

Harold Weisberg
Rt. 8, Frederick, Md. 21701
12/11/74

Ms. Pat Welch
Nashville Tennessean
Nashville, Tenn.

Dear Pat,

Receiving a copy of your 11/10/74 roundup yesterday reminded me that you have not sent me the \$10.00 for Frame-Up and that because you didn't return it I had to mail one with a letter of apology to the man to whom I'd promised it. I would appreciate a check, thanks.

I was also surprised at the open partisanship of your story. Disappointed, too. I did not really expect the non-American doctrine of the misnamed A Search for Justice to linger or to influence what the people are permitted to know and think in a society that is in theory representative.

Is it that, as your lead says, that the adversary system of justice was not designed to bring out the truth? Do you really believe that this country was founded on the principle that truth and justice are separable?

I'm really surprised that you could sit through that hearing and not still be able to distinguish between theory and practice and to write a piece that is so indifferent to practice. In your piece I add unreported practice. You have the most distinguished practitioner of subverting justice wearing the white hat. The absent white hat, that is.

Surprised, too, that all the documents we put in the nature of which was not beyond your comprehension are just the ~~XXXXX~~ floating of so much flotsam and jetsam, "a perception that seems to be uniquely yours. In print, that is. I know who says so, but doesn't for a minute believe it.

You have a clever way of weaving fact together so the people of your state can really understand what goes on, how their government and their system of justice works. How their officials do, too. Thus, "The ~~xy~~ cynicism of Ray's lawyers, making statements and filing motions for show rather than out [sic] legal duty, was a sad undercurrent throughout the case." Fortis, Henry couldn't have said it better. Didn't? We were pulling "stunts" and we "lucked into another issue...that Ray's mail had been photocopied and furnished to the prosecution..." Well, all of the motions we filed, none of which you describe, were for discovery of suppressed evidence and those motions are public and if we "lucked" into a single dry hole I can't remember it.

Prejudice doesn't surprise us as much as outright lies: "But they were unable to establish that any letters to and from attorneys of record had been intercepted." This no doubt derives from the fact that we actually put into evidence intercepted communications between Ray and all his previous lawyers. Some of the product of that "show" stuff that we just "lucked into."

But, having decided that "It was James Earl Ray's lawyers, not James Earl Ray, who were in effect, on trial before McRae," which is certainly the most original not to say novel translation of an appeals court dictum that all the people involved earlier did feeks and demands a "full scale judicial inquiry" I suppose this was the least you could do for prime news sources, the honor of your calling and the decency of society. To say nothing of the earlier policy statement of a publisher.

I have no resentment at being called the irrelevant, a former chicken farmer. I found it preferable to some of the things I was called upon to do as a writer. I'd begun to learn this when a city editor told me a story I had written would not please the owner. It is what made me a syndicated feature writer (Phila. Ledger Syndicate) before I was old enough to vote. I also have no resentment at being called a former Washington correspondent

(including for Mr. Nixon's friend Amenberg) or a former investigative reporter (whose exposes were regularly followed by government action in taking over Nazi corporations and the collecting of fines of as much as \$160,000 at a time) or a former intelligence analyst. I have no resentment at all about having been in large part responsible for amending the Freedom of Information law (see Congressional Record 5/30/74) and being credited for it, not even if I am accused of having a tiny part of responsibility for the overriding of Mr. Ford's veto as an early act of his "open administration."

I am, in fact, perversely atavistic. I delight in doing things well. I am proud of being officially the best chicken farmer in the country in competition, of being officially the best barbecuer in the country (and popularizing the use of a marinade as a barbecue sauce) and that my wife, also official, was the best chicken cook in the whole country. I'm much prouder of what she cooks than some of the things other women do.

I'm so odd a ball that I see no reason to hide that my first contact with your part of the country was when I lived and worked there with the FBI for four months and with a former Assistant Attorney General of the United States who was in charge of what in its day was a famous prosecution. Were I ashamed of having been a Senate investigator and editor and borrowed by the Department of Justice to work in your area from the Senate of course I'd not be telling you.

It is not accurate, however, to say that I "am not interested in making money." I would much prefer to live well and not to be in debt. But I have a previous record, if you would like to hold it against me, of working for principle and without pay: as a British agent in economic intelligence in World War II.

Of course none of this experience is relevant to what I did - excuse - "lacked into" - ~~him~~ in the case you covered, if I may use the word.

Is it not Judge Battle who made chicken relevant? Chickens and necks that all chickens have? Percy Foreman, your hero, flew all the way to New York City to get some free publicity in his campaign to prove "the American system of adversary justice" does not work when he learned he would have a crack at a chicken's neck. He elected to flee with his makeup still on instead. (As I see him in your copy he still wears makeup.) And then Henry made a few passes at a chicken's neck - the neck on a chicken who not only never ran but always made the neck available. But the chicken still has the neck and it is still screwed on straight. Henry has had experience with chickens from Maryland and "Tigers" from Texas and in Memphis he produced no tiger to tear up a chicken. Which gets us back to Judge Battle and his (take Blackwell's word for it, "Churchillian") "Some chicken, some neck."

There was another chicken story recently. AP carried it 11/22/74 for a.m.'s with a later rewrite. UPI put in on the wire I think on 11/27/74 for use 11/28. It was a farout tale about chickens in other courts. If your morgue clipped and filed it I'd appreciate copies when you send the check.

In this I do hope you do not emulate Henry, who tried to beat me out of twice as much and was longer finally deciding to pay. I do have an interest in money because I have so little. And please don't be a bit embarrassed at having called me Dutton in saying that I did the book you will be paying for myself. I'd have been embarrassed, after what we got from that "dry hole" Dell in one of those "motions for show" because Dell's first reprint of my first book was only for a quarter of a million and they reprinted it only four times.

Sincerely,

Carl A. Jordan Dec!

Harold Weisberg

P.S. There came a time during in-chambers conference when Judge McRae described me as "an outspoken man." Henry did not take issue.