

4/15/71

Dear Js,

Were I to be my own old Roman soothsayer, I'd say the auguries are good for what I am about to write, of which I've hinted before.

I fell asleep, as usual, within a minute of two after hitting the sack, a few minutes before my wife did. I roused briefly when she came to bed, rolled over, and was asleep immediately, less than a minute, certainly. Then I started waking with the brightness of the full moon. Actually, first from this and then from a very bad dream, I slept but little and was out of bed before 5. (The bad dream had to do with an ax-job by a friend at the Washington Post with whom I'd lunched this week. I saw a five-column spread of pied and bowed type on the front page, all an assault on me personally as a way of denigrating my work. It has two possible explanations: he has failed to get past the first ten percent of the book and was hung up on that only by what he, rightly, attributed to the editing, and I don't think that is what kept him from finishing it in two months. And I had this rumor of a dirty trick, undescribed, impending at Newsweek, which is owned by the Post. The Post has a thing on me not over what I have done to them but at the vigor of my protest over what they had done to me in the spring of 1966. They have boycotted all the legitimate news involving me since then, killed stories assigned and written, etc.)

So, on arising, while I made the coffee, washed and dress, I decided to finish the Dorman book on Foreman, the last passages adding nothing significant but contributing more minor arguments in support of the theory I have developed. I am hoping it will be no problem for you to get and read this book, for after reading FRAME-UP, which I hope you have by this time—and if you do not, I'd appreciate a letter of protest to the publishers, carbon to me, for the troubles there are without end—and read this, without the added knowledge I have of the framing and of the crime, I think that your ~~intelligence~~ intelligences, experiences and general maturity will enable you to appraise my concept. If you have a strong feeling that it is without warrant, that could be valuable to me.

In every detail, no matter how minute, much more than I indicate in the book, what Foreman did in this case is entirely inconsistent with what he has in all other cases of which I have knowledge, from Dorman, from other reading, from having seen him on TV, heard him on radio, etc. It is entirely inconsistent with his character. And he has certain really remarkable attributes, one of which is an exceptional memory for detail, another the capacity to do competing things simultaneously with full command of each, like reading and understanding his mail and consulting wilcients on other matters at the same time. The cases I go into are minor compared with others in his career. I had the Time and a few other writings available then. Dorman adds multitudes of better cases.

When the incompetent Stoner had him under oath in taking depositions for the civil case (where the conflict of interest was ignored in the Cincinnati decision, but conceded, grudgingly by the majority, straightforwardly by the minority), he perjured himself, in the context of that case. Had Stoner really researched his case, he'd have nailed Foreman. One of the keys to his success, according to Dorman, who has chapter and verse, is that his investigations are the most thorough, and he uses professionals. In the deposition, he said he never uses professionals, prefers law students because it takes a lot of character to go to college for 4 years, and then couldn't mention a single one he used in Memphis or the name of the prof through whom he obtained them. The truth is that I seriously understated the complete separation of Foreman from any investigation. Neither he nor Huie nor the prosecution conducted any in Memphis, and what Hanes conducted was racist in character, by a sick man who was inexperienced in criminal investigations, eking out a thin existence in accident investigations. The man who is now Ray's local

lawyer, a long-time friend and lawyer for this investigator, Renfro Hays, told me that when he learned Hanes had engaged Hays, he knew Hanes planned no real defense. Nonetheless, I think if possible, satisfied as I am that Hanes had not done any real investigation, that he'd have gotten Ray off. There really is no case that could stand the most inadequate examination. And there are other areas in which Foreman was untruthful, under oath.

The auguries of which I spoke are the magnificence of the pre-sunrise, of the hard but magnificent roses gradually shading off into peach tines through the pines to the northeast each time I raised my eyes from the pages to sip coffee or just think. That was some time ago. After the sun could first cast itself at the clouds and that reflection disappeared, there was this marvellous orange faintly visible through the branches of green and the white-green of a Russian <sup>live</sup> just leafing out that blocks a small void between those eastern pines. It was so beautiful. Makes me think it is a sign! And now that it is daylight, the rabbits are looking at me through the carport-side window as, having learned from their winter's gleaning that sometimes the birds leave a few crumbs, they come to seek. They've even taught their young, one of which, as I was writing this, came to within four feet of me, just sized me up, then turned to graze.

