmissible, paraphrases.

His footnote 7 says, unless it means nothing, that under the law not only Oswald but any subsequent accused is not a "party". Can this possibly be? If so, lots of people better start worrying!

But here again, in saying that "We deem it demonstrated beyond peradventure" that these "were compiled for law enforcement purposes," he depends 100% on Williams or hwat he has elected to manufacture that is not legally and properly before the courtm perhaps the only reason besides emotion or sycophancy that explains all his drivvel about the crime. He runs on and on about the perjurt here, making it over and over again the central issue, as I have argued from the first would be the case.

His footnote 8 citation is interest here because it really addresses all his bluster the way he doesn,t wantg in camera examination was directed, exactly as Kaufman said could be, to determine whether as a matter of fact this was a law-enforcement file.

The language of the citation from the Senate Report is wrong and out of context. I could blow their minds by taking in only those FBI reports I have that I have not yet read! They are no t and they do not have to ve secret and they are regularly produced in courts. There are even laws requiring it.

7 Citation of Hayes' this looks forward to prosecution after the completion of the investigation, does it not? And his italicizing of what this is not also is important, which I addressed earlier in saying we should go into the completely non-secret nature of the spectro. NOTHING would or could be revealled about anything except that the government pulled a fraud -or told the truth. No other issue is by any remote extension involved. And there is no evidence before him on which to base this. It could not be because it would be so completely fraudulent. The names of people are as irrelevant as anything can be. This is so great an outrage that after ttthis immediate is over, we should see if some writer could get interested. But again, it makes Williams even more important.

This bastard can t even cite the purposes of the law without bias. It was for maximum possible disclosure.

8 We can get the works from a witer who cares if and where he says that Congress' concern was overx advertising rather than the integrity of government and its word.

I think there had better be some close attention to what he here says about (a)(3)

His asterisk footnote here xxxx again is not based on what is in evidenceor what is even fact. There is not "investigatory techniques and procedures" question here.

Note that he keeps reiterating the non-existent law-enforcement purpose. This is a work of propaganda in which the judge writing the decision propagandises his colleagues forst and then everyone else.

The more I read this the more I believe that for the perjury and its subornation I have a cause for the damage it did me.

I would also sug est that others might want to pay close attention to the use he makes of the language describing the spectro and thus what he says is exempt. I would expect those who always fear the light of day on t eir secret dirtiness will attempt to exploit this. This also is not what I asked for. I asked for the results. They merely say the "results" are what they described as "adequately shown." in the testimony. This is like saying porno is love. Aside from all of this there is the question of a negative spectrom very important and not here shown in any way.

This adds much point to some of what I include in the draft affidavit. It is important for me(and the world) to know where there were no copper and lead traces as it is to know not that there were "similar", for a lead pipe is "similar" to a lead bullet, and the testimony adds up to precisley that. It says only lead composition, but the alloys are numberless and different, meaning not the same bullet.

There is NO testimony or any other evidence saying what he tries to say here. Or, why the hell would I be going to all this toruble?

His "decisional" crap here reminds me, the Wallford decision is here jeopardized. The only #decisional process" rests upon his fiction, law-enforcement purpose.

III

10 The records cited here are irrelevant in this matter, are of an entirely different nature than what I seek and there was no such function attributed to or attributable to what I seek. It is not even identified in any records as part of the only criminal investigation of the matter to which they are related. It has an entirely different, in fact contradictory, file identification, as I recall it. It is not part of State of Texas v. Lee Harvey Oswald, was not asked by the Dallas police, which has its own crime lab. (I think State's Rights is a not irrelevant argument here or in this sense.) This has nothing remotely to do with what he has dredged up from some legal mmm sewer, "acquire,collect, classify and preserve identification, criminal identification, crime and other records." Uniquely, what I seek fits none of what I believe he found in no evidence or pleading before him, but on this I may be wrong. I don't remember it. I think I'd have hollered if I saw it. Nor is there what he then follows this with, the duty to "exchange such records with" for there is absolutely nothing reciprocal about the use or the possible use of what I seek. In addition, those like the State of Massassuchetts and the ACLU should be alerted to this language. It amounts, as I see it, to a judicial sanction for the building of blacklists, especially political. Hence it is a complete fabrication to conclude "So it was that the Bureau collaborated with the Dallas police."

