

1746

8/28/70

TELETYPE

URGENT

TO: DIRECTOR [REDACTED] F
FROM: BOSTON [REDACTED]

[REDACTED]

X

DEPARTMENTAL ATTORNEYS WALTER BARNES AND EDWARD F. HARRINGTON, STRIKE FORCE, BOSTON, INTERVIEWED JOSEPH BARBOZA BARON AT WALPOLE STATE PRISON THIS DATE AT HIS REQUEST AFTER HE PUT IN WRITING THAT HE WANTED TO TALK TO THEM WITHOUT F. LEE BAILEY PRESENT AND ON MATTERS PERTAINING TO ORGANIZED CRIME.

X

THEY ADVISED THAT BARON TOLD THEM THAT THE PERFORMANCE THAT HE PUT ON IN COURT ON AUGUST TWENTYSEVENTH LAST AT THE HABEAS CORPUS PROCEEDING WAS JUST AN ACT; THAT HE IS REALLY STILL ON THE SIDE OF GOVERNMENT AND THAT HE WANTED THE ORGANIZATION TO THINK THAT HE WAS WITH THEM. HE SAID THAT HE WAS ONLY INDICATING THAT HE WOULD RECANT BECAUSE THE ORGANIZATION IS PAYING HIM MONEY. HE IS

DMC/cas F
(2) [REDACTED] SEARCHED _____
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INDEXED _____
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URGENT

PAGE TWO

h EXTREMELY DISTURBED ABOUT THE PROBATION REVOCATION WARRANT THAT WAS PUT ON HIM AND WANTS DA GARRETT BYRNE TO LIFT THIS WARRANT. BARON SAID THAT HE WOULD LIKE HIS WIFE RELOCATED AND THAT HE WOULD LIKE TO RETURN TO FORT KNOX IN CUSTODY. HE SAID THAT HIS ORIGINAL PLAN WAS TO GET SOME MONEY FROM THE ORGANIZATION AND THEN GET OUT OF TOWN BUT HIS ARREST INTERFERED WITH THIS. BARON SAID THAT F. LEE BAILEY MADE HIM SIGN THE AFFIDAVITS WHICH HE SIGNED BUT BAILEY TOLD HIM THEY WOULD NOT BE SUFFICIENT WITHOUT HIS TESTIMONY. HE SAID THAT THE ORGANIZATION IS PAYING HIS WIFE FOR THE AFFIDAVITS HE SIGNED AND SHE IS STILL GETTING PAID. HE REITERATED THAT HIS TESTIMONY IN THE EDWARD F. DEEGAN MURDER CASE WAS TRUTHFUL AND A LIE DETECTOR WOULD PROVE THIS. HE SAID TO SHOW GOOD FAITH WITH THE PROSECUTION, HE WILL NOT TAKE A LIE DETECTOR AS F. LEE BAILEY IS TRYING TO GET HIM TO DO. HE SAID THAT HE HAS TO PLAY ALONG WITH "THESE PEOPLE" BUT HE DOES NOT WANT TO GO ON ANY WITNESS STAND; THAT HE JUST WANTS TO GET RELEASED FROM JAIL AND TAKE OFF. BARON SAID THAT F. LEE BAILEY TOLD HIM THAT

h

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URGENT

PAGE THREE

HE WAS GOING TO LEWISBURG.

HE ADVISED THAT FRANK DAVIS OF RHODE ISLAND
A CLOSE ASSOCIATE OF PATRIARCA, WHO OPERATES THE HI-LO
CONSTRUCTION COMPANY, MET WITH HIM ON TWO OCCASIONS AND
PAID MONEY TO HIM IN CONNECTION WITH THIS RECENT MOVE.

ATTORNEY BARNES HAS ADVISED DA GARRETT BYRNE
OF THE FOREGOING AND THEY ARE NOT MAKING ANY DECISION
AT THIS TIME RELATIVE TO THE MATTER.

STRIKE FORCE IS CONSIDERING BRINGING THE
MATTER RELATIVE TO DAVIS BEFORE A FGJ IN RHODE ISLAND.

END

000975

Aug 24 1970
Monday

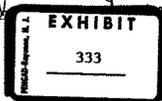
Dear Walter,

Because I saw you + Ted. Bailey said he is not bound by the secrecy of Atty + Client relationship.

To recall our conversation which I again conveyed to the A.H. Quinn, D.A. Payne + Bailey in letters to each of them.

I told them all that in court on the last hearing which Asst. Justice brought the fact that I was living with my family in California + he brought it to my attention that Bailey brought it out at a previous hearing + never told me. It shattered to me + my whole body that you saw how I broke down.