Well, let me begin this analysis, which I do not now dare <sup>share</sup> ~~share~~ with others, particularly not with Bud and his crew, who are dominated by the taste of the successes they have not had, uncontrolled egos and ambitions, and are in all ways under-informed and under-imaginative, save for the concocting of the incredible. I have to protect themselves, their client and myself and all of us from their stupidities, which is always a problem and a heavy emotional drain. Nor do I yet know what the Boggs business has added to his fear-jealously-~~perhaps~~ hate of me. I know it means I can never again trust him, though I have to work with him if for no other reason his incompetence. That is, not general, but in this field.

Let me preface what I present from what I learned from two of the shadier an endorsement of sorts of them. In all my lengthy dealings with Jerry Ray, there is but a single time he told me what I regard as a lie. Of that I have no doubt, knowing what Jerry did not, its antecedents. In all other cases, I never had any reason to even suspect he might not be telling me the truth. However, having had doubts about him, I waited a year to approach him, feeling that in this time I'd be better able to judge what he might say and provide. He is an undisguised, believing, articulate if irrational racist. He never hid it from the first, hating Jews more than blacks, and the only problem I ever really had with him was getting him to stop wasting the time of both of us apologizing to me. He apparently considers me the second decent Jew he has ever met, the other, as he put it, having been driven out of being a Jew by Chicago Jews because he enjoyed life. Really, that is what he said over and over and over. James, in effect, denied it. Considering it not really relevant, I didn't ask him about it. Both told me Foreman was in his conversations with them, and in talking about King. This does not mean it is true. But, having gone through this long account of this long and spectacular career of Foreman's, four decades of the most sensational practise, involving as it does defense of some of the most reprehensible misfits of society, some of the most horrible crimes, like dismemberment of children, to cite one of the lesser-known, the defense of cops who had beaten him up, ightings like that, all sorts of nasty criminal activity short of murder and a very large number of very bad murderers, I find no single case in which this man of lofty principle ever defended anyone charged with a political crime or any of the blacks in his part of the world the victims of their oppressive society and its officials. So, I can find a kind of support for the Ray accusations. This also may be irrelevant, but I think not. Foreman may, indeed, have hated King. If you have known otherwise decent people raised in the tradition of anti-black feeling of the South, you can better understand this. My mother-in-law, for example, really believes that racism is God's way, taking it from the teachings of her church.

Now the one mystery that plagued me in this work is for whom was the job done. I was satisfied that it was not the typical political murder, for it is clear that Ray was kept on ice to be used as he was. It is also clear that he was engaged in criminal activity. What was perplexing from all account and from that he gave me is how little criminal activity he did engage in in return for a fairly large investment: one from Canada and one into Mexico, and nothing else for all that time, and for him he lived very well on what he was provided (his accounting is much lower than any published one, so I can perhaps guess that he may have pulled a few small ones, but with his being wanted, I am inclined to doubt it). Thus I early came to the conclusion that it was a large and wealthy organization that used him and the possibility it was some branch of the Mafia was obvious.

My own method of questioning the strange ones I interview is a combination of two things never done: I chat, share, and never press, except in rare occasions, and Ray was not one; and when I anticipate I'll be lied to or that there is interest in lying to me, I am careful not to plan in advance what I want to ask so that I can conduct a free-floating interrogation with a minimum of logical processes, thus making it more difficult to anticipate what I am driving at and prepare answers. If this takes much time, as it does, it also succeeds where others fail and it gives me a chance to read the one I question and him a chance to understand me. Thus there were several things Ray could not anticipate and, in effect, just blurted out.

There is a rough honesty in him. There were several solid cases I had built in his defense that he refuted, where it was against his interest to do so. One is the lack of fingerprints on the car. He told me that he had, indeed, driven the car to Atlanta (and I have trouble with his reason, to get his laundry, that costing must less than the trip and his interest being getting the hell out of the country). He said he stopped during the night and wiped the car clean. He could have done this and overlooked the butts, but he could also have left the butts on purpose. To this he added that the FBI had to have gotten at least two sets of prints from the car, near the gas tank, for he stopped twice for gas. In court, as you can see, this can be effective in establishing his credibility. It went far with me.

