

Dear Js,

5/25/73

As you well know, keeping up is a backsliding process.

Yesterday I had an early a.m. dentist's appointment in DC to get a permanent filling out in, with a late p.m. one for grinding it smooth, and many things to do in between. Ordinary folk must have wondered about that strange man walking a round with an umbrella in one hand and a radio in the other. For her part, Lil was more interested in listening to the testimony than braving the storm, so she heard what I didn't. I listened inside buildings, while waiting for people and going to their offices, while the dentist was grinding and buffing, etc. Well, the thing about which I write was not clear to me because of these conditions. It is a slip I think Barker made the first time he had occasion to refer to Alch by name. If you did not hear, I'll tell you later, and if you did hear, I'd rather have an uninterferedwith comment, because it may have been unclear to you, too. I stayed up late to get the rerun on another FM station, when I tapped it. Meaning all of Barker and him alone of yesterday. I found it, shall I say, ~~xxx~~ Droller testimony?

I haven't yet had time to read GL's recent speech or any of yesterday's paper except the piece on Bud, which is fair. If you want an example of the kind of thing that edges my nerves with him, the end, sending that wierd woman to the Post on Romero, is an case.

I have begun to form certain impressions of the committee. If I am correct, then the extensive TV coverage will be important for ~~make~~ more than letting the people know. It will discourage undesirable tendencies now clear enough. The GOPs have lost some of their resistance to partisan temptation. And the questioning is very weak.

Any examination of the initial and the overall Barker examination shows it was incompetent. True also of Alch. With both it is serious for different reasons. With Alch, not all of which I heard yesterday (I did hear his entire prepared statement), the made only a deeble beginning. He would have broken if he'd been pushed, experienced a criminal and trial lawyer as he is. He was, to my ear, very uneasy with creampuffs. I heard the questioning about Bailey's indictment, which I'd clipped but also forgotten, while walking in the rain. A mystery remains about motive. The two essential lines of attack that the committee should have taken are why have you gone so far beyond the needs of self-defence, if your mind they really exist; and why was your legal performance so very poor for a man of your experience and competence. The line about lacking inquisitiveness was only a feeble beginning. In this connection I got hold of Bud's partner early in the a.m. and got his agreement to get Bud to hold back on a formal response, if that was, as it turned out not to be, possible, but there remains his new understanding for the future, when it can be more than a denial. He told me of a simple statement they had prepared that has a fine point: such a dispute belongs before the bar's grievance committee, not the tube. That is a real challenge to Alch and he will now be silent. Also, he has no reason to make more noises, having accomplished his point. The failure to question him about his has-to-be-deliberately-twisted line about getting Nixon is a real touchstone to this committee. Here the legal work again was very poor.

Barker's self-portrait was magnificent, unintendedly. I hope for some of the same from Hunt. I got enough short quotes in longhand and won't take the time for auditioning for longer ones on the mind of the authoritarian, who can't be a criminal when caught in serious civil and political crime. The barker testimony, by the way, is to me another vindication of my method in interviewing and questioning, just keep them talking. Had this all stopped with the staff work, it would have been sterile.

Baldwin confirmed, if you did not catch it, what I remember unclearly from one of my early notes, that those nuts could not have had their walkie-talkie on and for that reason only were caught. Even if Baldwin's warning was as late as he in this testimony indicated, there would have been time to get out and away, for there was nothing to block it with the cops on the balcony.

Baldwin also points up the conspicuous departure from the prosecutorial norm. He was the least involved of that gang, so he was offered immunity. The norm, transposed to the WH, would have been to do this with Dean. I find myself wondering about Baker's cracks about giving him immunity. Baker is a lawyer, and he knows that if Baldwin was given transactional immunity, the only kind that could have been real immunity, there is nothing the Senate can do. Best,

*JS*