

Dear Jerry,

When I received word that there is a further mechanical delay in the book I gave this hasty draft a hasty reading so I could spend the time until proofs are ready catching up accumulations, including bits and pieces for the Watergate book when I can return to the actual writing, which is close to the end.

My inquiry was from one of the scandal sheets, The National Enquirer. I think there is not much chance they'll go for it, though. So, I made it longer and included more so that it can serve other purposes, like a reminder for oral history or clues for that later writing of others. Plus some color and background. What for lack of a better description I've called footnotes have this intent.

I have made no carbon and my handwriting is very bad, so Lil is retyping. I'll not be surprised if this requires some reorganization, too. There were constant interruptions from Ray case developments, several of which are promising, some worrying.

There just is always too much and little possibility of real concentration.

Please mark the caron up. It is not the only one. And thanks, HW 9/4/74

Howard

unread

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BLOODY HARLAN

Does the shotgunned deer-slug assassination of Lawrence Jones mean the end of America's oldest oligarchy, of the coal-corporation Appalachian fiefdom of "Bloody Harlan"?

Does it mean the beginning of the end of decades of tyranny? The end of history's longest uninterrupted succession of murders, countless thousands of them?

Does it mean that, for the first time since man first started to pry coal from those rich but narrow subterranean seams, there will be political and economic freedom, a decent life in which the average man can feed and educate his children decently, and say what he thinks without worrying about crippling beatings or assassination?

Or will the blowing off of the top of the head of this 23-year-old miner, son of a miner, also be lost in the history of that long struggle except as a lingering pain in the minds of kin and friends?

Over the years Harlan's southern ^{eastern} Kentucky mines have been bought up by large corporations. They are "captive" mines with absentee ownership that no longer is less tyrannical than those owned by medieval-minded local interests.

Tight economic control over these black riches often meant political control in Kentucky because it could mean delivering the decisive vote and political money. Thus, whoever ran the state, the same repressive forces ran Harlan without trouble from the state. Most Harlan murders were by officials, thugs deputized but coal-operator paid.

Jones was shot as he marched peacefully in front of the Brookside coal company's tipple. Brookside's ownership traces to Duke Power Company, the country's sixth largest utility. Jones was protesting ~~conditions and a standard of life~~ ^{way of life} that all his recent ancestors had protested, in the Constitutional, traditional American way. He was killed by a Brookside foreman.

Public reaction was so strong it ^{forced Duke to} ~~meant~~ an immediate contract ^{with} the United Mine Workers union despite decades of operator resistance enforced by assassination. [Never in mining history has peace come to this strife-plagued industry without union recognition. Never has ^{Union recognition} it been resisted as in Harlan, called "bloody" because its resistance has been so long and so murderous.]

But the question remains, will Jones have died in vain?

I know Harlan as the one man who was part of the first two official, federal investigations of that tyranny and those murders. ^{In the 1930s} I was an investigator and editor for the Senate's investigation. In 1938 I was drafted by the Department of Justice to be a technical expert in its prosecution of more than 60 of these coal corporations and officials and their hired murderers. I lived and worked there, knew the victims and those who beat and killed them.

In fact, even Washington officialdom was not immune to this Harlan terror. One quiet Sunday afternoon when there was a conference in my New Harlan Hotel room, an Assistant Attorney General of the United States suddenly yanked open the door and there, crouched at the keyhole, was deputy Bill Hickey. Hickey ^{fled} was a ludicrous figure as he ^{ran} fled down the corridor, holstered 45s swinging wildly at each side.

Even the prosecution is titled incongruously. In the law

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1938

books it is United States vs. Mary Helen et al. The Mary Helen coal corporation happened to be the first named in the grand jury's indictment.

But there is ^{was} ~~nothing comic about that corrupted prosecution~~ ~~or anything~~ ^{about life in Harlan or the surrounding coal counties.}
 It ^{was} is grim. It is dangerous. It ^{was} grinds man into the dust of its coal. It dehumanized. ~~And~~ It has produced generations of the denied, ill-equipped for life and foreclosed from most of its benefits.

Assassination was safe in that corner of the country isolated by the mountains for so many years. (The railroads did not penetrate the mountain walls until World War I demanded Harlan's coal.) It was protected by governments run by men whose elections were influenced or controlled by the small band of coal operators who paid for these thousands of assassinations to keep the United Mine Workers ~~under~~ from organizing those coal fields.