His footnote strikes me as also irrelevant. However, because this seems so logical and is based upon his having gone into all kind of drivvel but no mention of what a spectro is,can be or can be used for, I think his intent is deliberately sinsiter, really to work this into a repressive decision. Add his fabrication of "compiled" in connection with a text, perhaps the point I think I see may be more clearly his intent.

Am I wrong in think that the 1964 law he cites can't be applicable to my request for 1063 material and in the belief that this law had to be appsed because no such thing was applicable at the time in question in this action? In any event, is it not also utterly irrelevant, that there is no such exchange that is a) visualized or possible under the later law and b) can include this sui generis test? In the sense of the information I think, not the science.

11 What the heal does all this Bureau propaganda have to do with a suit or a decision? Is he arguing for a larger appropriation? The "daily activity" is meaningless here. Nor can this be described as either something that can be "disseminated to other Federal, state and local agencies" under the current work load or as one of "items of criminal intelligence."

Perhaps there is an argument here. If cancellation of the arrangements in the law enacted later follows disclosures, well, this was "disclosed" in the sense of published by Jesse Curry, in the form of Hoover's paraphrase. No action followed. What he describes with the italicized "unthinkable", the "criminal investigatory files, is neither what I seek nor what is at issue. I have not asked for anything from them or of that description. But what he describes as "unthinkable" is also the practise, and some have been made available to me, (aka "some person")

Our basis is not that we are entitled to this as a matter of law because it was not a federal crime to off JFK but because as a matter of law it is not what he calls it and as a matter of law is not encompassed in any of the exemptions. This is a

deliberate misrepresentation + misinterpretation

It is hard to take his constant and deliberate misrepresentation, but especially when without citation (indeed, it does not exist for what is at issue) he professes no doubt at all about what wa in Congress' mind.

12 But if the Congress meant what he claims, why would they have used the labguage of this exemption? Why did they not just say investigatory files and give them all blanket immunity? Or permit the agencies to dump everything in a file they call investigatory and get blanket immunity for 100% of their paper?

And what does all this jazz about prosecution have to do with the results of a simple, scientific test for which there can be no law-enforcement purpose if the claims made for it are genuine. Oswald is that dead. And he makes the claim that Oswald alone is the criminal. Can it be argued that if he is correct in all the irrelevant he brought in, then there can be no future law enforcement purpose? Or has he taken it far past that?

I am lost in the next citation. What is relevant to any investigation of the adequacy of execution of laws in a non-secret scientific test the results of which they claim they have published? How can he claim they have no competence based on this?

Ditto with the next paragrpah about prosecutorial function. Irrelevant.

IV

13 Sure Congress didn,t intent not to prescribe the right to not disclose WIn certain prescribed classification." This simply isn't one of them. ,t did prescribe them and he is torturing all kinds of crap in to make it seem like one. (Wonder if it really was his rifle?) Same with specifically exempt. Nor is it national defense.

14 How the hell can he (of course he does) drag security clasifications into this?

It is pretty wild when he says "There was to be no room for challenge, no 'balancing function', no in camera inspection." He cites a decision that says there is to determine that the claim to exemption is justified. But I suggest that this may have the widest application as Nixons especially and any DJ will seek to misuse it. I don t know law and decisions, but I think he has this in in a way that does not limit it to Hink.

Does not the next to the last paragroagh require that the district court require that it know the contents if it is to decide "that disclosure is not required?" Suppose they took a sheet of music from a file and called it "investigatory" because someone had put it in that file? However, this again means Williams has the meaning and effect that require attack as perjurious.

15 Before and at the top of this page, the interpretation of Coan# is, I think, very important. I think it means and I am sure it will be interpreted to mean that he can be 100% wrong and that he can have no reason at all or he can decide in open defiance of the law.

Footnote 15. This is pretty farout. It is a part of the package that makes me think Danaher has set himself to arguing against every possible line we could take rather than devoting himself to the issues. If the restof what he has claimed is so, why bother with this minutae? So, why has he set himself to such ends? If I was not entitled to the spectro because itis part of a lwe-enforcement file, isn t that enough for a judge with the interests of a judge and actin like a judge? I thifk Danaher has not hidden the fact that he is a partisan, nit a judge. This could explain his dragging in all the irrelevances, his minor rewriting of the Warren Report, even his knowledge or pretended knowledge of the case, the not-in-evidence stuff, which is also susceptible of other explanations.