It upset me so much I requested to see you + Ted. I asked your aids in helping alleviate the danger to my wife + babies. You both show concern about my safety here + I said I didn't care no more. I also asked you if it was true that the A.H. Quinn had my case in New Bedford + you both said you didn't know.



BSF-00922

Bailey wants me to take a lie detector test Monday, + I said no because of the fact the guys on death row were taking it, which is today, + that I am to upset to take one right now, + if I did later it would prove affirmative that I was telling the truth. He called me a liar + I said who is liar, your the liar Bailey.

That's about it tell Danny I still love him + I am not a Pro. for nothing, acts gross ~~also~~ a long way in being a Pro.

I am going to wait till the twelved before I take a lie detector test on the eleventh if I take a test! But if Ric was here ~~hid~~ help me. I want to be with my wife + babies! Peace

Your Old Ace
I hope
Joe

1 ficates?

2 A Not with me, no, but in my presence.

3 Q Well, that's what I'm getting at.

4 A Yes.

5 Q And who did the discussion take place between?

6 A My brother and Mr. Barboza.

7 Q And this was in your presence?

8 A Yes, it was.

9 Q All right. And could you tell us what you recall about

10 this discussion as best you recall what was said between

11 Mr. Barboza and your brother?

12 A Mr. Southworth, reporter for the Boston Herald Tribune,

13 supposedly had some papers that belonged to Mr. Barboza. Some

14 of the papers were the minutes to the Grand Jury -- Grand Jury--

15 the Grand Jury hearing of the Deegan trial in Boston, Massachu-

16 setts, and the others were the -- in reference to the bonds,

17 certificates.

18 Q All right. And do you recall particularly what was said

19 by Mr. Barboza in reference to these bonds or stock certificates?

20 A Well, he never --

21 Q At this time?

22 A He never really referred to them as stock certificates.

23 He called them papers.

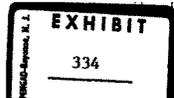
24 Q All right. Could you tell us as best you recall -- I

25 know you can't repeat words verbatim, but as best you recall

26 what he said about those papers in front of you at that time?

27 A He told my brother he should get off them and move them,

28 you know, that there's a lot of money involved, or something to



1 that effect. It was very close to it.

2 MR. MILLER: Do we have a date in April?

3 MR. FAHEY: Excuse me. I think counsel can get into
4 this on cross-examination, Your Honor.

5 MR. MILLER: It's sometimes confusing.

6 THE COURT: Yes, that's true. The witness has
7 indicated as best he can recollect it was April or in that area
8 at his home.

9 BY MR. FAHEY:

10 Q Could it have been later, Mr. Hughes?

11 A Possibly, yes, sir.

12 Q Now was there any further discussion by Mr. Barboza about
13 these papers at that time in your presence?

14 A No, sir. Yes, there was. Yes, there was. To go down
15 to see Mr. Southworth in --

16 Q Could you repeat that?

17 A Somewhere on the Cape, to go down to see Mr. Southworth
18 and do anything that we can to -- to expedite the transfer of
19 the papers from Mr. Southworth to my brother.

20 Q Now did -- Was there any discussion at this time, this
21 particular time that you've already testified to, any discussion
22 about the name or names of any individual in California?

23 A Yeah, there was a man mentioned by the name of Clay.

24 Q And who mentioned this man's name by the name of Clay?

25 A Joseph Barboza.

26 Q Do you recall what he said?

27 A Not verbatim but to the effect that he was a wise guy and
28 when he went back, he had to be straightened out or something

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on that idea.

O All right. Now --

MR. MILLER: Excuse me. Is this the same conversation there at the house?

BY MR. FAHEY:

O Is this at the same time?

A I don't believe so, sir. I know it was mentioned that Mr. Barboza was staying in my house.



- 1 Q. During this period in April or possibly later?
- 2 A. Correct, correct.
- 3 Q. Now, in reference to these papers or bonds or stock
- 4 certificates, as you indicated what they are, did your brother
- 5 and yourself go down and see Mr. Southworth?
- 6 A. Yes, we did.
- 7 Q. To your knowledge, did your brother obtain these stock
- 8 certificates or bonds?
- 9 A. No, he did not.
- 10 Q. To your knowledge, did he obtain them at a later date?
- 11 A. Yes, he did.
- 12 Q. And do you recall about what time he obtained-- what period
- 13 of time, approximately, year and month, that your brother
- 14 obtained these stock certificates or bonds that Mr. Barboza
- 15 referred to?
- 16 A. To my knowledge, sometime in June of 1970.
- 17 Q. And did you later have occasion to see these stock certifi-
- 18 cates or bonds?
- 19 A. Yes, I did.
- 20 Q. And were there any other documents also?
- 21 A. Yes, there were several.
- 22 Q. And did you later have occasion to have these original--
- 23 these documents in your possession for a period of time?
- 24 A. Yes, I did.
- 25 Q. Could you tell us when?
- 26 A. Possibly March of 1971.
- 27 Q. And did you do anything with these documents at that time?
- 28 A. Yes, I did. I had photostatic copies made of a portion of

1 them.