"Bloody Harlan" is a name added to American folklore by that ^{of} Senate investigation/almost 40 years ago. In 1974, new bloody terror has made the 1932 Harlan ballad, "Which Side Are You On?" popular radio.

Harlan County may become less bloody because the Duke Power Company signed with the UMW on August 29, 1974. But I do not believe Jones's murder of the day before will be the last in the backward-looking selfishness of that small segment of an advanced part of American ^{an} industry made more important by the belatedly recognized energy crisis.

The year before ^{the first} ~~this~~ investigation of which I was part] more homicides ~~were~~ recorded in that single county of 50,000 population than in all of New York State. ~~It~~ ^(Since then the population has shrunk.)

It is grim... dehumanizing...
 It is grim... dehumanizing...
 It is grim... dehumanizing...

Nobody knows how many were not recorded.

Virtually all of those almost daily murders were from the back, from ambush.

There is no form of today's world-wide terror that was not the Harlan practise in the 1930s.

Harlan was like a fiefdom of centuries earlier. The ordinary people were serfs. They were like industrial sharecroppers who starved slowly while working hard and dangerously to make less than a living wage and having part of that stolen from them legally.

They lived in disgraceful company-owned shacks that had neither plumbing nor central heat. There was no place for them to buy except at the company-owned store, where prices were extraordinarily high. To stave off starvation between paydays, men drew against the scanty pay that would be due them. They drew not cash but company scrip. It could be used nowhere except in that company's stores. They were then charged high interest on the scrip.

Life was as cheap as prices were high. Murder could be bought for ~~a little as \$10~~. ^{Next to Nothing} ~~One attempt at murder that failed extraordinarily was bought for \$10.~~ ^{was bought for \$10.00!} ~~was~~ ^{characteristically} ~~contracted~~ ^{for ten} ~~for ten~~ ^{dollars}

It was at the time of depression-inspired union organization drives of the 1930s. ^(U.M.W. President) John Lewis sent to Harlan ^{Peggy,} as an organizer, an octogenarian of soft words and stout heart. ^{carried this note} "Peggy" Dwyar, ^{so-called} ~~because he had~~ ^{lost a leg in a mine accident.} Peggy was fearless, but he dared not spend nights in Harlan. Instead, he used the Parrott Hotel in nearby Pineville, ^{in adjoining} Bell County.

When the coal operators decided they had to get rid of Peggy, they called in their spymaster and chief thug, Ben Unthank, ^{reasoned} gave him \$400 and a bundle of dynamite, and told him to do it. Unthank ~~decided~~ ^{Reasoned}

Dwyer was in Harlan at the time he had not...

that, while usually there was immunity to murder, why run any risk?
 He started what became a chain of subcontracts for murder and fee-splitting in which the last two ^{free copies in the Chair} were Chris Patterson, who finally gave the dynamite and \$10 to one R. C. Tackett.

The next night Tackett waited until Peggy retired, sneaked under his first-floor room, placed the fuzed dynamite, and blew up the entire wing of the small hotel. Peggy and the old metal bed in which he was asleep exploded into the air. By fluke the bed turned over and came down on top of Peggy, who was dragged from the wreckage with barely a scratch.

The Senate investigators got sworn confessions from many of the participants, including Patterson and Tackett, but Kentucky charged none of them.

Another form of Herlan anti-union terrorism is illustrated by the story of Isy preacher and volunteer organizer, Marshall Musick. He was whipped and kicked down a long stretch of railroad tracks by weapons ranging from booted feet to shotguns to ^{sub} machineguns. After several hundred feet of this beating, led by Ted Creech, son of the ^{Mine} owner, of the mine in which Musick worked, Musick was kicked down a steep embankment and left for dead.

He lived, but with a permanent limp.

When he again preached the word of God and the word of the union, motorcades of deputy sheriffs were organized. On a dark night they filed past his home, shooting high-powered rifles into it, then on the return drive shot up the shack again. *(how many, were killed)*

Musick was not there. *One or more children, I don't now recall* His wife and a child survived.

