

12/10/69

Dear Ron,

When I delivered the ms of the addition to SOUP D'ETAT, you had no time to read it because you had to give it to Baron. Billie tells me he still has it. You have hardly had time to read the xeroxed copy, if you've returned. So in an writing to let you know this work has additional pertinence in light of the new Chicago murders.

All of this is forecast in what may have seemed as digression, as part of the assault on any popular leadership, and as part of national policy. The leadership of the FBI in the elimination of the Black Panthers, beginning with their first illegal raid on Chicago headquarters, is in the book.

So, I'm a frustrated prophet, too.

Enclosed is a carbon of a letter to Stanton of CBS promoting a "special" in what may today be a safe formula, comparing me and the Department of Justice with their record, and on this subject.

I hope others will belatedly agree with me, that the elimination of the militants would not have been attempted without King's elimination. In this connection, I believe you also represent Ralph Abernathy. He just does not respond when I write him. I'd like very much to have a tape of King's last speech. I understand it goes much farther than Abernathy's representation in LOOK.

Friend spoke to Robert Luce (with which Luce no longer has any connection). A man named Bins (or Binz) phoned me and is to come up here next week. He says they are interested. They once had CI connections. I do not know if these have ended.

There is now nothing to prevent our filing this suit immediately. However, I shall hold off, hoping to be able to sell something exclusive to a net or a magazine. If you think you cannot or if you do not have time for the effort, please let me know, for men are being murdered and there is no effective fight against it. Of that my book and my suit can be part, as you know I want to be. I'm immodest enough to believe if I'd been able to get this published and achieve some attention for it, at least some of the victims might still be alive and the process slowed.

I still fear the apparent impossibility of private publication is the only area of hope, if only someone can turn on and help.

Sincerely,

Harold Weisberg

December 9, 1969

Mr. Frank Stanton, resident
Columbia Broadcasting System
New York, N.Y.

Dear Mr. Stanton,

There is another side to the vice-president's lofty Orwellian "principle", omitted from your personal response and any network or printed treatment of which I am aware. It is, to interest you in this that I write.

What is the record of government, especially of Mr. Agnew's more vocal collaborators, like the Attorney General and his deputy, Richard Kleindienst? They have not only traditional responsibilities. We now have a law for some reason not consistent with practice called the "Freedom of Information" law.

I am a writer who is also the smallest publisher in the country. Having been denied official, public court record of a trial, I have sought to persuade these gentlemen that the law also applies to them. They, of course, know better, having their own concepts, purer than the law, and the raw power to suppress.

Many months ago, while writing a book on the assassination of Dr. Martin Luther King, Jr., I asked the Attorney General for the transcript and affidavits of the trial resulting in James Earl Ray's extradition. A number of British reporters attempted, without success, to get this public evidence for me. I tried who asked Ray's court-appointed lawyer for this material was told me first "check me out" with the FBI! Three months ago I engaged a lawyer to pursue this under the "Freedom of Information" law, which requires immediate reply. After first being asked by phone to hold off filing the suit to give the Justice Department time to respond by letter, we had to keep after them, by phone and letter to get it. Mr. Kleindienst has now assured us, in writing, that what the Department of Justice, on behalf of the United States government, gave the British court, is not in the files of his department and more, "such records pertaining to the extradition of James Earl Ray as may be in our possession are part of investigative files compiled for law enforcement purposes and, as such, are exempt from disclosure under the provisions of 5 U.S.C. 552 (b)(7)", the cited law.

Thus a court record is denied the press on the fabrication it is "part of investigative files". I assure you the records for which I asked were neither investigative nor "compiled for law enforcement purposes". They were all, without exception, collected for open use in a public trial, and each, also without exception, was certified for this purpose by both the Attorney General and the Secretary of State.

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These affidavits are in evidence and the basis of Chief Magistrate's decision (my book, page 242). When this legal eminence was asked for it, he directed his chief clerk to answer:

"There is not available any complete transcript of the proceedings and arguments... all copies (of the oral evidence) of that were sent to the Secretary of State at the Home Office in London for transmission to the State Department at Washington, together with the papers which had been sent to this Court from Washington... (page 249).

If this leaves no doubt of the character of the evidence I have asked for and where it is, it is also a refinement of Orwell: a public trial of which no record remains! (And the defense lawyer has to check me out with the FBI, his client's opponent!)

None of this is idle bungling. I know what the affidavits say and I have the transcript of the Memphis evidence of a trial. They are so utterly contradictory I hope CBS will consider a separate special on that alone. Here I am asking you to consider only a program with the noble Agnew backdrop.

My book is a definitive study of about 300,000 words, plus an extensive appendix of relevant, suppressed official evidence. I hope Mr. Agnew and Company have hastened the day when responsible TV treatment of both aspects is acceptable and possible.

Sincerely,

Harold Weisberg