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Famed Lawyer Eyed in Bugging Case

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Famed criminal lawyer Percy Foreman, who has saved so many clients from jail or worse, is now himself the target of a federal grand jury investigation.

A grand jury in Dallas is looking into charges that he received \$100,000 to obstruct justice in a Texas bugging case. According to evidence in the case, he was supposed to "control" potential witnesses against the billionaire brothers, Bunker and Herbert Hunt.

In previous columns, we have reported how a feud over the fabulous fortune of the eccentric Texas oil tycoon, H. L. Hunt, led to a botched wiretap job in 1970. To avoid implication in the scandal, the old man's sons, Bunker and Herbert, frantically began evasive maneuvers.

They turned to Percy Foreman, whose celebrated clients range from James Earl Ray, the convicted assassin of Dr. Martin Luther King Jr., to a host of social butterflies.

Bunker Hunt wanted Foreman to represent the wiretappers who were potentially the most dangerous witnesses against the Hunts, according to the evidence before the grand jury.

As an intermediary, Bunker used a wealthy friend and businessman, Ed Hudson, who kept detailed notes on his talks with both Hunt and Foreman. But one of the wiretappers, Jon

Kelly, who had been hired by Hudson, made off with the notes.

They have now been turned over to the grand jury, and we have obtained copies. They reveal that "Bunker Hunt called (Hudson) from London" early in January, 1972, and confirmed that Hudson was to "go ahead with Foreman on \$50,000 fee."

Describing his talks with the celebrated lawyer, Hudson wrote that "Foreman will direct all strategy and guarantee Kelly will not testify before grand jury." So sure was Foreman of success, wrote Hudson, that the lawyer "will return fee" if Kelly had to testify.

Foreman was retained to represent not only Kelly but two more of the wiretappers, W. J. Everett and Patrick McCann. Bunker Hunt authorized another \$75,000 retainer, but Foreman agreed to take on the other two clients for \$50,000, according to the notes.

The purpose for giving Foreman the \$100,000 is stated with stark candor by Hudson. It was to "control" the potential witnesses against the Hunts and "to avoid indictment of Bunker and Herbert."

As recounted in Hudson's notes, Foreman sought to keep his clients off the witness stand where they would have been asked awkward questions about the Hunts.

"Everett will take Foreman's guidance completely," wrote Hudson. "He will not keep appointment with D. A. (District

Attorney). Everett will not give info to the D. A. or the grand jury except in return for complete immunity which Foreman feels sure D. A. cannot or will not grant."

To cover Foreman's fee, the notes indicate, Bunker signed a \$100,000 IOU to Hudson. About the same time, Hudson withdrew two \$50,000 "bearer" checks from his account. Foreman gave him two receipts for \$50,000, one on the same day the check was dated, the other two days after the check date.

We have obtained copies of the checks and receipts, which are in the grand jury's hands.

In case Foreman's magic failed, the three wiretappers also were offered "hush money" while they were in jail so long as they didn't betray the Hunts. Kelly testified he was promised \$1,250 a month while in jail, "providing I did not talk."

McCann said he was offered the same deal, and Everett claimed he was promised \$800 a month after he gave his assurance he "didn't plan on cooperating with the government."

Although the "hush money" was never paid, according to the testimony, the legal fees for the wiretappers were picked up by the Hunts.

Other testimony alleges even darker elements to the cover-up. Foreman "indicated," swore Kelly, "that we should avoid testifying at all costs, that the Hunts were treacherous people and would stop at nothing to prevent me from testifying."

When Kelly insisted upon tes-

tifying, Foreman allegedly warned him: "Kelly, you are a damn fool. The government can't help you if you are dead."

McCann testified that another Hunt-hired attorney warned him he would "get yourself killed if you doublecross the Hunts." McCann was sufficiently impressed to comment: "I felt like it would be financial suicide, if not other suicide, if I testified against the Hunts."

As it turned out, Foreman won an impressive initial victory for Kelly in a contempt case. But in the end, all three wiretappers were convicted.

As we previously reported, Bunker got help from Senate Judiciary Chairman James O. Eastland (D-Miss.) in his back-stage effort to avoid indictment. There were allegations that Eastland received "a \$50,000 to \$60,000 payoff," which the senator denies.

In any event, both Bunker and Herbert were indicted on wire-tapping charges in 1973.

Hunt, Foreman, Hudson and their allies all emphatically have denied wrongdoing. While Foreman did not return our calls, he previously has been quoted as saying he never tried to prevent Kelly from testifying. A spokesman for Hunt said there was no effort to cover up the scandal.

The Justice Department has said only that Bunker Hunt, Foreman, Hudson, and others are "the subject of the grand jury's investigation . . . of obstruction of justice."

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