Being a partisan of Hoover or the FBI could account for this; being as reactionary, as fascist-minded as he seemed to be at the hearing also could. But I am not satisfied that these explain his seeming interest in the assassination. For that I have no ready explanation. It and his apparent passion seem out of place.

Perhaps I believe that his arguing all the fine points is a psychological self-disclosure, that he knows he has done an evil thing and is compelled to justify it as much as to make his destruction total.

To do this he is strainignat the meaning of word, writing a new dictionary. The language of the exemption does not require that there have been a legal action. It neither says nor implies it. It does imply the conditional, that it would be available. It also implies that if there was a case, if the participants didn't exercise this right, others would have it. Its purpose, as I recall, was to protect the information until the time of use. If I am correct in this, then the very fact that the case was mooted requires its availability and the only countering argument would be that the case is not moot, that they now claim there are uncaught accomplices. Or that they were wrong, which this evidence could and I am confident would establish. Perhaps Hink did rewrite this, but unlike what I tkae him to be saying, I took the language to mean that if it is available to a party it is available to anyone else. Here he seems to be arguing that it is meant to be available to a party only.

16 As you noted, I am not Nichols, ashe says here! I wonder how the rest could have permitted so gross an error. It makes me think they really did not participate. However, if they did, my God! judges knowing and caring so little about fact. Again, how far afield Danaher roams! Where does he get all this insanity- and animus?

Let me skip back from fottnote 16 to footnote 15. I believe this also should be studied with care by competant lawyers for I believe it is possible there will be an attempt to extend this by the government, to guve it wide applicability, misuse. As I read this, I get the feeling that Danaher is really against the law in toto and wants to do what he can to undo it. If this is the case, then I would presume that he had extra-legal intercourse with interested parties and, if I ever can file the parallel suit I suggested to you, sure would like to depose him on this and ask where he got all the stuff he has worked in here and used in the orals.

Back to 16: the bracketed part at the bottom which I now see for the first time confirms my analysis. it has two parts, neither relevant, neither in evidence if that can be sued for what is beforehim. Here I think he again displays his role as defense counsel rather than judge. I think we should argue that he departed from his role, make a strong, direct ttack on it instead of him.

Now the reference to the regulations does not encompass this on two grounds. First of all it is not in the Archives, so their regulations are inapplicable. Second of all, as it relates to the materials that were tested, the metallic ones are available for examination, not "withheld from researchess as a means of protecting them from possible damage." I have actually held some in my fingers, not merely examined them in cases. Moreover, the reference is to something else. I think checking this out will show he has used materials from another action, my 2569 and used it as it is not susceptible of use. In any event, the paper on which the original spectro results were typed are not going to be damaged by xeroxing, which is all I asked. In practise, almost none of the evidence of this character is withheld. Only the clothing of which I know, and of that, only some, JFK's. I have held Oswald s shirt in my hands, carried it from one part of the Archives to another seeking light of different character, and pawed over it with infinite care, as my memo on the examination will show. It was <u>not</u> against regulations or practise. Moreover, if I remember correctly, he quotes incompletely. Quoting completely would argue my case. Those regulations require as a substitute the providing of copies as close as possible to the original, pictures. I'd be quite satisfied with pictures of what I seek. BUT, if he is going to take this line of argument, then what is relevant and applicable is the statements of policy by the Department and by Warren, both of which require maximum not minimum availability.

This again convinces me that Danaher is out to get the law or out to get me or out to get anyone questioning the official assassination mythology. He is an Orwellian.

And here again he discloses his need to argue unnecessary small points, that his real objective is a totality of destruction of the possibilities of the law.

In order to have my thoughts, for whatever they may be worth, ready for you, I got up at three a.m. again. At this point I had to go to the bathroom, so I read the Bazelon dissent through onnce. It fortifies certain complaints I have made privately

6

to you, not personally against you. I have written you separately outline what I regard as my obliagtion to be even more flexible because much more than my interests now rests solidly on this litigation. However, I must also learn from these painful experiences.