~~When Musick returned~~, he buried his dead, moved the survivors *clearly called* into Tennessee, then returned to preach Christ and John Lewis all over again.

He got a subordinate to promise to do the job for half the ~~was~~ \$400, starting a chain of murder subcontracts in which each who agreed persuaded another to do the job for part of what he had been give. At the end one R/C. Tackett took \$10 of Chris Patterson's \$20.

Miners did rebel against the extortions of scrip, interest and high prices. Often they were beaten or jailed. The Lawson coal company had its own private jail, under its company store. ~~Yank~~ There was no legal claptrap, no nuisance like a trial. Private punishment privately determined and administered. Protesting miners were simply thrown into this private jail.

Because the men were always in debt to the company through its store and because there was no shelter⁺ for their families except in the shanties in which the company let them live, charging inflated rents, they could not easily move from one job to another. They were in constant debt and always under the gun of retaliation from this debt. No matter how long or hard they worked, they were never able to get ahead or live decently. *Changing mines did not change conditions*

Pearl Bassham, who ran the Wallins Coal Company at Wallins Creek, organized bleeding his men more efficiently than any of the other coal operators we investigated. He and ~~they~~^{other coal operators} were all opposed to union checkoffs but they^{with the other operators} invented their own.

Bassham, like Musick, Charech and the others I've named, with the exception of Unthank, were all witnesses under oath in this Senate investigation.¹ Bassham, a small man, looked like a Yankee trader and spoke like a preacher. He was a devil with other people's money and rights.

Each week he checked off the pay of each of his men for raffles on old wrecks of autos, a dollar a miner ^{each} week. He also had turkey shoots and other diversions his employees were charged for whether they wanted to be or not. It was legal stealing. The men learned that complaining cost greater pain and suffering.

There was coal-operator enforcement of this unwritten code of opposing organization by any means and at any cost. It was like the Mafia's omerta. No operator dared break the unwritten code to indulge a decent human impulse. All were not beasts and all were not locals.

The mammoth United States Steel Company, for example, owned ~~all the mines at~~ ^{and the mines near it.} the entire small city of Lynch. Other corporate giants owned large hunks of the Harlan field and the narrow, hard-to-work coal seams in adjoining counties where the terror was less only because operator organization was not as Mafia-like.

The Peabody Coal Company, a large one with a captive mine in Harlan, had good relations with the union in its other extensive operations. It was forced to go along with the Harlan terror and was one of those indicted. Its management and owners were ashamed and, for Harlan, brave.

They sent a company lawyer down from Illinois to negotiate a deal with the Department of Justice. I was in on some of the negotiations because of one of my roles at that trial. I was the expert on fact from having edited the Senate's hearings and because I then had a photographic memory and close to ^{total} instant recall.

Brien McMahon, then Assistant Attorney General in charge of the Criminal Division and later the Senator who sponsored the Atomic Energy Act, headed the prosecution. His next assistant was a conservative Texas lawyer, Assistant Attorney General Welly K. Hopkins. (When John Lewis later asked who among these government lawyers I would recommend to become union general counsel, Welly was at the top of my list and the one Lewis chose. Another was scholarly Henry Schweinhaut, later a judge in Washington.)

We had moved 120 miles from Harlan town to London, in Laurel County, which had a normal population of 1910, larger when federal court was in session.

This trial, now forgotten, was a big deal in those days. The major papers sent famous correspondents to cover it. The small town burst at its bedroom seams.

That long night of Peabody negotiations was held in our office, which was next to my room wherever we were, in what was actually a pair of large old frame houses but was called The New London Hotel. Before dawn it was all worked out. Peabody's captive corporation would plead guilty, there would be a suspended sentence against its manager, and he and his people would turn state's evidence.

Before the next day dawned, Peabody's Harlan mine's buildings were all aflame. They ^{were} ~~had been~~ set afire in retaliation against the outlander who broke ranks, who wanted to end the murder and bloodshed in the interest of industrial peace and production, who wanted better relations with his employees and for them to live with more decency, to be able to feed and educate their children.

There was no safety from operator-association revenge. Not the Senate and not the federal courts.

Because I was the youngest, in my early 20s, and not officially part of the prosecution and thus my own boss, I made local friends and mixed with them, often socially. My personal ties ranged from union people to local lawyers to court functionaries.

