

Mr. George Herman
CBS News
2020 M St., NW
Washington, D.C. 20036

8/31/86

Dear George,

I presume that getting Virginia Durr's address is no serious problem for you so, will you please be kind enough to forward the enclosed letter to her? Thanks.

Virginia is an old friend. When I was editor of the Senate Civil Liberties Committee she spent time with me learning all she could. I loaned her galleys, she came back with them and with questions, she attended many of the hearings, etc. That was back in the 1930s.

I'm sending the letter open so that you may read it, there being nothing private or personal in it, and not have any cause for fearing that maybe CBS might be getting involved in something.

Thus, if you think Moyers would like to read it or if you'd forward through him, no objection at all.

The reference to Bull Connors' earlier career may interest you. He was, back in the 1930s, head of the private police of Tennessee Coal and Iron, a subsidiary of U.S. Steel, at Gadsden, Alabama. As was not unusual then, he ran a bunch of thugs, not infrequently deputized. (In Harlan County, they were all deputized. Our committee also investigated that, and the DJ borrowed me from its staff to assist in their prosecution of about 60 corporate and deputized thug defendants, awful murderers in the case known as U.S. v. Mary Helen et al. Mary Helen was the name of a mine, first in the indictment, but I thought this might amuse you.) Gelders was a liberal college professor and an opponent of racism. So, Connors et al kidnapped him, whipped him in a remote mountainside area and left him for dead. He survived the flogging by a three-inch wide leather belt and other friendly devices. So, if you didn't earlier, now you know what it then took to become Birmingham's chief of police.

Thanks and best wishes,



Afterthought, if you think it might interest Moyers. I've all the hearings of that committee that I edited. They were on various violations of free speech and the rights of labor, the title they carried. Some pretty bloody things, too. I was fired for helping lobby through, over the objections of the chairman, who wanted to quit, an extension of the committee's life to investigate the agricultural labor situation in California. Remember Grapes of Wrath? I gave my copies of those later hearings and of other records to the United Mine Workers for their retention. Appropriate this Labor Day weekend. These volumes record a hard and harsh period that was also the period of the beginning of a major change in national policies. Moyers has done some magnificent work with our history.

Harold Weisberg
7627 Old Receiver Road
Frederick, Md. 21701

Dear Virginia,

You looked as good on camera with Bill Moyers as you did at the memorial for Cliff. Lil and I are pleased that the years have treated you so well!

The interview suggested something about which I write. I'm asking George Herman, a friend on the staff of that show, to forward this to you.

I'd published five of my six books on the JFK assassination when Dr. Martin Luther King was assassinated. Certain similarities in both crimes and particularly their consequences prompted my interest in the King assassination. I became James Earl Ray's investigator after my book on that crime appeared, I provided him with counsel, I conducted the successful habeas corpus investigation, which led to an evidentiary hearing in federal district court in Memphis and I conducted the investigation for it. My book is ~~THE~~ Frame-Up: The Martin Luther King-James Earl Ray Case. If you'd like a copy, let me know and I'll send it. The court's decision, delayed for a year, was, actually, that Ray's guilt or innocence was immaterial. Perhaps I'd best explain this.

Ray's first counsel is probably well known to you, at least by reputation. He was Arthur Hanes, then acting as mayor of Birmingham when Bull Connor turned the dogs and hoses on demonstrating blacks. (Remember our committee's investigation of the Joe Gelders flogging and our then expose of Bull Connor?) Bill Hyde bought the rights to Ray's story from Hanes and he construed this to mean he'd bought Ray's confession. Seriously! I have a transcript of his voluntary testimony before the Memphis grand jury in which he articulated this with some eloquence and passion. When Ray came to understand this he fired Hanes and hired Percy Foreman, who promptly sold him out and, perhaps as a reward, remains out of jail on old federal charges, abundantly proven, coming from his having sold out a wiretapper hired by H.L. Hunt's sons. Supposedly Foreman was defense counsel, as with Ray and, remarkably, in my investigation of Foreman, of still another innocent he'd sold out in a case pretty exactly duplicating an aspect of Ray's activity the year before the King assassination.

Permit an old friend to digress and boast a little. The part of my investigation of Foreman included in my book is so devastating that this fabled most successful criminal lawyer in the land fled a New York TV studio with his makeup on when he learned for the first time that he was to confront me.

With Ray's senior counsel abroad and junior counsel had not yet taken his District bar exams, designing the defense as well as its investigation fell to me. How do you prove that this fabled best criminal lawyer failed to provide effective assistance of counsel? I decided that the evidence, retrying the case, was the only possible way, prepared it, it was approved, and we did it in court - we actually exculpated Ray. A certain amount of this did appear in the news coverage. Faced with this, the judge ultimately decided that it made no difference. He ~~decided~~, in the face of overwhelming evidence, that Ray's coerced guilty plea was voluntary and thus guilt or innocence were immaterial.