Outrage that Danaher's decision is, we made it possible. There remains a limit beyond which men, including judges, will not go. We did not make that limit an impossibility for a partisan in robes. We would have if what I had asked be done and was promised would be done had been. What is incomprehensible to me is that it was not done without my insistence, and I did so insist at each step, from the moment I first saw the Williams affidavit. So, while I feel no less strongly that I must be flexible and sublimate person interest to that of the rest of the country and to other litigants for other information, I also feel even more strongly in two areas: that this being my case, I be consulted on what is done and not done; and that promises made me be kept. I would like to believe that this is the norm of the law's practise and the custom or lawyers. If these things had been done, this decision could not have been dared.

I am dismayed, not flattered, that my non-lawyer's estimates have been so often validated by what happens and the judgements of lawyers opposed to mine invalidated in court. You know how often this happened in the Ray case, for example, where I did the first legal memo and where what I said should be done, when it wasn't, was then asked by the judge. (I have just been sent a clipping from the NYTimes 10/11/73, UPI's account of Bud's 6th Circuit argument, and it reads like an excerpting of my earliest work on the subject. This is not an expression of resentment.) Time after time after time things of this nature happen. I make arrangements for what obviously must be done, it isn't done, and a long time thereafter we have to go back and pick it up and do it, when we can always under more adverse conditions. Witness your hasty trip to Birmingham, under the worst conditions, when I had arranged for all of that earlier, under ideal conditions a such things go.

So, I have a long record that says my non-lawyer's judgement in these legal matters of which I am part stacks up at least favorably with the records of lawyers. I think that this added to the fact that the case is mine warrants my simple demands, that I be adequately consulted and that the word given me be kept. If you want to recall how inadequately I was consulted on this, I didn't see the complaint until after it was filed, when I found gross factual error in it. (No offense, but the same thing happened in Memphis.) Incredibly, once I corrected this error, it was repeated, again showing that I was not shown the paper filed before it was filed. You know my record of ready agreement with what you have found reasonable. This is not ego-tripping, nor is it blind inistence upon rights per se. It is, rather, than I have knowledge others do not have, which is enough, but I think also valid is that I draw upon experiences others lack, experiences that are relevant in these matters.

Nor do I object to wide consultations with others about doctrine, approaches, anything. I am all for it. But not without me and in a kind of sense, behind my back. What I refer to is what I have just learned from you, not Bud, and for the first time, what you represent as Bob Smith's interpretation of the alw-enforcement language. I am NOT sating such things should not be considered, however invalid I may feel they are. I am saying that this kind of reasoning in my case should not develop to any serious point with me in ignorance of it and having no chance to argue against it, as I want to make as specific as possible, I DO. I have read Bazelon and that fortifies me even more. I am not against proper withholding. I have withheld myself what defames and the government has made readily available. I have withheld it when the titilation it would have added to the content of my writing cost possible sales. Some things should be withheld. However, why the hell castrate our minds by torturing clear language, and this language is clear enough, as is the intent, a good intent?

Let to try to simplify this. As I read both decisions, if the court had found no law-enforcement purpose, I would have won hands down. Even Bazelon became convinced by the spurious arguments that there was such a purpose. To put this another way, had we made- and in part this means had we been in a position to-a solid argument on this, not merely my off-the-top original argument in the first instance and then virtually

ignored it thereafter -even when Wardig helped us - we would have been in at least a much better position and I believe would have prevailed. Especially re Williams. The files must be overflowing with long memos I have taken the time to write on these things, only to have them ignored, my time wasted and with it my legal rights.

I find myself wondering if more time was spent consulting with Bob Smith than with me when I am the client. You know you found my legal files in those of the CTIA and you know not only that I resent this but that it is clear violation of an explicit agreement. Bob's mind works inits own way, a way in which I am not often in accord and in a way where, when there has been disagreement between us and the questions have been resolved, his judgement is established as not good. So, whether he is a nice guy or in general terms a bright guy is not really relevant.

So, I believe and in the absndce of meaningful consultation that can lead me to change my mind but will at least give me full opportunity to argue it will insist that no law-enforcement purpose within the reasonable meaning of the law be argued at every point hereafter. I think we can get aid on this and I think it is indispensible to the rights of others under this law. I think also it is indispensible to any effort to deter official misuse of the law, which this decision can make even more possible.

