

5/24/69

Dear Cindy,

You are great! You and your professor have been very helpful. I enclose a copy of the letter I am mailing at the same time I mail this one to Mr. Eugene. I think it will be self-explanatory. I regard his position and action as entirely improper and inconsistent with his diligent concern for the rights of his client, as I say.

Any comment on anyone's handwriting is inappropriate from one whose scrawl is as illegible as mine, yet I must report I am not certain I correctly read Mr. Eugene's address. If it is not correctly on the letter, I'd appreciate it if you would phone him, tell him I have written him as addressed, and say that I asked him to alert the post office so the letter can be delivered to him. If he is reluctant or displays any reluctance, please also tell him I assure him it is important to him that he get this letter. As a last resort, I would ask you to make a photocopy of the carbon enclosed and send it to his correct address. If you do this, please let me know.

There are other things I would like you to do, but not if there is any chance they can create problems for you. Before doing them I want you to consult with your professor. First would be to ask the consulate or embassy for a set of the papers (do not tell anyone the Department of Justice has refused to respond, for that will scare them). Ask for the public-information officer, then ask if he/she is the proper person to ask. If the answer is negative, ask who is. If you fail there, ask the clerk at the Bow St. Magistrate's Court. Please ask the professor if he can visualize any difficulty for you if you do this. If he thinks it possible, I do not want you to do it. Instead, let me know and I will seek to carry it further by mail. Please, if you do, keep note of what you do, to whom you speak, what they say, etc., and let me have copies of them.

This is all wrong. There appears to be no aspect that can be uncoiled. That Eugene would even think of speaking to the FBI is simply incredible, and it raises all sorts of questions about the character of Ray's defense. And that he should deny access to the public record is likewise entirely wrong, especially because the intended use cannot be against his client, is for it, and because all of it is known to, having originated with, the prosecution and the government.

I have no doubt Eugene has had several inquiries. Some may have been on my behalf, indirectly. That is, initiated because of requests for help I initiated here of those who could have the request made in other names in London.

Possibly it would be better if, after speaking to your prof., you again spoke to his lawyer. Ask him, please, and if he recommends it, then please do. I do not want you to get involved in anything that can kick back on you, and I have had enough experience in this work to know that the government has many connections, uses them, and in almost all cases, improperly. Those pledged to uphold the law are its most frequent and most consistent violators, unfortunately. I depend upon you to be mature and responsible about this, for I do not want any reaction against you, no matter how wrong it would be. The fact that it should not happen will do you no good.

To answer your question, incriminating evidence is suppressed simply because it is incriminating. This is worse than wrong, for the US concept of the prosecutor is primarily to see that justice is done, secondarily to get a conviction. It is culpable for the prosecution to withhold what is exculpatory. If the British papers have made no mention, the Ray hearing is Monday and he is suing his previous lawyers and "wife. Bad as he is, the hand, into which he has fallen, if that is the right word, are even worse.

Cindy 5/34/69-2

Please thank you/prof for the clipping from the Evening Standard of 5/14. I presume it is a review of Edward Reid's book, "The Grim Reapers", which I haven't seen. This paragraph is particularly interesting: "Marcello is alleged to have taken part in a secret meeting near New Orleans in September 1962, at which the assassination of President Kennedy was discussed."

If it is not a review, then whatever the unsigned author of the article knows about this would be interesting. There have always been rumors of Mafia plots against JFK, one because of an alleged failure to deliver what was promised for an alleged Mafia delivery of the Illinois vote (which elected JFK).

My own belief is that Marcello has too much going for him, is far too well off, to get involved in any such thing. I also think he has the ~~heart~~ inside the Mafia to stop it.

The gambling activities referred to undoubtedly involve Mike McLaney, former tennis star and operator of the casino at El Nacional in Havana until Castro stopped it (see Oswald in New Orleans). His brother owned a small house near New Orleans in which anti-Castro munitions were stored. McLaney has just filed a very sizeable libel action against LIFE.