After that hearing I began to put my work together in a largely completed book and then ~~decided~~ decided to try to get the FBI's records. I filed suit in 1975 and, believe it or not, under FOIA, which supposedly requires prompt response, that suit is still in court. While awaiting the end of that case, I filed for the Dallas and New Orleans FBI field office records in the JFK assassination to add to my work on that subject. That suit also is still in court and, by some unusual government maneuvers which created a conflict of interest between my lawyer (and still friend) and me, I am pro se in it. (And I should now be working on that appeal. Remember, I'm not a lawyer.) It is not my age that caught up with me. Successful surgery did. The compli-

cations have weakened and enfeebled me and limit severely what I am able to do.

Although the FBI withheld very much in my freedom of information lawsuit, I did get 40,000⁽¹¹⁷⁾ pages or more, I've read them all, kept them as I received them, and began a working file of duplicates for my writing. I preserve all the records I get under FOIA as I receive ~~them~~ them for historical integrity. They are all to be a public archive under the Wisconsin Historical Society, one of the most prestigious in historical matters. My examination of the FBI's records makes it clear that the FBI (and through it the DJ) also knew that their "solution" is phony and that the actual evidence is exculpatory.

This, of course, was quite gratifying, having the FBI, despite its best efforts, confirm my own analysis and investigation.

So, we have this major and very terrible crime unsolved as the result of official dishonesty on all levels, from the Memphis cops through the State of Tenn. and the federal government.

Long and painful experiences have taught me that the prejudices in this field guarantee that even the most thoroughly documented work will not be credited where being credited is essential to any significant result. Although I'm the only one of the critics of the official solutions to these political assassinations who does not theorize conspiratorial solutions to them (and all you've read are untenable), and my work is a massive study of how our institutions worked or failed to work in those times of great crisis and since then, the doctrine of my work has assured it less media attention. They prefer the cheap shots they can shoot down. So, I want to rework what I've written and sublimate it and the personal investigation into a new book based more on these unknown FBI records.

I've not been able to do this because of the limitations imposed by my deteriorated health. Unless I can find an assistant I'll not be able to do much more because, as a practical matter, all these records, in my own basement, are largely inaccessible to me, as I'll explain.

The two emergency operations after the successful implantation of a plastic artery in my left thigh were caused by arterial blockages. They resulted in serious impairments of the return circulation and that, in turn, causes oxygen deficiencies in the leg and thigh muscles when I use them. I can almost always walk a city block before this oxygen deficiency develops, not uncommonly about two blocks. I spend three hours at a local shopping mall early every morning walking for exercise and resting when that becomes necessary and the deterioration has been deterred. But no major improvement is possible. (If I'm a good boy and do all the prescribed therapy, that takes five hours daily. I usually compromise on a little more than four hours.) I can't use stairs very well and I can't use them often. I can't stand still - not for anything, even putting the paste on a toothbrush. So, I can't stand still before the about 40 file cabinets in my basement and locate the records I need and carry them up to my office for writing about them.

I've little or no prospect of locating an assistant. Some years ago I did have a fine one, a graduate student at local Hood College, but those students I've had since her were terrible as assistants and they created major problems by misfiling some of which may not have been accidental. So, with my health being what it is, and I'm now 73, among the things I wonder about is the completion of this work on the King assassination. And this is why I write, to ask if you know anyone, possibly even a journalism or law student, who may be able to take this over and write that book if in the end I'm not able to do it. I'm still seeking a student assistant from Hood. Parttime help is all I need, an intelligent gofer. I'm not able to do this physically, either. Most arthritis.

Of course if you know someone who would like to work on this with me, fine. But my only regular income now is Social Security and we've no real nest egg. The work I've done, with no support, has been costly and expensive, in terms of our lives, realities and resources. I think a student might learn much from this, particularly one who wants to be a lawyer or reporter.

My work has stood time's testing, Virginia. There is no significant error in any of my seven books and there is none at all in countless lengthy, detailed and documented affidavits I've filed in my many freedom of information lawsuits. If I'd erred those in the government I've seriously embarrassed would have chaged me with perjury.

Although the courts have a history of ignoring such things, and of being self-intimidated when the FBI is involved, the status of my JFK assassination lawsuit I refer to above is that I have the FBI and DJ charged with perjury, fraud and misrepresentation to get a money judgement against me (for counsel fees), I've proven this with their own records, all ignored by the media, my charges are entirely undenied, and the courts have and I fear will ignore it all and in the course of it, for practical purposes, will gut the freedom of information act. No administration really wants information to be freely available and the present administration opposes it more than any other.

We hope that you are as well and as content as you appear to be on camera and that the coming years are as kind as these of the recent past have been to you.

All our best wishes,

Harold
#arold Weisberg