I am even more convinced after reading Bazelon that we must make the most direct and explicit attack on the Williams affidavit as perjurt, as subornation of perjury, as a deliberate misrepresentation by those who knew better with the intend of deceiving the court -and show that it succeeded. There is nothing new in this. Yesterday I have you the memo that seems to have disappeared from Bud's files that I wrote,as I did this, in such haste because I regarded it as that important.

I believe this is important to others in other cases. I do not pretend to know what the government does in other cases, but on the basis of my limited knowledge, I am led to believe that it is not likes as open and shut a case of the foregoing is likely to be found. And the very evil of Dahaner's extra-judicial conduct and language becomes a legitimate weapon in this, one, incidently, that can save his fascist face. All he did wrong can be laid to the perjury. Each and every detail of all his incredible language can be laid to the intent of the perjury as well as the fact of it. We need not for such purposes consider whether as I am sure we agree Danaher had extra-legal, extra-judicial purposes. Without Williams none would have been possible. Despite Bazelon's language on superficial reading, I believe that also supports me in this. I am without dohbt about Kaufman's footnote five, and it was a fatal arror as it was an abuse of me not to do what Bud agreed to do based then newly but not really new on my reading of Kaufman. It is on this that we failed. Kaufman laid it all out. I think here was a decent judge, probably a conservative one, practically pleading that this effort be made to fight governmental duplicity of which judges also are the victims, Bud agreed to it, and he then, behind my back, refused.

You may not be aware of it, but I was so sickened at the en banc rahearing that I left the courtroom. I couldn't stand it nor could I stand having to feel that I had to be silent about it. I used that time to collect myself so I would not explode.

You knowI also wanted to include that in papers filed, and it was not done.

On reading Bazelon I find my interpretation of Mink, that it supported my argument, validated. That was thenthe current last word. Had the argument been made persuasively, it could have made a difference. Here Bazelon argues it.

Now I think that on reading quotationsfrom the government inBazelon I see other dangers for others. There is here a subtle shift to encompass any file labelled as "investigatory" as complying with the law.

Reading this part fortifies my belief that we must argue the absence of spectre traces as I suggest in the draft affidavit I gave you. Especially because Bazelon includes Kaufman's footnote five here.

Reading thi also convinces me that we did not make enough effort to distinguish between a simple,non-scientific test and a secret-type police investigation. The affidavit we talked about is important in this and it would also help establish the FBI's perjury.

Where are so many FBI investigations that have no law-enforcement purpose you can't begin to imagine them. However, they are very worried about them. They are not at all worried about those with legitimate law-enforcement purposes because they ar adequately sheltered. I have lived with them and I know. You should see the kinds of jobs they do in a jury investigation! If you had just gone over Grays testimony in his confirmation hearing you'd get a feeling of what I have in mind. Or even simple analysis of the Warren statistics from the Warren eport. I am not sure of the figures Danaher misuses, but I think they show that for each tent interviews there was but a single report. Or, they begin by suppressing. They have that much to hide. Freedom cannot survive their continuing success.

I also feel I was right in saying that all I am asking for is the uninterpreted original results. I don't remember asking for more and I don t remember being asked if this should be extended. All I really want is whatthe paraphrasing is based upon. I think here were should do two things, based on my request for the pure results rather than any rephrasing of them: quote them on the fact that they did represent them, and thus, even in the light of this court's recent Nixon tapes decision waived an right to withhold, an argument I think I made in my first memo on this matter; and give case after case of deliberate and gross misrepresentation. I have offered to do this in the affidavit. Do we need more than Watergate? And did I not ask before the rehearing that this be laid on the record, this long and then authenticated history of official mendacity that is on relevant in this case?

Besides, their making a paraprhase available abd permitting it be to published means it is non-secret. I'm not even asking for the process, which is non-secret. All I'm asking for is proof that they didn t lie in their paraphrase, and I have proof that they have to have lied, as I have and offer proof that they lie regularly. I think that important as such things are in this case, where they become the centmal issue, they become very important in other cases, where the possibilities of even going into it may not be as good or as clear.

After reading thisI am more inclined to believe that improper official interest in me is not necessarily irrelevant.I sure would like to know more about Danaher after reading these two decisions!

And as well as a non-lawyer can have a valid opinion in such matters, I do think I now have a better and broader suit for damages, including from the tortious act, which need not rest on the federal torts claims act but can have other founding. I do not think this combination will come again soon: deliberate perjury and against a man who has been as long the victim of as much official impropriety. it goes back to the late 1930s with me and includes even the military in a suit in which I did win and did establish a new precedent and in which they continued practises identical with what they did here. It is hard not to sound paranoid, but the record is that exceptional.