Do not go to any special trouble, but if you or the prof notice anything further about this in the British papers, I would like to see it. The FBI went through the motions of "investigating" Mafia connections with the assassination. Even for them it was inadequate. Ditto on the Ray case.

Marcello, by the way, has allegedly been the number 2 man in the Mafia for some time. He could have gone up when the notch opened. His motel and restaurant near New Orleans (actually, indistinguishable from being in New Orleans except that it is just across the parish - that is, county, line in Jefferson Parish) is called the "Town and Country". There are other (unsubstantiated) rumors about it and money passing over the assassination there.

Reverting to the Ray case again, I'd prefer to have the government turn me down than to wait. If they refuse, I have enough from the papers and they will have made themselves look worse, for I will report it. I do not expect to find more in the papers than I have found in the press, but that is possible. However, what I have from the press is sufficient. I want to be certain there has been no misquotation. Of course, I also want to be as complete as possible, which is another reason for wanting the original and complete papers. But again I want to impress upon you that I want you to do nothing that can work against your personal interests, your schooling or your job.

Many thanks to you both. This has been helpful. I look forward to hearing from you soon.

Sincerely,

Harold Weisberg

Rt. 8, Frederick, Md. USA 21701  
May 24, 1969

Mr. Michael D. Eugene  
32 Tavistock St.  
Strand  
London W.C. 2, England.

Dear Mr. Eugene,

Miss Cindy Vanden Heuvel spoke for you on my behalf at my request. She asked for copies of the papers filed by the United States Government against your then-client, James Earl Ray. She reports you declined to make this information available because "the case is not closed yet" and because a hearing is scheduled on his behalf. She also reports that because you are not familiar with my name you said you "would check with the F.B.I."

This combination fills me with the deepest misgivings. Of course it is possible that bright as she is, Miss Vanden Heuvel might have misunderstood or misinterpreted what you said. Therefore, I write you directly to eliminate any possibility of error.

The United States papers report you represented Ray's interest when the request for extradition was filed (I imagine a thankless, unpleasant task). They also report the date I seek is part of the court record, part of the public record, what in the United States is termed "public domain".

Now, the F.B.I. represents the side opposed to your client. It also is the side opposed to me and my work and writing. It is the federal police. Is it customary for English lawyers to consult the federal police when known writers who have established credentials in the field of their work (and if mine were previously unknown to you, they were, I am confident, reported) make proper inquiry, especially for access to the public record? Would you regard it as proper for the F.B.I. to make any response to your inquiry at all? Do you believe the federal police in your country or mine should maintain files on or spread any information, favorable or unfavorable, about any citizens, particularly, in our societies, writers? Further, do you expect the F.B.I., which I have accused in the subtitle of one of my books of engaging in a "cover up" and whose dubious record in the assassinations and their investigations I have exhaustively exposed to public scrutiny, would be dispassionate? When you consider you need dependable information, do you customarily consult the enemy of those about whom you seek fact?

Under the circumstance, I presume you will extend me the courtesy of copies of your inquiry and any responses.

What I seek is the alleged evidence against your client, by those prosecuting him, not what is secret from the prosecution because it is his defense. What I seek in particular is the "evidence" presented by the F.B.I. When I have doubts about the integrity of this "evidence" and for that reason seek it, not to be dependent upon the press accounts of it, do you think it was the proper course to check with the F.B.I. about me, the customary police-state method? And how does denying those who write that Ray killed no one the evidence that, properly analyzed and understood, might establish this, help either justice or him? I fail to see why you deny me the public record, particularly because I have written that your client

is not guilty of that with which he is charged, was "framed". (I believe and have from the first believed and repeated, said on radio and TV here that he was a decoy.)