2 Q. And for what purpose?

3 A. What was the reason?

4 Q. Yes.

5 A. I was advised to do so by Mr. John Doyle, who was a police
6 officer in Mr. Garrett Burns's office in Boston, Massachusetts.

7 Q. I'm going to ask you to look at these documents. This is
8 marked People's No. 47 for identification. Would you look at
9 that, and tell me if you recognize that?

10 A. Yes, I do, sir.

11 Q. What is it?

12 A. It's a standard certificate of birth for Victor Leonard
13 DeCarli.

14 Q. And did you at one time have the original to this?

15 A. Yes, sir, I did.

16 Q. And did you make this Xerox copy?

17 A. Yes, I did.

18 Q. Fine. Now, I'll ask you to look at People's No. 48, ask you
19 if you recognize this document?

20 A. Yes, I do, sir.

21 Q. Would you tell us what it is.

22 A. It's a Key System Transit Company, 100 shares of g neral
23 and refunding mortgage, gold bond certificate.

24 Q. And is there any name written on the same side?

25 A. Yes. Well, I can't quite make out the first part of it,
26 but the last name is DeCarli.

27 Q. Yes. And did you have the original of this document at one
28 time?

- 1 A. Yes, sir, I did.
- 2 Q. Did you Xerox this?
- 3 A. Yes, I did.
- 4 Q. I'll ask you to look at People's No. 49 and ask you if you
5 recognize that?
- 6 A. Yes, sir, I do.
- 7 Q. And what is it?
- 8 A. It's the Western Bee Farms Corporation stock.
- 9 Q. And to shorten this questioning, was this also copied by
10 you from an original at the same time?
- 11 A. Yes, it was, yes, sir, it was.
- 12 Q. All right. And I'll ask you to look at People's No. 50,
13 and ask you the same question. Do you recognize it?
- 14 A. Yes, I do. I had this copied, yes, sir.
- 15 THE COURT: What is 50, just for the record?
- 16 MR. FAHEY: 50 is 1000 shares of capital stock of
17 Western Bee Farms Corporation.
- 18 Q. And 51, again?
- 19 A. Yes, it's 100 shares of Key System Transit Company.
- 20 Q. And did you Xerox this from the original?
- 21 A. Yes, I did, sir.
- 22 Q. At the same time?
- 23 A. Yes, I did.
- 24 Q. I'll ask you to look at 52.
- 25 A. Yes, I copied this. It's some kind of a receipt. I copied
26 the front of them and the back of them. Some of these are the
27 front and some are the back.
- 28 Q. All right. And this was all done from the originals?

- 1 A. Yes, sir.
- 2 Q. All right, I'll ask you to look at People's No. 53.
- 3 A. Yes, it's certificate of baptism that Elmira Filippini,
- 4 child of Carlo Filippini and Amelia Delponte, born in
- 5 California on the 30th day of July, 1882, was baptized, and so
- 6 forth.
- 7 Q. Would you indicate where they were baptized, if it indicates
- 8 the church?
- 9 A. Baptized the 31st day of August, 1882, Reverend P. A.
- 10 Foley, sponsors being Leonard Filippini and Angelina Tore,
- 11 dated May 10, 1955.
- 12 Q. And the church?
- 13 A. St. Vincent's Church, Petaluma, California.
- 14 Q. And again, did you have this copied?
- 15 A. Yes, I did, sir.
- 16 Q. This is People's 54, which appears to be a Xerox copy of a
- 17 number of small stock certificates.
- 18 A. I believe these were stamps that they tear off. Some of
- 19 them were missing, as you can see here. I copied that, yes,
- 20 sir.
- 21 Q. And were these part of the documents that you obtained from
- 22 your brother Leonard?
- 23 A. Yes, they are.
- 24 Q. And are these part of the documents that were referred to by
- 25 Joseph Barboza in his conversation previously in front of you
- 26 with your brother Leonard?
- 27 A. That's correct.
- 28 Q. Are these all the documents that you obtained at that later

1 period and Xeroxed;

2 A. No, they are not. There's maybe 25 or 30 more.

3 Q. And do you have the Xerox copies to those documents?

4 A. No, I do not have them, sir.

5 Q. Do you know where they are?

6 A. I gave them to an FBI agent by the name of Sheehan.

7 Q. And when did you do that, sir?

8 A. Last Wednesday.

9 Incidentally, he told me that he was going to send them out

10 to you.