These are all things I wish you and others who I think have coinciding interests can find time to explore. I view this decision as much wider than a simple denial to me of what I am entitled to, or wider than the proof of a fake solution to the JFK assassination. I think I offer unusual possibilities in fighting back.

I also see other possibilites. One is an article, perhaps a law-review article. Another is a kind of intellectual judo, using this, if the forum is available, to show the official imperative to hide the certainty that the solution is fake and raising the assassination question all over again on a different basis. It gives a chance to get back to the solid and accepted basis I and a few others were on before the nuts came in and were given so big a play by those with the interest in obfuscation.

If anyone can arrange for me to see Warren as I saw Russell on my own, based on this alone, if he is not guilty of what I have never believed, deliberateness in the error rather than finding no answer and political need, I think I can make real and telling points and I can support withunassailable proofs.

Unless there is some compelling need, I donBt want to reread this. If you ask it I will. You are upset by the decision. I haveall your feelings and others I will undertake to indicate.

This is still another reminder of the futility of trying to work with the strong-willed underinformed who do habe ego ambitions. I cooperate, I do enormous amounts of productive work, and I have it all wiped out for no good reason, in the face of the certainty that with decent work it could not be wiped out and would serve usefulx, spcially-needed purposes. Time after time I have these experiences. You know of enough on the Ray case. You have jo idea how many there have been on the JFK xx case. Then I find that to justify themselves, these people go around and spread amlicious lies about me. About all of this I must remain silent. It does become intolerable. I hate to relive it without cause.

If what I had asked be done in my case had done this monstrous thing could not have issued. If the promises made to me about the handling of my case has been kept, this again would have been impossible. If the work I had done had been heeded, the result would have been the same. This is painful to me, and in our xx circumstances, more painful.

There is what I cannot forget with all the work I am already prepared to do and canBt find time to do, the enormous wastes of time for me in so many projects including preparing for litigation. Bud once wasted two full months for me and what for me was much money in copying records only to change his mind and render all of that a total waste. I wasted months at his request trying to help Nichols. I can t tell you how much time Garrison wasted for me. In all these and other cases I had uncompensated expenses at a time I also had no income, and in all cases I worked at the request of those who could have paid and did pay others.

And the net result of the effort of all these and other people was very hurtful to the establishing of truth. It also undermined the attidues of the responsible elements of society and destroyed the credibility of responsible workers.

So, this is painful. For this reason and because there is other work I must do- get copy ready for Lil to type in the reduced time she has for typing- I'll not reread and correct this now. If you find the errors too much, I have a carbon and I will go over it. I suggest, if you do not mind, that you correct as you read, please. In fact, I made an extra xxxx carbon in the event you want me to go over it and correct.

For your understanding, there is another dismaying element in this for me, a personal one but also one that makes reliving uncomfortable. You can look back over a sufficient record, and you came into this rather late. I have a rather good record of seeing in advance, seeing clearly and of forecastinf correctly. I say this not intending to boast but so you can compare it with what has happened, where the strong-willed and those willing have taken strong contrary steps and rendered that I have done a futility.

Then when I find that others are paid for the useless, others who have no urgent need for the xxxxxx income, like Wen, who is retired comfortably, and I go off and do the useful and successful and not only am not paid but am out some costs and we are in these desparate straits, that, too, is painful, for it is the cruelist exploitation and the exploitation of my principles. This may seem to have no relevance to the decision, but it comes to my mind with each futility that need not have been. There are so many cases. Look at the pictures of which you used some in the habeas corpus. You know that I am out the total cost because they were opposed. You also know that I have said nothing a out your failure to pay for those you used because I do be feel that you should be paying for them out of your pocket and do not now want you to. But with each of these endless repetitions of futilities where there could and should have been successes, much that is not welcome comes back to mind, and I would prefer to avoid all of it that is possible. Aside from the pain, it impedes work, for it is not easy to thrust these things from the mind and devote it to other work. So, ask for anything you regard as necessary, but please try to limit it to that. After you have done what you regard as now urgent, let us get together on the other possible approaches I have recorded. And thanks for all the good you have done.

Best,