

4/19/70

Dear Cyril,

So you can better understand how far forward I have moved since we met in Washington and some of the potential of the suit I plan against Justice and another agency for the raw materials of the panels reports, I tell you a few of the secrets I have obtained and can and will use. Please, no discussion of any of these with anyone, not even those we trust.

One of the reasons Bud cannot handle this suit is because he is too busy. One of the reasons he is too busy, a reason that compelled him to take yesterday from the office and spend most of it here, is that I have arranged for him to be counsel to James Earl Ray. Really and truly. It took about a year, but I did do it. It may be too late, but at long last some of the legal pleadings will be competent, not unimaginative. Ray has been given a copy of about half of COUP D'ETAT, he liked it (it is not kind to him and is devastating about his friends, but he is impressed with the mobilization of evidence and legal argument). Bud gave it to him on his last visit to Ray, who has been moved to so remote a place the trip by car was seven hours from the airport! Meanwhile, his lawyers were so lost in the pleading they were preparing they asked Bud, in the last minute, to take it over. There is hardly time. He learned Friday, was here yesterday, and has to file it in a couple of days. It will be largely the argument in this book, with the evidence also from it. If we can get a new trial for him, after all the legal butchery, the possibilities are enormous. If you ever get time to read a book of over a third of a million words, you'll understand what they are. But I tell you this to encourage you to believe the impossible is possible but takes a little longer. Imagine me being able to get Bud added to the legal staff with Stoner in charge of it and the man by whose agency I was able to accomplish it as convinced an anti-Semite as I have ever spoken to.

What I would like of you in the panels suit is three things: advance consultation, your testimony as my technical expert (what the requirements of an autopsy are, what the deficiencies of this one are, the legalities ignored, etc.) and then, with the court's permission, for you to sit beside me to counsel me on the medical angles, the proper questions I might not ask because of my lack of knowledge of the requirements of the forensic science. I would also like a kid with us, with the 26 and perhaps a few documents, because he is very bright and has the clearest nearby recollection of the medical testimony. This is Hoffman, who is as bright a 16-year-old as there is in my experience. A good one, too. This, however, would not be demeaning to you, for his recollection of the printed testimony is that good and he has been doing much fine work of his own and much in collaboration with me. He has been here several times and I have trusted him with materials no one, including you, has ever seen.

I have, over Fisher's signature, what should be enough to ruin his reputation, if nothing else. He, personally, was sufficiently uncertain of his own report that after submitting it he performed deceptive tests on cadavers in an effort to buttress it. He, personally, destroyed all copies of all intermediate drafts of the final report! He, personally, drafted the drafts, etc. And Hoffman has gotten from one of the other panel members, in writing, the acknowledgement that there were written statements by other panel members on technical aspects, which Kleindienst now tells me, in writing, does not exist. You are beginning to understand my reference to the "Humes 'Burn Bery Burn' Syndrome"? Going along with this I have papers the Warren Commission never saw and I do expect to have in my possession what I have seen but do not yet have still others. However, if you recall one I showed you, I now have a fortification of that, holographic and typed, that blasts the entire Report to shreds, ruins all the medical prefabrications, etc.

If anyone ever stops to think of the potential of what I can do, and with the ego most lawyers have about their profession and the inabilities of non-lawyers to practise it, they will give me whatever I ask for rather than risk this. I have come to regard Eardley as the evil genius in all this, by the way, from written comments in my possession as well as other things of record. Visualize this lineup of my witnesses (the only friendlies I consider are you and me): Fisher, Finck, Ames, Boswell and Burkley. You know part of what I have over Burkley's signature! You should see the rest, as I've been asking you!

Cytil, it has to be the living end!

Bud tells me I am now in a position to file. Mitchell has again failed to respond to my appeal, I filed the requisite forms in December. Justice has been so corrupt and so inept that I believe I am now in a position to subpoena Clark as a witness and I may well do it, under circumstances in which he might not resist, I can limit what I would ask him this much: to his purposes in conworking both parties (in which I am certain he'd also say he was in possession of only that knowledge that had been given him) and as an expert on the interpretation of the Freedom of Information Act, in which I'd ask him only about the language in his instructions to all agencies.

Anxious as I am to proceed, I also want to be cautious, so I'll wait a day or two and, if I've had no response from Mitchell, will send him a covering letter with a photocopy of the last one he hasn't answered and then, in two weeks, having heard nothing, will draft and file the complaint. We can ask for a summary judgement after 20 days, which will compel them to respond, and with any kind of luck would soon be in court.

I take this time early on a Sunday morning, after getting your two recent letters, to encourage you to find time in your busy schedule for a brief visit here, for you should have very helpful ideas. It is perhaps a four-hour drive from Pittsburgh, maybe less. The only one I know who has come here from there recently is a slow driver whose finances keep him off the faster toll roads. I 70 W comes to within 5 minutes of here.

If your comment on Spitz is what I'd expected, it is also very helpful, for now my judgement is not without support, and in an entirely different area this may in time be of importance.

By the way, while our accommodations are not luxurious, we do have a room, etc., and it is aside from the nature of my work, peaceful and quiet here. And pretty. The quail just left the kitchen step, which they climbed, looking for the feed I have not yet put out for them. The mallards are late with their similar demand, but I may not have seen them because of writing this.

Sincerely,

Harold Weisberg