11 Q. Thank you.

12 MR. MILLER: Did you get them?

13 MR. HYLAND: No, we certainly did not.

14 MR. FAHEY: We don't have them.

15 Q. Now, you indicated earlier in your testimony that you

16 obtained the originals in-- was it September of 1970 or March

17 of '71?

18 A. That's correct, sir.

19 Q. March of '71, is it?

20 A. That's correct.

21 Q. And you contacted a Mr. John Doyle?

22 A. I contacted Mr. John Doyle in the District Attorney's office

23 in Boston, Massachusetts, because he told me if anything came

24 up in reference--

25 MR. MILLER: We have to object to any conversations at this

26 time.

27 THE COURT: Yes, the question has been answered.

28 MR. FAHEY: Q. At that time, without going into any

1 conversation, did you indicate to him the type of documents that
2 you had?

3 A. Yes, I did. I didn't-- no, I didn't tell him I had them,
4 I said I could get them.

5 Q. Yes. Did you indicate what they were?

6 A. Yes, I did.

7 Q. And did you indicate that they came from Mr. Barboza?

8 A. Yes, I did.

9 Q. Now, I'm again talking about the year 1970. Did you have
10 occasion to see Mr. Barboza in New Bedford, Massachusetts, on
11 another occasion after the period you have testified to her?

12 A. Yes, I did.

13 Q. Would you tell us approximately when that was.

14 A. Sometime in the beginning of July.

15 Q. Now, do you recall where you saw Mr. Barboza?

16 A. Yes, I do.

17 Q. Where was that?

18 A. I saw him one time in my home, and I saw him other times in
19 a cottage that my brother had got for him in a section of-- a
20 suburb of New Bedford, called Sassaquin.

21 MR. MILLER: Would you spell that, please.

22 THE WITNESS: Pardon me?

23 MR. MILLER: Would you spell that for the reporter.

24 THE WITNESS: S-a-s-s-a-q-u-i-n.

25 MR. MILLER: Thank you.

26 MR. FAHEY: Q. Mr. Hughes--

27 A. Excuse me. It may have been Sassaquin, it may have been
28 Lakeville. It was in the northwestern suburban area of

1 A Correct.

2 Q So you had a lot of talk with Mr. Doyle about Joe Barboza,
3 as you say, is that right?

4 A Yes, sir.

5 Q You referred to him as Baron usually when you talked with
6 him?

7 A No, I don't.

8 Q Pardon me?

9 A No, I don't, sir.

10 Q Have you had, would it be fair to say, hours and hours of
11 conversation with Mr. Doyle?

12 A Not hours and hours, no, sir.

13 Q How many different times would you estimate you talked
14 to Inspector Doyle?

15 A How many times have I spoken to him? Maybe a dozen.

16 Q Over what period of time, sir?

17 A From September, 1970, until March of 1971 when he said
18 that he wanted a copy of the bonds.

19 Q He said -- Mr. Doyle told you --

20 A I had a face to face meeting with Mr. Doyle.

21 Q I see. Do you have any witness to that?

22 A Pardon?

23 Q Do you have a witness to that fact? Was there someone
24 with you?

25 A Not that time, no, but there was someone with him.

26 Q And he told you to get the --

27 A A copy of the bonds.

28 Q And you talked a lot about Joe?

1 A No.

2 Q You and Doyle?

3 A No. At this time?

4 Q No, the dozen or so times that you talked.

5 A Not really, no, sir. We talked about him, yes.

6 Q Did you, sir, in the dozen or so times that you talked

7 with Mr. Doyle about being a -- you were going to be a poten-

8 tial witness, is that what you'd call it, protective custody

9 because of potential witness?

10 A Yes.

11 Q This was after -- This was starting in September of 1970,

12 is that right?

13 A Correct.

14 Q And continued on until about March, 1971, right?

15 A Correct.

16 Q About six months?

17 A Yes.

18 Q Up to the last meeting when you mentioned the bonds or

19 the bonds were mentioned between you and Mr. Doyle, did you

20 ever discuss with Mr. Doyle anything about this homicide case

21 here?

22 A No, I did not.

23 Q Did you talk to the F. B. I. around September of 1970?

24 A Yes, I did.

25 Q Do you recall who that was, sir?

26 A Mr. Sheehan.

27 Q Who else was present?

28 A Another gentleman, another -- another F. B. I. man. I

Sworn affidavit re: Personal letter from F. Lee Bailey to Baron

I, William R. Goraway, make the following statement freely, and entirely of my own volition, in the interest of helping to right what I consider a great wrong.

