

Hoover Berated Aide's Hand

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An exasperated J. Edgar Hoover once berated his subordinates at the FBI for an investigation of the National Lawyers Guild that Hoover said was "atrociously handled," according to an internal bureau memo.

The memo is one of 48 FBI documents released to the press this week by the guild, an organization of civil liberties lawyers that incurred the wrath of the FBI during the Cold War because many of its members represented leftist causes.

The documents are part of 21,000 pages of FBI files that the bureau was ordered to turn over to the guild in connection with a guild lawsuit against it and other government agencies. The suit, filed in March in a New York federal court, alleges that the agencies, especially the FBI, spied on the guild and tried to harass and dis-

credit its members. The suit asks more than \$20 million in damages.

Several of the documents disclosed yesterday showed the bureau tapped the guild's telephones in the late 1940s and foraged through its trash in the early 1950s.

The guild, a longtime FBI foe, had protested bureau investigations under President Truman's Federal employees Loyalty Program that began in 1947. The guild charged that the bureau was violating people's constitutional rights by wiretapping, opening mail and breaking into homes without warrants.

FBI Director Hoover tried unsuccessfully during that period to get several attorneys general to put the guild on the Justice Department's Subversive Organizations List, which would have kept guild lawyers from getting government jobs.

Apparently, Hoover was telling associates that guild lawyers had infiltrated the Justice Department itself. A memo dated June 2, 1953, from Assistant Director D. Milton Ladd, head of the FBI's security division, to Hoover noted that a Ladd memo four days earlier had stated that two guild members, Louis R. Mehlinger and Robert L. Wright, worked for the Justice Department.

However, Ladd said with some embarrassment, after Hoover asked what divisions in Justice the two worked for, "a discreet check was made today of the department's records and it was ascertained that Mehlinger resigned on March 31, 1952, while Wright resigned on April 11, 1952."

Therefore, Ladd concluded, no lawyers listed as guild members in 1949 were then employed in the department.

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Hoover penned this note to the Ladd memo: "This was atrociously handled. The original memo to me was completely inaccurate. I orally used the information and now find out for the first time none of these is in the Dept."

Other FBI memos indicate that Hoover had been frustrated for years in investigating guild members. An Aug. 2, 1948, memo from Ladd advised him that Attorney General Tom Clark had declared that membership in the guild was not a sufficient basis for opening a full FBI investigation of a government job applicant under Truman's loyalty program.

Ladd noted that a Washington lawyer who was a guild member had protested to Clark an FBI probe of one of his former subordinates who also was a guild member.

Ladd added that Clark had written

on the lawyer's complaint a notation that the "lawyers guild is not on the [subversive] list—I have many friends in it and would give them a hearing before doing so [putting the guild on the list]."

Hoover also was unsuccessful in his efforts to have congressional committees call onetime guild president Thomas I. Emerson, then a law professor at Yale, to testify on his guild activities. Emerson had written an article for the Yale Law Journal critical of the FBI.

On May 29, 1953, Hoover wrote a memo to three of his top aides, Associate Director Clyde Tolson, Ladd and Alan H. Belmont, an assistant to Hoover, describing a luncheon meeting that day with Attorney General Herbert Brownell Jr.

"A discussion arose concerning Professor Emerson of Yale University,"

Hoover wrote, "and I briefly outlined his background and activities. I pointed out that it had been impossible up to the present time to have Emerson called before any committees of Congress because of the intercession in his behalf by Senator [Robert A.] Taft, who is on the Board of Trustees of Yale University.

"I indicated to the Attorney General that the House Committee on Un-American Activities had contemplated calling Emerson but had refrained from doing so because of the intercession of Senator Taft and that the same had happened incident to the [William E.] Jenner Committee [Internal Security Subcommittee of the Judiciary Committee] of the Senate."

The FBI documents do not reveal what Brownell replied. Emerson now retired.