Each morning at about 3 a.m. I walked down the main street to another hotel, ^{to meet} ~~met~~ with the union's general counsel for that district, Thomas C. Townsend, a conservative Republican who had been lieutenant governor of West Virginia. He walked in the mountains until just before court started. Between us on these summer morning strolls we were armed only with the small pocket knife with which he whittled.

4-(Old Tom Townsend)

-9-

He was a since-disappeared Lincolnian American phenomenon, a self-educated lawyer.)

Nights I might booze with the press, FBI agents, local merchants and lawyers or any combination.

In fact, I was also our official rumrunner in that dry county *when* The bootleggers jacked their prices too high for us. Once a week McMahon gave the keys to the ~~gassed~~ armored 1933 Buick that was his official car and I'd drive up to Lexington, Kentucky, or down to Jellico, Tennessee, wherever I thought the local cops would be least likely to catch me, and come back with our week's supply of liquor. *If I had* ~~When it was~~ a beer bust in those days when refrigeration was scarce, initial chilling was in a large galvanized washtub suspended in the hand-dug well a few miles north of town at the home of lawyer Homer Clay, of the famous Kentucky family.²

From trusting local sources I, the kid, ^{sometimes} knew more than the FBI agents ^{about} of what was going on,¹

The agents also were my friends. And they, too, included the kinds of agents no longer common.

When these real Harlan badmen showed off as movie-villain types with demonstrations of their pistol skills, Agent Del Bryce, from Oklahoma, put on a show that would have made Annie Oakley and Buffalo Bill ~~together~~ envious. Beginning with a row of distant beer bottles, the very tops of which he shot off with fast, successive shots from his revolver, he continued with his automatic pistol and thrown objects, without a single miss.

There was no further tavg effort at intimidation.

James M^d. McInerny, a Fordham lawyer, was the agent in charge. When all the other agents were off on various assignments, there was no one to go with Jim except me. To prepare me to ride shotgun with

him - which I did - he taught me to take his automatic apart and put it together again blindfolded. Only then would he trust me to slither down behind the armored door of the car as he ^{walked} went up to the ~~door of~~ a remote home. The last time was when we went into the mountains for a defendant who had skipped, a thug-deputy, Allen Bowlen.

McIneray, who like the other elder men remained my friend until his death, rose from FBI agent to be twice Assistant Attorney General of the United States.

So, from this kind of life and these ^{local} ~~kinds of~~ friends, I knew when and how the jury was fixed. If my source is still alive, identifying him would still be his death warrant. He had an official position. He lurked in the shadows outside the large home ^{The late Ray Daniell} ~~The New York Times' Ray Daniell~~ rented until I staggered out toward the end of one binge. He followed me until we were alone and again in deep shadow. He then whispered that the coal operators, working through their lawyers, had bought up the mortgages on the homes of the jurors. The jurors were sequestered, but they knew.³

The son of one of those coal-operator lawyers ~~for~~ who fixed the sequestered jury under FBI and Department of Justice noses is today nationally famous.⁴

Neither McMahon nor the FBI agents would believe this could be possible.

The trial was nearing an end, so I started complaining that my Senate work was stacking too high in order to be able to leave. I knew the jury would hang, as it did, despite overwhelming evidence.

So murderous were these thugs that, within a few days ~~beginning~~ just after I left, six of the thug-deputy-defendants were shot to death. The word had somehow gotten out that one had turned state's evidence. Others killed him and his friends retaliated. The total number of

ensuing murders may never be known, but temporarily it thinned the ranks of Harlan's official killers.⁵

The spectacular case of United States vs. Mary Helen et al. made no more change in Harlan than had the Senate's exposures.

Indeed, fear of prosecution was not even a deterrent in Washington itself.

This same Ted Creech was indicted for intimidating a Senate witness in the men's room at the northeast corner of the third floor of what was then the only Senate Office Building. It happened during a recess. I was, by coincidence, using the same facilities. I did not hear the threat the witness charged, but I did see him and Creech together, Creech angry and the witness looking frightened. I was a witness in the trial.⁶

Again the jury hung. The same means were used. Harlan County people told me when the mortgages of Washington jurors were being bought up.