- 1) While confined next door to me in the segregation unit of the state prison at Walpole, Joseph Barboza Baron confided many things to me of a highly personal and legal nature. Knowing that I was doing extensive work on my own case, and attempting to help other inmates on an appellate level, he relied greatly upon me for advice, which I gave freely. Often this would concern conversations of a critical nature which involved conversations with his representing attorneys, F. Lee Bailey, Gerald Alch and Daniel Gillis. I advised him repeatedly that such confidings to me represented a possible waiver of the attorney-client relationship, and he seemed particularly concerned over this, since he often told me that Bailey and his law firm were representing him only technically, and that their real goal was to bring forth the truth regarding men upon whose shoulders unjust sentences rested owing to completely perjured testimony by Baron. The sentences these men received range from five years to the death penalty.
- 2) Baron admitted to me that five out of the six men he gave testimony against, four of whom are on death row, were innocent, and he stated that Bailey and Alch knew many details of this. The men he named as being innocent are Henry Tameleo, Peter Limone, Ronald Cassese, Louis Grieco and Joseph Salvati.
- 3) Baron admitted that a federal case resulting in convictions against Tameleo, Cassese and Raymond Patriarca was also based upon perjured testimony, and that this, too, was known to Bailey's law firm. He greatly feared that Bailey, in an effort to bring out the truth, may testify in proceedings against Baron, since Baron admittedly had acquired his services in the first place only with the understanding that the truth would be told and verified by Baron with a polygraph test.
- 4) In short, Baron fully understood the nature of attorney-client relationship, and violated it many times by having me write letters to various officials which were supposed to have come from him, concerning his attorney and other matters of a confidential nature. The following is an account of a complete, and fully understood waiver on his part, and if it allows the truth to be told by Mr Bailey and his associates, then this affidavit will have served its purpose, and an injustice corrected.
- 5) On September 1, 1970, at about 6:00 P.M., a man in civilian clothes hand-delivered a manila envelope to Joseph Baron, who was in the cell next to mine. He was told that it was a personal document from F. Lee Bailey. The man then left and Baron was silent for a short period of time. Then he shouted out, for

EXHIBIT

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PHOTO REPRODUCED BY N. J.

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the benefit of other inmates on the floor, and officers within hearing range, "I can't let you read this letter, Billy, it would be a waiver of attorney-client privilege." He then stated that he must reseal the letter with tape so that no one could ever read it because if they did, said Baron, it would waive his right to privileged conversations in the past with Bailey's firm. Before he even fully finished protesting that no one must ever read the letter, he slipped it through an opening in the bars between his cell and mine. I took into my hand the envelope, light brown, or tan, in color; it was perhaps 9 inches by 6, although I am poor at such mathematical estimates. I took the letter out and will recite what I remember of it. I do not maintain that it is a verbatim recitation, even when I have quotation marks around sentences, but the general theme and pertinent facts are as they were in the letter, and I could not know them if I did not read the letter more than once.

THE letter consisted of ten single-spaced typed pages. There was no secretarial notation or initials, indicating that Bailey had typed it himself. It was hand-signed in ink by F. Lee Bailey, perhaps three fourths of the way down page ten.

THE first page of the letter had the full name and office address of Bailey's firm, along with phone numbers and so forth. Each of the other nine pages had only the names of the attorneys who are partners in the firm, and this heading was in smaller type than the heading on the first page. It was dated, on the front page, September 1, 1970. On each of the other nine pages, in the upper left corner, was a small sub-heading, which went as follows:

JOSEPH BARON
Page --
SEPT. 1, 1970

On the first page Bailey stated that his firm was withdrawing from Baron's case, and in the first line of the second paragraph Bailey stated that because of the "bizarre" circumstances surrounding the case, it would be well "to review" what had taken place up to that point. Bailey warned Baron not to let anyone read the letter, that it would constitute a waiver of attorney-client privilege. Bailey said, "not that I" do not want the letter read. Bailey said that he had been approached by a man named Davis, who arranged for a meeting between Bailey and Baron in a New Bedford apartment. Bailey said that there was "an apparent arsenal" present and that, because of Baron being on parole and/or probation, he would be in "triple trouble" if ever caught with firearms. Bailey said, in the letter, that Baron stated that law officers had seen him

-3-

with guns many times but promised Bailey he would not carry firearms again. "Two days later," Bailey stated, Baron was arrested for having guns, and contacted Bailey's office through "a neighbor." Bailey stated that he then sent Alch to represent him, and that none of this was part of the original bargain.