I got him to rambling about his escape having begun with getting him to tell me where he was when the shot was fired. I'd had this pretty well nailed down before I saw him, with taped interviews with different people all supporting it. And, the crooked papers having tumbled to it earlier and followed it incompetently, I had a picture of the wrong man in the wrong gas station, for he was at a gas station. And I knew he was at one, for the papers had learned it and suppressed it. I learned it from two reporters not happy with the lingering spirit of Crump. Here I was, before him for the first time, knowing what he was going to tell me, and having a perfect alibi that attendant having disappeared, he could not be produced in refutation). I showed him the picture, and he said two things: that is not the guy and that is not the station. He was right on both, for I'd pretty well isolated one station, of a different company. I then asked him to diagram for me where he was, and what he said is not only credible, but it makes sense and has confirmation. He drew me a sketch that took him right to the station I'd decided is the one he was at. Now remember, he is a total stranger to that area, having never been there before. Without having been there, how could he know there was a gas station where he said he'd been? He said he had been told <sup>by</sup> Raoul or Raul (he spells it Ruaoul) that they'd not need him for several hours, to go to a movie or something, but to leave the car, which he would need, and as he went out (and he told me where the car was parked, exactly where I had learned independently it was, not near Canipes), he noted one of the tires was low. So, having time, he decided to get it fixed. He went to this gas station, where it was rush hour, they asked him to bring it back later and until then, it being a slow leak, to put some air into it, so he did. He says he overshot by a block in going back to the flophouse, but got onto Main, and as he was driving that block saw police activity. He was uncertain

about one detail I find uncertainty under the circumstances more credible than certainty). He was not sure whether there was a police car blocking the south approach to the flophouse block of Main, astride the street, and that alone, or one there and one parked at the curb. In a speech Canale made, I find it is the latter. I have the speech on tape and transcribed.

All he knew then is that he was involved in criminal activity, an escapee, and something had happened exactly where he had been. He had gotten there because he had been given a slip of paper with the address on it and had been told to go there and take a room. He had been told how to get there, simple from the New Rebel motel, even for a man who may not follow instructions well. So, what should he do? He turned and fled. Now what he blurted out is, I think, significant. He said he decided to go to New Orleans, clearly the center from which his people operated. And, he said, all of a sudden ~~he~~ "I realized that if I went there I'd be killed", so he switched and went to Atlanta. If I think there is a reason other than laundry for his going to Atlanta, I also believe this entirely new explanation of what he did. Do I have to tell you how New Orleans fits in all of this, especially as a Mafia operation?

What also fits with this is what he said when I told him he realized I needed names to help him (he knows my book is done, for he then had the proofs, I not having a copy!), and he knows that other than doing this and solving the crime, I had no other interest. I also told him I would not press him to go against his own judgement, that it was his life that was at stake, not mine. His answer was simple and direct if I give you some names that leads to other names, and sensing what he was saying, I dropped it there and went on to other things. But I returned to it in this manner later. I said I take what you have told me to mean that those you can expect to be those responsible for the murder did not do it in their own interest but did it for others. He nodded his head in agreement. Or, this can be taken to mean a contract for a hit. In my own thinking, I had long ago decided on a number of prime candidates for those who would have put out the contract. One has since died.

Let us now return to Foreman, and you can see why, in my thinking, before I knew what I now know about his clients of the past, I asked you if you had any knowledge of his having represented the mafia or its people, for there are certain things that made me believe that Foreman served other clients. He surely did not serve Ray. This would have been one of his easiest and most spectacular successes. But he never conducted the most rudimentary investigation, failed to get what was readily accessible, as I did, from DJ. Even told the judge he couldn't get it. Not Percy the Great. That line I use straight, "and 60% is mine, all mine", should have alerted the reporters who also knew that he had made the deal I report, to restrict himself to \$150,000 plus expenses. So, 60% was not his. This was an act, and he knew he no longer held 60%, as he knew he no longer had any movie rights, that all being public domain. If I knew it, he surely did. So, who could have been his secret client, who could he have done this for?

If and when you get Dorman, please read pages 35-6, 52-4, 83 and 106 with care. Here at the very least are Mafia clients. There may be others. And, oddly, one of these figures in the JFK stuff, Civello.

All the names, even if aliases, are the kind one finds in New Orleans. He told me more about New Orleans than was known, more about Raoul (I never pressed for any other name). (Isn't it strange that there has been silence from Esquivel since the book came out. Certainly those involved have it and have gone over it. You will note that it does not suggest what I believed, that this was a Mafia operation.) I had, earlier and indirectly, made an approach that was possible, through a separator, who had friendships but no business relationships. The word he got was to lay off. He and I took then advice.