Perhaps you did not ask yourself why a writer in the United States seeks from England that evidence made public in England by the United States Government. The answer is simple. Despite the clear law, such as the "Freedom of Information Act", which requires that the government make this information available, it refuses to make any response at all to the request. Of course, I can sue. But such a suit, if I could afford it, which I cannot, could also be indefinitely postponed and for all practical purposes, my situation would be unchanged. I would not have this information to which I am entitled. The record on this and on this subject is entirely one way on this, whether or not you had any way of knowing it. And were I to win, as another plaintiff did several months ago, the government would appeal. And that it would also continue through all the available channels so the result would be the same.

I hope the foregoing is sufficient for you to understand the apprehensions what Miss Vanden Heuvel reported cause me. I would welcome your assurance that there is a misunderstanding. Because of the present situation, I think it would be helpful to the record and to you if you would also give me the assurance that neither you nor your firm have or have had or anticipate any connection of any kind with the United States Government or any of its agents or agencies. I do not assume this. But because of the foregoing, I do think this assurance, in writing, would help eliminate any suspicions that might develop.

My purpose in asking for those approximately 200 pages of "evidence" presented by the side opposed to you was to be able to quote it directly. I have written most of the book. The new hearing is scheduled for before you can receive this letter. When it is completed, I expect to complete the book as expeditiously as possible, as I believe you can understand. If I have not had access to the documents used against Ray, I will, as I think incumbent, specify in the book exactly why. I will say who I asked, what response, if any, was made, and then quote the papers, the only course left. And the papers will leave no doubt that I have been denied the public record, what in this country, under our law, cannot be denied anyone, especially not writers.

I sincerely hope you will see your way clear to providing copies of the "evidence" and to answering this letter at your earliest convenience.

Sincerely yours,

Harold Weisberg

5/24/69

Dear Gary and Paul,

I send you copies of the enclosed letters to England because I want you to be aware of the potential of what they deal with, not because I am convinced conspiratorial is the proper or the only conclusion to be drawn. In doing this, I perforce disclose a name. Therefore, I ask each of you to be certain the letters do not get into other hands and that no copies are made. This is a sweet and helpful 18-year-old girl and I want to be certain no harm befalls her. She is in a position to be retaliated against, for she is working for the government. I do not believe it is necessary to discuss this over the phone, things like that, either.

If and when I hear further, I will let you know. If you have any ideas, I would welcome them. I do have enough from the papers for my immediate purposes. To be consistent, the government helps by foreclosing all sources of accurate, dependable information. They are thereby their own worst enemies. Because I do have enough, I am content for them to see to it that I do not have access to the public record, to the court proceedings, this means. It means they are seeing to it that what they produced in court cannot be examined by those in a position to catch them up. What could look worse? Or be worse?

And the lawyer "defending" Ray checking me out with the other side, his adversary (at least in theory) and mine?

I do not plan to buy the book referred to in the clipping attached, "The Grim Reapers". If either of you ever sees it and the quote is in any way amplified, I would, of course, be interested. The other quotes are enough to make me wonder about the dependability of the author, of whom I know nothing.

If the papers available to you have any stories on the coming Ray hearing, I'd appreciate copies after you see the N.C. papers and see what they will carry and the NYTimes, which I am still getting and will while Lil is working. If it does not make your papers, Jerry Ray saw James Earl yesterday, left to tell the press the FBI has threatened him, saying that if he did not talk to the agents who stopped him he would be haled before a grand jury. Assuming Gerry is truthful, which may be a rather large assumption, what grand jury, where, considering what violation of federal law in what case? There is no federal charge against Ray.

Although I have developed no substantial theory, I have from the first felt that the most likely link between James Earl and any conspirators would be through Gerry. Gerry, remember, is the one who insisted on Foreman for counsel and, unless my recollection is flawed, has a racist reputation. James Earl would trust him if he would trust anyone. And he is the last outsider to have seen James Earl before he broke jail.

Sincerely,

Harold Weisberg