

AUG 11 1972

8/10/72 Dear Js, We're both a bit stiff today. For some reason my bad back began aching a bit last night. It does, intermittently, and it is enough so now to discourage my plan to do a little pre-bunch mowing, which gave me the time to go over the clips acknowledged on a little slip a bit earlier. Brief update in ever-changing activities and priorities. The legal handling of the Ray case, at best always a mess, has been worse, to the point where I had to move it. It has taken much work, is hard on the patience and nerves, but there is no choice. However, it is also required that I do a bit of thinking that should be the province of lawyers only, and I think it will lead to a change in direction and methods. Time will tell. Spent the entire morning in still another destruction of what I'd destroyed in its earlier form, which is less of a reflection on poor Jim Lesar than it would appear to be. I began today's perhaps 4,000 words by protesting that Jim is too overloaded and the subject is too enormous, and asking a new working method. Because we have to go to near DC tomorrow I've arranged an appointment to spend the morning with Bud to carry this further. I think the result will be o.k. I made progress with Jim's thinking yesterday, my own has progressed a bit further, and I think they will in some form or another agree that the time has come to take the offensive and to do it. I've argued that the weak never succeed in defending against attacks, survive by the initiative only. If they do what I have in mind it has a chance of making the papers and they'll put the entire opposition on the defensive for the first time since F-U failed to get attention. The entire defense to this point comes from that. Now I'm permitting the use of new material.

I've gone further. I've given the Post a good story. It has national-desk clearance, my sole stipulation for an exclusive, but this doesn't mean it will be used. It is in its own right a separate-from-Ray story but can't be, thus permitting bypassing the hangups. I've got proof of the bugging of the cellblock, quite separate from the admitted TV cameras and the two tape-connected mikes. Statements from prisoners who saw and suffered it. Paul Valentine has dubs of my interviews, in jail, with two victims. (Must be blowing some of the big-brass Post minds, considering they've had to go to court just to get to see prisoners and I tape them. There are differences, and in this case the proprieties will have to be observed. No story until affidavits are filed unless the Post does it on its own, in a way I can suggest. Phil and I are lunching with Paul tomorrow. He is also the Post's demonstrations expert, so he is Miami-bound and has a week coming when he returns. Which gives times for further developments.)

You know the phrase about war being too important to be left to the generals. I'd amend to include lawyers, justice being too important to be left to them or judges. I've got what really is one helluva case collected and an approach that in failure becomes a legal success. I've not overwhelmed you with typo-ridden carbons, but if you want punishment, you can have them.

Everyone misses the obvious. My ploy is to go into federal court and ask for the required delivery of withheld evidence, denied the defense only and freely made available to sycophants only in the press. And to specify enough of what it is and to provide samples of withheld exculpatory evidence as an illustration of the need of justice that all of it be provided. If this succeeds, we will have in official form what we now have in any event, totally exculpatory evidence all of which was in government hands before arrest.

We'll be going after Hanes and Foreman in federal court, which just may be enough to embarrass the bar associations, with solid cases to justify the improbable, disbarment. The trouble is that nobody does any real work, so even the good tapes I have on this are neither transcribed or used. This even includes my debating Hanes into admitting he couldn't get a cent from Hue until he got Ray back to the U.S. and that he persuaded Ray to abandon plans to appeal the extradition order, i.e., put Hanes in the payroll line for \$40,000 in monthly \$5,000 instalments until all this was paid.

It is good that the appeals court dismissed the Shaw indictment, not because he did not perjure himself but because the indictment was inadequate. This now limits it to the civil suit, where the stuff Garrison doesn't have can be used with more effect. It is also good that the Garrison request for indictment dismissal against him was rejected because this means, if not reversed, a trial, and that we need. If I can't believe Jim was a petty grafter, exoneration can come only from a full trial. I suspect the entire case against him will be money he used in his (ugh!) "investigation", some of which, like in his luxurious accommodations, they may allege to be personal. Thanks and best, HW