There are many other things that fit. He told me why he went back to New Orleans on the way to Atlanta. To pick up R and others. But R and the others were not ready, as I recall, so he went on alone. He told me that he left Atlanta a day before it was known (meaning had been announced, and they may not be the same) and went not toward Memphis but back to Birmingham, where he deposited Raoul. He then told me how he proceeded to Memphis, and he had earlier given Bud a sketch of the places he stayed. Bud has not yet given me copies of them, as I had asked and as J had. He will, when Jim, who is disorganized, get around to it. They are like my publishers. He was, without doubt, at the De Soto, and the prosecution had to have known it. One of the things that got Renfro Hays up tight about me is that he didn't dope out the significance of this. He knew the joint, had used its hot-sheet accommodations in the past, was able to tell me before we got there exactly (and correctly) how they work, the laxness in the Miss. law (it is 3/4 miles over the line in Miss.), but he was anxious to get me out of there ~~xxxxx~~ as soon as I got the cracker racist who managed the joint to talking over his wife's strenuous objections, loudly expressed). He was not anxious to take even names when I found two maids who told me the FBI had been there the next day. Once I established that skimp as in the data on the registration cards, they do exist, I agreed to leave. But I returned with the lawyer, Bob Livingston, that Saturday, isolated the wrong one of these two maids, and got from her the info that the day after the crime, the FBI having gone there in search of a white Mustang with Ala. tags-and to this point the only reference to a Mustang was in the fake broadcasts- and had taken the other maid aside for an hour of questioning. That registration will not be in their files. The lawyers simply will not do the simple investigative work. I asked Bob to approach the owner and get access to these cards. I know there will be none for Ray, for the FBI undoubtedly took it. So, it is not so important that he didn't. I just like to close little holes. Ray told me how he filled it out, and it makes sense, for the local custom was unknown to him, so he did the usual, filling it out completely. That is a rarity at the De Soto, where if a room is occupied for two hours the phone rings with the question "what the hell is taking you so long?" (With the garages, which every third accommodation is, the limit is about 1/2 hr.) They do not and never did provide the girls. Now where I have trouble with Ray's story is that, with this on the road to Memphis from N.O. (meaning not on the new superhighway but on the old paralleling road), he says he wandered around until he found it simply because he didn't want to be close to town. It is as far out of town as the New Rebel (and by the most remarkable coincidence, both have new owners, the same man!).

There are subtleties and overtones I've left out. This is a simplified presentation. There are really lively candidates for the contract-letter who are in my past experience, one the man who financed Walker's march on Oxford. Another is a sketch Ray made of the scene of the crime. He hardly knew it, yet he tried hard to develop an argument. The part that involves him and what he did and saw is credible. The rest is in error. This leads me to believe he was actually there for the very brief period he says he was. Of this there is solid support from others, and I have it, on tape.

I have to take this real easy. There are complications that are not easy to cope with and I have to avoid adding complications. One is Stoner, who will explode when he reads what I have written about him, and through Jerry, at the very least, he has great influence on Jimmie. Ray was to give me what Stoner was doing for him when it was completed. Jerry appeared with it the day after the attempted break and was denied permission to see James. After that, at an undefined point, he said he would give me more. He has been hinting I should be there again, but I am without the means. Bud plans to go there in two weeks or so, without me (which I prefer, for I can't trust Bud with what I can get until he needs it in court. He'll find some way to louse it up. He is consumed to do something of substance in his own name and with all his wealth, effort and committee has done nothing but harm, has come up with nothing new and credible, but much fecal material-and has blown everything with which he was entrusted in confidence.0

With minimal competence and with the advantage of extremist connections in racist country, he should have come up with answers with ease. My concern is whether he will realize their significance and be confronted with a (non-personal but political) conflict of interest. I have written James, who wrote me this from solitary the day after he got there that Jerry knows how to get this to me safely, as he does. I have written Jerry that James had told me this, that I had written James, and that I'd like to see it. One of which I know is the tracing of phone numbers. That could break the whole thing, if the FBI hasn't confiscated them too. They have confiscated evidence, and I have the proof in taped interviews. I expect the De Soto registration is another ~~xxxx~~ Another probably involves the gas stations at which he stopped fleeing Memphis. He gave me no description of location, so I figure he had Stoner working on this. It is not really relevant, for aside from Ray's credibility, which is relevant only if he takes the stand, which is entirely unnecessary, it has no meaning except in writing. Not in evidence or law. But it does in another attack on the FBI.

