

Rt. 12, Frederick, Md. 21701
12/3/75

Senator Richard Schwiker
Room 347, Senate Office Bldg.
Washington, D.C. 20510

Dear Dick,

This letter is prompted by this morning's news items about Senator Byrd and Congressman Burton calling for King investigations. Senator Byrd believes your committee should look into this. And I am the defense investigator in that case besides having written the one book disputing the official account.

You will remember my view but because perhaps you do not and because I am sending copies to both Senator Byrd and Congressman Burton I repeat it:

There should be such investigations. Your committee not only will not have time for them but making the effort will further dilute its major responsibility, an operation at which the administration has been adept and successful. I believe your subcommittee should establish to the satisfaction of the Senate that there is a need for a thorough and entirely public investigation of all the assassinations, for which there is a proper legislative basis, and seek a continuation of the committee itself on this separately, after it files its March report. I believe the work I have done, the documentation I have acquired and published in Foot Noting, is more than enough to provide this basis. (If I failed to send you a copy please let me know.) I also believe that without this kind of basis of evidence that would be admissible in court as distinguished from all the theorizing and conjecturing and equivocal testimony from witnesses, some of whom I could shoot down with ease, there will not be the required support in either House or the major media, which finds living with its own part on this subject intolerable.

I should have added that the record I have made in court on FOIA cases may have some influence with members, as it did in the amending of FOIA, especially in the conference report.

The "new" disclosures of what Hoover did to King are new in two respects only. I wrote about the others five years ago. These are the "suicide" note and Hoover's forcing King to leave a decent motel in which he could have transacted the negotiations that were part of his purpose in being in Memphis. I have some beliefs about how Hoover did this. They are now being checked by competent reporters. (In fairness to Hoover, I add that I believe he had no way ^{of knowing} any assassination would be with "ing at the Lorraine Motel or that it was anything but the kind of fine establishment he described. In turn this suggests he was not alone in the effort.)

Because I have done all the investigating in the Ray case, which means the King case, I can be uniquely helpful on this and am willing to be subject only to the limitations imposed by the phlebitis. I can walk more and easier but not far nor can I stand for long. And periodically I have to keep the legs raised.

The questions that should interest the Congress are much broader than this one disclosure can begin to indicate. A reading by any staffer of the transcript of the evidentiary hearing, which is fairly long, should be informative. However, it is not the full story because there is much I had to withhold for the trial we seek. We put enough in on the actual evidence to address effectiveness of counsel only.

You may remember my saying the key to understanding the "investigation" in the JFK case is to regard it as a disinvestigation. Hoover perceived this rapidly. However, in the King case it had to be close to instantaneous. He then moved in, within the first five minutes after the crime, took control without alleging a basis for the right and

then phoned up a conspiracy indictment in Birmingham.

For all practical purposes the FBI framed Ray, knowing he could not have killed King. It deceived, misrepresented, lied and I think crossed the line into perjury. I forced that agent's retirement in C.A. 226-75 so he could avoid being forced to be a government witness.

Once I started what led to C.A. 718-70, the FOIA suit on part of the King evidence in which I got a summary judgement, there was a Departmental "new look" at the so-called evidence. I'm told the lawyers could not get anything from the FBI then. Or since. And when I produced the evidence showing the FBI deceived if it did not commit perjury on this essential evidence, no agent or representative appear to deny or rebut it and the State neither cross-examined or offered a single rebuttal witness. Meanwhile, I'm suing for more of this evidence, C.A. 75, 1996. They have been stonewalling on this since 1969.

In the area of denial of the most elemental legal and Constitutional rights I think there is no case in which the abuses are as great and as established, even if the phony liberal judge ignored them. We even got the orders on who would violate Ray's ~~writ~~ rights and how and samples that are more than enough if far from what is still hidden if not now destroyed. I mean from the prosecution we got his work-
subjects for his own defense and at least one copy of a defense letter Ray wrote each lawyer with whom he was associated and registered letters to the judge, prior to registration. His defense mail is still being intercepted. My most recent information is as of the day after my confrontation with Selin in Nashville, with the results you have noted in his changed position. I saw Ray the next day.

I believe there should at some point be a separate subcommittee on the King case alone. All of these have been made overly complicated by the non-investigation efforts. It takes an enormous amount of time to go through all the irrelevancies which are most of the "evidence" in both cases.

I know Ray better than anyone not in his family, I think. I've spent much more time with him than counsel. We have a strange relationship but I believe he trusts me as much as he trusts anyone. I believe he would be willing to testify if and when that might be deemed appropriate and if he were reluctant now would consider if not accept my recommendation and that of junior counsel Jim Lear, who has done most of the legal work. However, I am not suggesting and do not believe that he could give testimony that could solve the crime. I do believe that between the work I have done and the testimony he could give there would be quite a case of what the FBI did and did not do. I leave to lawyers the question of the appeal pending before sixth circuit for a trial (technically but not actually a "new" trial because there never was one) and prior Congressional testimony.

In any event, I am willing to do all I can and have a record of subjecting the relevant part of my investigative work to testing by both the State and their ally, the FBI, without a finger being laid on a single part of it. Jim Lear and I each have transcripts. If anyone wants to borrow the set, I recommend mine because Jim has greater need and I've had mine indexed by name, which can help.

You should know that, in addition to the delayed CBS show on this case about which I have doubts enough to compel me to refuse to appear on it, there is currently a decent-sized inquiry by a major newspaper I'm helping. It is inevitable that when the story or stories appear they will support the views of Senator Byrd and Congressman Burton and those I have offered.

My next medical appointment in Washington is at 11:30 a.m. on Tuesday the 9th. I haven't decided if I'm up to doing my own driving but I can arrange to have all the rest of the day free if anyone wants to talk to me. Sincerely if hurriedly,

Harold Weisberg

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United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, D.C. 20510

November 25, 1975

Mr. Harold Weisberg
Route 12
Frederick, Maryland 21701

Dear Harold:

Thank you very much for sending me a copy of Post Mortem. I very much appreciate this and look forward to reviewing it in detail. Even at a glance, it is clear it contains a wealth of information which should be of great importance to the work of the Senate Select Committee on this subject. I hope you will feel free to contact my office at anytime if you have further suggestions.

Again, many thanks for sending me a copy of your book.
Warm personal regards.

Sincerely,



Richard S. Schweiker
United States Senator

RSS:mfh

P.S. I'm enclosing my check for the book even though I know you didn't expect it.