Perhaps where thousands of murders of the past failed to bring about change, the single murder of 23-year-old Lawrence Jones will. Jones was walking the picket line when 39-year-old Brookside foreman Billy Carroll Bruner cursed out the pickets, hit one in the head with the butt of his shotgun and then blasted a deer slug into Jones' head [Ⓞ] ~~which blew off like JFK's.~~

This time economics realities helped the union. The strike was then 13 months long. ^{Buying its coal on the open market was cost my Duke Power} ~~Duke Power's coal was costing \$22 a ton.~~ Had it contracted with the union, ^{the} its cost would have been only \$8. When Duke was forced to seek a rate increase, the union took full-page ads telling Duke's customers they were being asked to pay 17 percent more for electricity only so Duke Power would not have to bargain

collectively with its employees.

The bloody history of Bloody Harlan does not persuade that this change will come easily and completely because a miner who was a miner's son was killed or because his 16-year-old wife has a three-month-old child to raise.

The state of mind that makes wholesale assassination the way of life is fixed. Too many have lived that way, by murder and other violence, and have come to believe their crimes are the right way, that their victims deserve to die. It is a way of life that leaves nobody safe. ^{(Once in the early 1930s,} ^{district attorney} When the operators feared the ~~prosecutor~~ would prose- cute them or their murderers ~~in the early 1930s in the spirit of FDR's~~ "New Deal", the fact that the ^{D. A.} ~~prosecutor~~ was related to ^{the} ~~his~~ "high sheriff" did not save him. He turned the ignition key of his car one morning and was dynamited to death. ④)

Confidential

The self-destructiveness of this strange state of mind may help make the 20th century the reality in that once-isolated Appalachian area - so isolated that in my time there Elizabethan English was not uncommon.

Oddly, it was not all those long years of flowing blood that first attracted outside attention and ^{ultimately the U.S. Senate's} ~~thus the Senate's~~. It was a foolish vindictiveness that inspired an effort to jail a famous writer who went there to learn about the rumors he had heard.

Sinclair Lewis traveled with a secretary. Their accommodations were in Pineville, which was like Harlan. Its officials also hated any outsiders, especially a writer who could expose them. They suspected the woman was more than just a secretary. So, they spied. When she did not leave the room and the hour was late, they placed a toothpick against the door so it would fall if the door was opened. In the morning it was still standing. Lewis was charged with a sex

offense. That attracted the attention outside the Kentucky remoteness murder did not.

Came the trial, as Ray Daniell told the story, and Lewis's defense was that Nature's own statute of limitations made the alleged offense impossible, that he was incapable of sex. He was acquitted.

The morning the Times carried that story, Daniell told us at one of his parties, five highly indignant women phoned the paper. All said Lewis had, to their personal knowledge, been slandered.⁸

Through investigations and prosecutions, Harlan remained Harlan, the whole area much like it.

Part of the assassination/^{plot against} Joseph A. "Jock" Jablonsky and his family was hatched there. Participants came from there. Jablonsky ran as a reform candidate for UMW president against Lewis's successor, W. A. "Tony" Boyle, convicted and jailed for his part in the Jablonsky assassinations.

It thus is appropriate that Jablonsky's son became UMW counsel and guided the reform president, miner Arnold Miller, through the successful negotiations *with Duke Power*

Perhaps the combination of determination of the miners and their families to end death-trap mines, starvation and degradation - they struck Bookside for 13 months - and the costly learning of the outside corporations that bought up most of Harlan's mines - paying a \$14-per-ton premium to fight the miners is costly - and reaction to the brazen murder of Lawrence Jones will yet accomplish what the federal government did not, bring Bloody Harlan into the last half of the 20th century.