One of the major problems is Bud and his ego. He has blown much on this, wasted much on this, in an effort to accomplish something without me. He is consumed by such a desire. It is irrational, but it is real. So, I'm in no hurry to go to M.O., for a number of good reasons, one being timing, another being needless danger. I'll run risks when there is something to be accomplished. What I would then do is move in fast and move out fast. Right now it will not be easy, for Garrison has out out the word, and it has reached me, that he does not want me there. This means I can expect little or no protection from his people, even those with whom I have been friends. Making a deal with Garrison is like holding mercury in the palm. I can now do much for him. But he also resents my doing what he cannot, and particularly where he has all that power, influence and connections. Also, there is now a real new possibility with a breakthrough on the JFK material. I was not able to meet a dependable informant willing to talk and in a position to know when he was out of M.O, and phoned me from where we'd both have been safe. I know what he will say. I do not know his proof. He will say what I have believed. I think he can prove it or put me in a position to. In turn, this means I'll have to stay there longer, first doing the MLK stuff, which should not take long, getting it out, and then working on the other. So, much has to come to pass before I can dare that, assuming I have the funds and the means, means meaning some protection and my informant still being willing to talk there. And, on the JFK thing, there is much writing I should do first, partly for protection, partly to have it done in case something happens there, which is not impossible but not something I desire. I'm no lemming. I have a proposal out, on publishing, but when it must be handled through an intermediary and without production of the evidence I already have, and with the prevailing publisher attitude to the subject, I am not hopeful. If I can get to NYC again and at the time the man who will decide is available (he was abroad last time), maybe I can get to see him. So, my ulcer quiescent, I have and take time.

Unofficial, I have picked up much that relates and fits. Some may be a deliberate feed, with two opposing possibilities: one arranged by someone who has come to trust me, the other to deceive me by those who have tumbled to what I am onto. I can't resolve this now. But one of the pertinent things is my own hunch on what Ray smuggled into Mexico in that tire. Jewelry makes no sense. The market for that is in the US, not abroad. Nor does narcotics. The one thing that makes sense, an enormous value of which can be in a spare tire, is hot money. And this does fit.

There is more, but I've no time for it. I think you will realize that I am entrusting you with a duplicate set of notes. I do not have to emphasize that I think it best not

to let others know the fact of the content. If you have any apprehension, please be candid. Unless this is intercepted, no one will know. And you also realize how important it can be if you can tap any morgues, or if you know those writing in the field of organized crime who may have knowledge they might be willing to share. There some going on out there, but those doing it of whom I know have complicated themselves with FBI leaks and collaboration. Another possible fit is a tip that the FBI was interested in a team of radical-right gun suppliers, whose function was to arm the extremists with weapons that could not be traced by perial numbers. It is easy enough to buy on the open market, but in such cases, the store has a record of the purchaser. If you have every heard of anything like this, I'd like to know. I have a name but it is phonetic. I may or may not get more on this because my source did untrustworthy things and I've been rather severe with him, telling him that I will not be part of anything irresponsible or that might needlessly jeopardize any sources, and if it is to be his way there will be nothing between us. He is up tight, says he is torn and disconsolate, and I ll just have to wait and see how it eventuates. One of the major problems of the abdications of the publisher is, aside from the faulire of the book that seems imminent unless I can accomplish some of the things on which I am working against very heavy odds, is that with my appearances I have good prospect of turning people on and getting good info. This has always been the case. There have been nuts, but some of the best leads have come from listeners.

On another subject, Sony has finally answered my inquiry about attachments, etc, by saying they are sending a prepared sheet. This will not likely answer my questions. Meanwhile, so long a time having elapsed. I had asked a local store to try and buy for me two plugs for the mike-remote receptacles for each of two mikes I have. One, a Concord, is quite sensitive and new, if old. The other is a tie-clip with a switch that I've never tried. I may need others, as for patchcords, one from my Norelco to the Sony for dubbing perhaps adaptable from the one that came with the VOM, which is Norelco. And with the disappearance of the Norelco-type plugs, they will be harder to get. The standard cors will be no problem. If my store can't get them, would you ask yours if they can supply such plugs? Time I can remove those on these mikes I do have and use them when I am out investigating again. I believe the Concord (supplied with the 330) is more sensitive than the VOM(Norelco), of which I also have a second. Perhaps your store can offer a technical opinion on this. No rush, for there is no present prospect I'll have any rush need. But I do not want to depend on the necessarily-directional built-in mike if I use the TC-40 slung, visibly or otherwise. The next question is, is the Sony mike for this even more sensitive? The Concord, in the past, has been adequate when I had it between me and a woman perhaps ten feet away with a third person on the side between us. But it dates to 1964, if unused (this being a second one for I have a second machine for transcribing).

Sincerely,