BAILEY said that originally, at the first meeting, Baron had admitted to committing perjury against "Angiulo, Patriarca and four men on death row," when he stated that some were guilty, Bailey said, "Let the chips fall where they may." Baron told Bailey that he "wanted to make things right" and asked if he might be compensated for money the government had beat him out of. Bailey said that although "a man may be paid for truthful testimony," he would not be a party to any such transaction, and would not allow it behind his back. Bailey stated in the letter that Baron had given him an almost "unwinneble case," and that he didn't feel his withdrawal would jeopardize Baron's court action, because it was already being decided upon. He said that He had gone into court and affirmed Baron's right to a lie detector test and that Baron had remained on medication, which he was not supposed to do, and that he had refused to take the test. He stated further that when Baron made the statement recanting part of his testimony in the Deegan murder case, he fully understood the meaning of the word "recant" at that time. Bailey said that these factors alone would not make him withdraw, because his firm "is used to difficult clients," but "your letters to adversary counsel---hardly your idea, I think" was the reason for the withdrawal. Bailey stated that both he and Gillis were of the opinion that Baron had already waived attorney-client privilege, but that it would be up to some court to decide what evidence would be allowed at a hearing. He stated that Baron's love and concern for his wife and children were a matter of convenience to him, and that in his more lucid moments he had admitted to Bailey that his wife was "crazy" if she didn't divorce him. Bailey said, "you have---by your own count---killed more than 20 men," and that one day information was going to "crop up" on one of these killings, "Romeo Martin or Punchy McLaughlin, for example," and that there was no statute of limitations on murder, and that the least Baron could hope for was a life sentence. Bailey said that if Baron left this prison the 23rd of September, it would be because he had "made a most unholy bargain" with someone who should be prosecuted. Bailey said in one part of the letter that helping little people along the way, it all comes back to you someday, and "this is the only sure way to defeat loneliness, and defeating loneliness is about the only worthwhile fight life

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has to offer." Bailey said also in the letter that he could not be counted as one of Garrett Byrne's closest associates, but that it was not Byrne who had slipped Baron a transcript on the sly, nor was it Byrne who had gotten word to Stathopoulos that Grieco was in the alley. Bailey said that any lawyer who read the letter and didn't act on it "should be disbarred" and Bailey criticized those in public office who had helped frame the patriarcha case and the Deegan murder case. On page six, lines 14 through 18, Bailey told Baron that he must warn him sincerely that if he should ever be foolish enough to waive the attorney-client privilege---privilege meant to protect the client, not the attorney---he would find that the testimony of intelligent and qualified men would overshadow Baron's attempts to manufacture evidence by shouting for officers to hear that he stood by the transcript while winking and shaking his head. He said he would "be more critical of" Baron's childishness if it were not for the fact that he knew Baron had already successfully raped justice twice. Bailey stated that having Baron's name linked with his was "bad news everywhere, but patriotic as it may sound," Bailey believed that justice would topple back on her feet although men like Baron and men in offices of public trust occasionally manage to abuse the system.

BAILEY said, at the bottom of page 9 and continuing on page ten, that "innocent men's lives have been destroyed by your testimony" and on page ten Bailey pleaded with Baron to come forth for once in his life and tell the truth, just because it's right, without any deals, and take as many of "the corrupt ones with you when you go as you can."

BAILEY stated that he had asked for and received from Davis, I believe, a \$2500.00 retainer and had not received a single cent otherwise. Bailey stated two things throughout the letter--- that he was interested in seeing the truth come out in these matters, and that Baron would waive attorney-client privilege if he was ever tricked into showing this letter to anyone.

IN THE last paragraph of his letter, Bailey repeated this warning twice, I believe, and said that if Baron had any questions regarding the letter, to notify his office, and someone from there would explain it to him.

THERE IS MUCH more that I remember about the letter, but it covered ten single-spaced typed pages, and I do not believe it would be practical to go into all of it here. Parts of it I am certain I have quoted verbatim, and other parts I can and will quote verbatim if asked to do so. Further more, neither Mr Bailey nor anyone connected with him has been to see me prior to the making

and notarizing of this affidavit. I make it entirely on my own with the hope that it will allow Bailey and his firm to come forth with the truth as told to them repeatedly by Baron. I might add that Baron showed at least one other inmate this letter, and that he showed it to members of the federal government. At each stage he knew full well that he was violating the attorney-client privilege, but tried to cover it by saying that the letter was sealed with the original tape he had put on it after receiving it. Actually, he had extra tape and resealed it often. That he knew the showing of the letter would be a violation of the attorney trust can be verified by various officers of this unit with whom he spoke. And each time he let me read it, it was with the full knowledge that he was waiving the privilege of silence on the part of F. Lee Bailey and his associates.

