

Please return for Clifton Baird file

Mr. Thomas O'Neill, Speaker
House of Representatives
Washington, D.C. 20515

Rt. 12, Frederick, Md. 21701
3/19/77

Dear Mr. Speaker,

In writing you about your assassinations committee this time I think I can bring you words of cheer. That there is a Republican Congressman from Louisville who loves the late Dr. Martin Luther King, Jr., the man responsible for all the civil rights troubles - and the Louisville bussing that followed - enough to go public and on nationwide TV with charges against the FBI (those outlanders who did the investigating) is assurance that there are those who can rise above mere principle.

When the overdue epitaph of your updated ~~xxxxx~~ Keystone Kops is written I think there should be a chapter titled "Always on Sunday." This would relate to the magical circumstances that have all the leaks for Sunday use, when there is nobody in offices to provide another version.

This weekend smells of one Clifton Laird, 28 years on the Bowling Green police force, a man so steeped in the more arcane of police sciences that he had difficulty placing a call to me in 1975.

Memory is not perfect but my recollection of his story then is that the FBI was persecuting him over charges of planned bombings. Coincidence, of course, if there was an closeness in time to the integration of the schools. He had his car wired for sound, as what good citizen does not. The story then was not that one tape had been stolen, tonight's TV version. Merely that his science failed and one was useless.

I must have wondered how many FBI agents wander around with a half million unaccounted dollars of the taxpayers money to offer those they suspect are bombers or dynamiters but I guess I was overly suspicious because from tonight's TV neither Congressman Snyder nor Richard Sprague had any such misgivings.

Don't you think that now you are Speaker you might do something about this looseness with federal funds?

I am hardly an expert on Clifton Laird but it seems to stick in my mind that his accomplishments in police science were such that in 1975 he was studying meat-cutting, an honorable calling.

But do not despair of your committee. They are working Saturday evenings, at least while they have an appropriation and continuation to justify. I was phoned just before supper to see if I had and would provide a transcript of the deposition of Percy Foreman. I was a bit surprised at two aspects of this. First of all last October I told one of the counsel where what legal records were, even the names of the clerks of the court. If you examine their vouchers you will find they were in Memphis since then. Now if the clerk of the federal court, a gentleman (within my experience) named Reed, is not cooperating with the Congress I think you should know about it. It may interest you less to know that your investigators can't find the clerk of the court. Especially after I let them have all the other transcripts of that proceeding. (You'd not know this if you read the transcript of the hearing where there was reference to them. They have it there that the Memphis prosecution was on the one hand providing this and on the other refusing to provide anything without a subpoena not yet served, that being only two months after the committee was established.)

This business of questioning Mr. Foreman, who put Mr. Ray away while seeing to it there would be no trial, is one over which Sprague and I disputed. At one point he told me that questioning him without the most thorough preparation and without regard for Mr. Ray's rights would be "totally and completely" wrong. We did not then discuss it all. Like that Mr. Ray charges that Mr. Foreman coerced him. Or that there is a pending federal charge of this against Mr. Foreman in federal court in Dallas, where he took \$100,000 from the sons of H.L. Hunt to see to it that his client did not testify. (I have examined

the original records of it.) So you need not worry about petty matters, like the propriety of the House having a lawyer testify against his client or by-passing that client's current lawyer who insisted on the preservation of legal rights. Giving Percy Foreman the forum of the House when he is charged with obstructing justice should give you joy, not worry. It will be a real credit to the House, I'm sure you'll agree.

I want to be careful not to mislead you about Mr. Foreman, aka The Texas Tiger. He insists on the "the." He is an accomplished defender of the rights of the accused. The court records I loaned to your committee show that Mr. Ray's earlier counsel and Mr. Ray both rejected a prosecution offer of a 20-year sentence for a guilty plea. Once Mr. Foreman was in the case he not only had this increased to 99 years but persuaded Mr. Ray to agree. I do not think all of this can be attributed to the fact that prior counsel just happened to be the lawyer who as mayor of Birmingham turned fire-hoses and police dogs loose on peaceful demonstrators longing to vote and be educated.

From this I think you can see the wisdom and perceptiveness of the committee's staff counsel who said the committee would "solve" the King assassination through Mr. Foreman. This accounted for their urgent need for a waiver from Mr. Ray before they did any investigation of the crime itself or held any hearing at all.

I'm sure it was just an innocent oversight that when the committee phoned me this evening to ask for this Foreman transcript the staffer did not tell me that yesterday Jim Lesar, Esq., Mr. Ray's only informed counsel, refused to give the same transcript to the same committee.

Not until afterward did I realize that this committee still has a phone-taping capability. This is how it happened. The person who phoned me was not weighed down with factual details. I suggested that it might be helpful in accuracy if what I told her about Mr. Foreman were tape-recorded because like some legal matters it is a bit complicated. I had no ulterior motive. It is true. I was told they'd have to switch to another phone for that. Then I was told that counsel would return the call, that this was more suited to a conversation with counsel. The idea of taping was mine. But the capability is theirs. After we spoke it came to mind that Mr. Edwards had expressed a dislike for this procedure and had been assured that the committee would not tape conversations, that the item for it would come out of the budget. It now seems like a budget item is not necessary.

I guess it is a good thing that Mr. Snyder and Mr. Sprague have the FBI to kick around. If they had to contend with reality there would be fewer headlines and TV shows and there would be even less public willingness for public money to be spent this way or the memories people have of their martyrs to be treated this way.

I also guess you can get an idea of why there is so little concern for niceties like legal rights in the House under your Speakership. With Mr. Ray to be questioned this week there can be more headlines, can't there?

And the name of this game is headlines- before March 31.

Be assured that while I agree with Mr. Edwards in his concerns I will have no objection if I am called back and if I am taped. I want to be as forthright and as informative as I can and all the information I have is that this committee in six months has not troubled itself to learn the most basic of proven facts. Therefore it will have a taped cud to chew. This will be better than an untaped one, I believe. A little fact in all the fantasy is something that will not hurt the House. Or you.

Sincerely,

Harold Weisberg