Should be broken down into several paragraphs

NOTES:

1. As editor I placed printed transcripts in libraries that would accept them. Years later I placed a complete set of all the hearings of which these were but a small part in permanent trust in UMW Washington headquarters. They can also be consulted in the Library of Congress. I still remember my shock when the prestigious Carnegie Library in Washington returned them with an indignant protest.
2. Homer was the first member of his family's long line of lawyers to take cases against these powerful interests. Because he represented the poor, he took as fees whatever was offered. It included the land on which his home was built, skilled labor in building it, even an old Willys-Knight car converted into a truck for hauling building materials. Before his responsibilities to a wife and children forced him to leave, he owned three weekly newspapers in the area in an effort to introduce enlightenment. With tongue in cheek, he named them The London Times, The Manchester Guardian and the Mount Vernon Sentinel.
3. Not for use: My source was one of the marshals guarding the jury. The word got to the jury through another marshal. And my friend actually caught up with me when I was under a tree relieving myself because I could hold it in no longer. He had barely finished whispering this story when a town cop came up and tried to arrest me for indecent exposure. The marshal, who saw me doing it, swore I had not. While the cop did not arrest me, he had started to haul me off to jail when we bumped into Mike Pennington, who also had been at the Daniell party. Mike was clerk of the court. He finally talked the cop out of it.
4. Not for use, for record: John Y. Brown, Jr.
5. Certainly not for use, but again for record: It was no accident. Homer Clay and his wife, Delores, daughter of a Portuguese diplomat, were driving me to the Knoxville airport to catch the 1:13 a.m. American Airlines DC2 for Washington. We drove around after my baggage was in the car until we found a thug defendant. I passed the word and we then fled. We were thereafter really frightened twice. Once when the car lost its lights and Homer brought it to a halt on the edge of a steep drop on the narrow, twisting mountain road. And then when the plane was delayed two hours with carburetor trouble after I was on it. Homer and Delores would not leave until we were airborne.

6. For record, not for use: David Pine, later Chief Judge of Federal District Court in Washington, was United States Attorney. He actually indicted Creech without being able to place him at the scene of the crime because he did not call me before the grand jury. Later, after he questioned me and with his assistants grilled me as they expected a battery of defense lawyers to do, he gave me the nickname "affidavit face". Pine's two top assistants were Ed Curren and Ed Fihelly. Curren also became chief judge. He awarded me a summary judgment against the Department of Justice in Civil Action 717-70. I sued for the court records used to extradict James Earl Ray from England. Then Deputy Attorney General Richard Kleindienst, with the collusion of the British government, had actually confiscated these public, official records and then claimed not to have them or the xeroxes made before he filed them.

Fihelly, later chief Tokyo war-crimes prosecutor, has a separate history with me. Now that he is dead, I record it briefly. I was writing a book on the Dies committee, The Un-Americans. Dies rigged a frameup and pressured Pine into indicting me and the man through whom Lweis sought my recommendations, the late Gardner Jackson, then also lobbyist for Lewis's Labor's Non-Partisan League. The Texas gang held up Pine's nomination to the judgeship while the indictment was sought. But Pine would not himself handle the grand jury. He assigned that to the two others. I believe Curren took one day of my fighting back and turned it over to Fihelly. Although Jackson was a close friend of Dean Acheson, when we went to his firm of Covington, Burling for counsel, it refused. Even when as we left together Jackson spoke to him in the presence of their mutual friend, Felix Frankfurter, who was picking up Acheson in his chauffeur-driven limousine at the northwest corner of 15th and New York Avenue NW. Drew Pearson, whom I knew but not well and had helped and who was close to Jackson, asked his lawyers, the Bill Roberts firm, to defend us. Edgar Turlington did the legal work. But the difference was two other things, not the legal work, which Turlington did well in his soft-spoken, super-Establishmentarian manner. My wife became a first-rate source of information because she had known a lawyer for the Dies agent and he talked and thus I was aware of all they were about to pull in advance. And, although young and relatively inexperienced, I decided against the mistake Alger Hiss later made, complete self-control and composure in the face of what no man ought ever to accept. I did not merely defend myself with quiet, polite answers, I knew this would poison the grand jury because the questions would be prejudicial, designed to persuade them to indict. I reacted strongly

to dirty questions and exposed them as biased and designed to mislead the grand jury and I volunteered what was not asked whenever I could work it in. What I was doing was leaked back to Jackson and Turlington and they kept pressure on me to pull a Hiss. When I could not persuade them this was self-destructive, I went my own way. It was in the end successful although it was an extremely unpleasant experience. As time passed, more and more members of the grand jury developed interest in what the prosecution did not go into and asked me about it. Fact was on my side and I knew and gave it. In the end the grand jury refused to indict Jackson and me. It did indict the Dies man, David DuBois Mayne, who had been the Washington representative of the native fascist Silver Shirts. Dies had to make a deal for Mayne to cop a plea to avoid the exposure of a trial. I had by then copied the records of every penny the Dies committee had spent, had the proof Mayne was in its pay, and more on Dies and his petty crookedness. Finally wound up with so much respect for me and so much contempt for the Un-Americans, he personally gave me those of the grand jury minutes I could use later for my defense should this come back to haunt me. He could have gotten in serious trouble for it, but he had that much trust in this brash kid who had taken his own grand jury away from and beaten him against the odds.

