

Dear Jim,

9/27/74

After you left the studio I went to the control room with Dave and watched a little of the taping of tomorrow's Agronsky & Co. show, then went to the lobby to await departures as long as I could. Dave said Rowan and a TV and a radio commentary to tape. When I could wait no longer I asked Dave to deliver the simple message you heard me put to him earlier. Expect nothing, though.

We had to do grocery shopping for Lil for my absence. After we ate I did go over all you gave me today except one Chile clip. I'm tired and will go to bed after I finish this.

CIA

The conclusion of Binger's 9/20/74 story Senators Asking Tighter Rein quotes no source for saying Harrington leaked the Chile business. I caught Harrington on TV and have the distinct impression he said it was arranged to make it appear that he had leaked but he is not alone in having had a copy and that he has reason to believe that what was leaked was not from his office. I find Binger's way of putting this not the usual way and I know of no earlier allegation that Harrington had done the leaking.

On what you labelled Ray v Foreman, Hooker Appeal Brief, I have marked as of potential usefulness more than what I remember your having mentioned, two grafts of McRae's opinion. I take it the first part is his, this. I skimmed what I took to be the Hooker hooking, but it can be helpful. My copy is marked and will be filed and there will be attached a list of these propositions. I think the forecast in terms of McRae's attitude is good, that he is in a box because in essence he ruled otherwise on what the 6th circuit hit so hard, but that he had the guidelines for what they later did in his decision. The fault was not his. It was Stoner's. It boils down not to there was not case but that none was made. It is couched in language that tells me he thinks the whole deal was a lousy as 6th circuit ruled but he had nothing before him to go on. (Jimmy is going to face a conflict here and I think he'd better be prepared for it. McRae found him not to be a credible or dependable witness. I have had similar experiences. I think the fault is not Jimmy's and is Stoner's, and he had better do some thinking about whether Stoner of Jimmy means more to Jimmy if this, somehow, comes up. It will be in McRae's mind.

I've read the several papers filed in McCord v Ford, signed by Bud. My belief is that Bill did the work. And that as far as it goes it is quite good. It is like war and generals, law and justice are much too important to be left to lawyers and judges.

I gave you an inkling of what I have in mind that could be done, with McCord the litigant of least interest save to the extent it can keep him from going back to jail. This could be a field day for those holiest of the holy (ask HIM!) the Wader people but I'm not about to do their work or thinking free, either. Not when even a stroke of Thor's lightning can't get a copy of a deposition and with the rotten selfish thing they've just done on FOI. There is no way of forecasting what will happen. With all the fear and corruption the odds are poorer. But on what can happen on this crass and stupid deal, I can say. But I simply won't.

What the "smocrats could do I'll not mention when Wallace is the leader in the polls.

There are too many other things for me to do.

But they sure are missing much. Especially if I am correct in believing there is a continuation of an earlier tortious act that also is conspiratorial (legally, not figuratively).

I think you should consider calling the coroner as a hearing witness, with no advance warning. Not even to Bud or Bob. Spring it in Memphis, with a duces tecum subpoena for all his files and records and, of course, the question, did Foreman question him or ask to go over his records? We might blow the case on that alone without disclosing what we have besides it. You could have a little fun with his endorsement and some quotes from Frank and a few questions about whether he was interviewed and Frank quotes on him. Best, HW