Respectfully,

William A. Genaway
 WILLIAM A. GENAWAY

Sworn and subscribed to me and before me on this 9 day of November, 1970.

Anthony P. Meluski
 NOTARY PUBLIC

Original to F. Lee Bailey
 co., notarized, to ~~Admiral's Office~~

File
 *
 Lt. Wm. P. P. IN

I, WILLIAM R. GERAWAY, do state the following:

That, on September 1st, 1970, I was in a cell adjacent to JOSEPH BARBOZA BARON, in the Block Ten section of the Massachusetts Correctional Institution at Walpole; Further, at approximately 6 p.m. on that day, a letter was hand-delivered to him by a man who was representing Attorney F. Lee Bailey, and Baron was told at that time that the letter concerned privileged matters between Baron and Bailey and that Baron therefore should not allow anyone at all to read the letter; the man stated that neither he nor anyone else had read the letter;

Further, after reading it Baron stated for the benefit of other prisoners and guards that he could not let me read the letter because it was privileged; he did, however, pass it to me, and asked me to read it in its entirety, which I did, on more than one occasion thereafter;

Further, the letter did, indeed, relate to matters being handled by Attorney Bailey; the letter related to perjury that Baron had given in several New England murder trials and the letter went into some detail as to Bailey's desire to see the truth revealed in these matters. Baron was aware that by letting me read the letter he was waiving the attorney-client privilege.

Further, in September of 1971, I passed a polygraph test for SCIENTIFIC SECURITY SYSTEMS OF BOSTON affirming that I read the letter, that it pertained to the matters stated herein and that the letter was voluntarily given to me by Baron. I am willing to elaborate on this affidavit in any court necessary.

101 William R. Geraway

WILLIAM R. GERAWAY
BOX 30
BRINNON, WASHINGTON

Sworn and subscribed to me on this 15th day of May 1976.

My Commission expires on March 18th 1980

Q. L. Zuplich
NOTARY PUBLIC

Sept 1 1970
Tuesday

Dear Mr. Burns & Mr Harrington

September 1, 1970 Atty F Lee Bailey I received a
that I received no longer any further legal aid from
F Lee Bailey & his aide Atty Alld & the his law firm
That he had submitted is withdrawal to the Suffolk
county court & to Judge Roy.

I am not at liberty to reveal his reasons convey
to me in his long letter to me as to his reason why
because I would then have broken the lawyer &
clients relationship secrecy.

But I do have a matter concerning a criminal
matter concerning inter-state conspiracy, & also a murder

I suggest that I be brought to the Federal Bldg on
a writ of habeas corpus & have present F.B.I Agent Paul Rico
F.B.I Agent Dennis Condon, Special Atty Walter Burns, Asst U.S.
Atty Ted Harrington because I have also other information that
concerns them to the utmost. This should be done immedi
if not sooner. Also the dangers I face now & most importantly
my wife & babies.

The expedience of this request I would appreciate,
all those mentioned in this letter.

Thank You
Yours Truly
Joe Beum

Original James Hanley F.B.I
C.C sent to Special Atty Walter Burns



BSF-00921

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT
No. 655995

JOSEPH BARON,
a/k/a JOSEPH BARBOZA,
Petitioner

vs.

ROBERT MOORE,
Respondent

MOTION FOR LEAVE TO
WITHDRAW AS COUNSEL

Now comes the law firm of Bailey, Alch & Gillis, through
F. Lee Bailey and Gerald Alch, and respectfully moves that
this firm be allowed to withdraw its appearance as counsel
for the Petitioner herein for the reasons set forth in the
Affidavit annexed.

BAILEY, ALCH & GILLIS

BY *F. Lee Bailey*
F. LEE BAILEY
Gerald Alch
GERALD ALCH

I HEREBY ATTEST AND CERTIFY ON
12/11/80 THAT THE
FOREGOING DOCUMENT IS A FULL,
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN MY OFFICE,
AND IN MY LEGAL CUSTODY.

ROSEMARIE BERGLANT,
CLERK, SUPERIOR CIVIL COURT,
SUFFOLK COUNTY
Rosemarie Berglant
as of clerk.