7. For record, not use: The consequences of telling our official driver this story at lunch the day Jim McInerney and I left Lexington for Harlan. We did not know it, but Gene Connor was a reformed alcoholic holding a patronage job through then Attorney General Home Stille Cummings, whom I later knew when he was in private practice. He and his younger wife had a home on Forest Lane which Nixon bought when he was vice president. Through a mutual friend I reported how dangerous Mrs. Cummings had found the back steps into her kitchen. She had tipped and fallen often.

Gene was so terrified that while he slept dynamite would be connected to that armored Buick and he got and stayed drun, We tried every way we could to dry him out, even keeping him prisoner in his Harlan hotel room, which was across the hall from mine. Except for the official party, he saw nobody other than the bellhop who brought his meals and the maids. He bribed them to hide liquor on his food tray. When he always managed to get enough to stay drunk and was then pretty loud, we had a choice between permanent in-room guard and getting him out. It was decided that, despite the dangers of having a Department of Justice employee arrested for drunkenness in Harlan, we had to spirit him out.

There were winding back stairs to that newer wing of the hotel the front of which was on the main street. Welly Hopkins drove the car away and then came back, to the back of the building, parked it there and came up the back steps, telling us he was in place and the stairway clear. Walter Gallagher and I, the two youngest - the FBI agents wouldn't run the risk - literally carried Gene down those steps, keeping his mouth closed at the same time. We put him in the rear of the car where I kept him subdued until we were out of town. We drove him to Bristol, Virginia-Tennessee, whence Walter was to take him to Washington.

Until we were out of the country, we didn't stop. Then we did once, for cold drinks. Gene was still so drunk he couldn't light cigarettes. While I was in a country store buying cokes, he dropped the one I had just lit for him and the back seat was smouldering before Welly and Walter discovered it! We decided we had to tranquilize him for the trip with Walter. I remember then when I went into a drugstore on one side of the main street, the larger of two on opposite corners, the druggist told me he could not sell me phenobarbital without a prescription. But he also told me that if I walked across the street to his competitor I could get it without trouble. That is how I learned the main street of Bristol divided Virginia and Tennessee.

We flashed credentials to get close to the railroad tracks with the car. When the train came, Welly and Walter flashed them again on the conductor. They persuaded him they had a dangerous man Walter had to take to Washington and needed a compartment that could be locked. The train was held long enough for this to be arranged.

Gene was sent to a sanitarium, was dried out, and became a Department messenger to keep him going. I used to see him when I visited McInerney.

8. Not for Use. Sex. The FBI agents had to spy on each other. They dared do what Hoover disapproved only when they did it together. George Stevens, who soon quit the FBI, drew me aside in Harlan town and warned me that everything I did would be reported, and that each of them had to worry about not reporting what others might.

The agents arranged not to use the same hotel the lawyers and I did in London. There they had their sex together so that no one would dare report on the others. As many as four at a time in the same room,

wherever they could in that room. One secretary was almost a nymphomaniac. I escorted her back to Washington via Knoxville. At one of Daniell's parties he pursued another secretary who did not want him and was attached to the agent with whom she was sleeping. That agent was in all respects an outstanding man. I was not at that party. I was reading proofs. Still another secretary phoned and asked me to rush to Ray's. I found them all very drunk and this one young woman moaning on the floor with a broken leg. She fell while Ray was chasing her, I was told. I couldn't get a doctor. Her leg was set by a vet, the only medical person I could reach. In the next county there was a dedicated band of young Northern and Eastern society women who were called, as I remember, the Frontier Nurses. They rode horses through the mountains giving what help they could, chiefly to pregnant women, helping with deliveries, with children and by trying to leave some enlightenment. I couldn't reach even them.