BSF-00480



AFFIDAVIT

Now comes F. LEE BAILEY, who, having been first duly sworn, says and deposes as follows:

1. That his firm was retained by Joseph Baron for the purpose of advising and counseling Mr. Baron in his proposed efforts to revise certain testimony he had given in various courts within the Commonwealth;
2. As part of the original contract, Mr. Baron agreed to verify all proposed revisions of testimony through polygraph truth tests to the satisfaction of counsel; Pursuant to this agreement, Baron's right to take a test was established through legal proceedings, and at his direction, arrangements were made for the administration of such tests in the prison at Walpole. Immediately after a private conversation held between Baron and federal attorneys, more fully described below, Baron announced that he would not submit to the test in question because the "authorities who were holding him" objected to it, thus breaching an essential condition of the contract of representation;
3. That subsequent to this agreement Mr. Baron was arrested and incarcerated upon certain charges arising in the County of Bristol, and thereafter confined to the Massachusetts Correctional Institution at Walpole as a parole violator, upon which this action was based; this firm agreed to undertake to represent Mr. Baron in this subsequent and ancillary matter because the original agreement remained in force;
4. In the course of affording such representation,

Mr. Baron voluntarily signed two affidavits which were thoroughly explained to him and understood by him, relating to certain criminal cases;

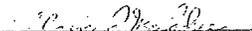
5. Mr. Baron has since stated his intention to abandon his original objectives, and has thus mooted the original contract for legal representation. The day following the hearing before this Honorable Court, Mr. Baron held a secret meeting with attorneys for the United States Department of Justice without the knowledge or consent of counsel, despite a firm agreement on his part not to do so which was an original condition of the contract for representation;

6. On August 29, 1970, Petitioner Baron, without the knowledge or consent of counsel, undertook direct correspondence with several adversary counsel and with the court, claiming that the affidavits signed by him had not been understood at the time of their execution; in so doing, Petitioner Baron has rendered it likely that counsel might have to appear and testify in contradiction of these statements.

7. In view of the changed circumstances and Petitioner Baron's repeated breaches of his contract of representation, this law firm does not desire to represent him further in this proceeding.


F. LEE BAILEY

Then personally appeared before me F. LEE BAILEY and made oath that he is familiar with the matters set forth in the attached Affidavit, and that the same are true and correct to the best of his knowledge and belief.


Notary Public

My commission expires:

April 9, 1971

BSF-00482

Baron reportedly fluctuates

On whether Grieco was involved in murder

Baron reportedly fluctuates on whether Grieco was involved in murder. The article discusses the legal proceedings and the conflicting testimonies of various witnesses regarding the involvement of the defendant in the crime.

The article details the testimony of several witnesses, including a woman who claimed to have seen the defendant at the scene of the crime. It also mentions the defense's strategy to challenge the credibility of these witnesses and the prosecution's efforts to establish a solid case against the defendant.

The text covers the various stages of the trial, from the opening statements to the closing arguments and the final verdict. It highlights the key moments where the defendant's involvement was either supported or refuted by the evidence presented in court.

Grieco was a good boxer; mauled Baron's friend

Grieco was a good boxer; mauled Baron's friend. This section provides a detailed account of the defendant's background, including his reputation as a boxer and his involvement in a violent incident that occurred before the main trial.

The article describes how Grieco's boxing skills were a well-known fact in his community. It also recounts the incident where he allegedly mauled a friend of the victim, which was used by the prosecution to suggest a violent character and a potential motive for the crime.

The text explores the implications of this incident on the trial, discussing how it influenced the jury's perception of the defendant and the overall narrative of the case.



EXHIBIT
339

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

MAURICE LERNER

VS.

M.P. NO:

JOHN MORAN, in his capacity
as Director of the Adult
Correctional Institutions

883005

APPLICATION FOR POST CONVICTION RELIEF

Now comes the applicant, Maurice Lerner and states that he stands convicted and sentenced for a crime and now claims that the conviction and sentence was in violation of the Constitution of the United States and the Constitution and laws of the Rhode Island; that there exists evidence of material facts, not previously presented and heard which requires vacation of the conviction and sentence in the interests of justice.

PRIOR PROCEEDINGS

1. On or about August 14, 1969, Indictments were returned against your applicant charging him with the following:
 - Ind. No: 69-767 - Murder
 - Ind. No: 69-768 - Murder
 - Ind. No: 69-769 - Conspiracy to murder
2. On or about March 27, 1970 after a trial by jury, verdicts of guilty were returned against your applicant on each indictment.
3. On or about July 9, 1970, your applicant's motion for a new trial was heard and denied. (Decision of Bulman, J. is attached hereto and made a part of this application.
4. On or about September 14, 1970, your applicant was sentenced to consecutive life sentences on Ind. No: 69-767 and Ind. No: 69-768 respectively and to ten (10) years on Ind. No: 69-769.
5. On or about July 31, 1973, the Rhode Island Supreme Court denied your applicant's appeal and affirmed each conviction and sentence.

SUPERIOR COURT
MAURICE LERNER
1005 WEST WASHINGTON
1983 JUL 15 PM 4:50

RCR
1-196

TONO LAW
FICHTLER, INC.
100 WINDMILL ST. SUITE 200
PROVIDENCE, R.I. 02908

