

JFK-King Panel Spying Charged; Funds Withheld

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The House Assassinations Committee suddenly began investigating itself yesterday in the face of accusations that an undercover agent it recruited had spied on Jerry Ray, filched his letters and secretly tape-recorded his conversations.

Ray is a brother of James Earl Ray, convicted killer of the Rev. Martin Luther King Jr.

According to a statement by the undercover agent, a former FBI informer named Oliver Patterson of Blackjack, Mo., one committee investigator even assigned him to "secure samples of Jerry Ray's hair."

The charges prompted an abrupt withholding of additional funds for the committee's inquiries and sent it into a turmoil less than a week before the start of public hearings into King's murder in 1968.

The turnabout, which included a bit of gamesmanship at the expense of The New York Times, was engineered by the controversial Mark Lane. Now the lawyer for King's convicted assassin, Lane led the lobbying effort to create the committee two years ago, but has since turned against it.

The committee's chief counsel, G. Robert Blakey, acknowledged that the allegations were "very serious" and said they would be thoroughly examined. But he refused further comment and declined even to say whether the

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committee had any undercover agents.

"I'm not authorized" to say, Blakey protested in a somewhat tense exchange with reporters yesterday morning, moments after a House Administration subcommittee had shelved the committee's report for \$790,000 to carry it through the end of the year.

Rep. Samuel L. Devine (Ohio), the ranking Republican on both the Assassinations Committee and the subcommittee that funds it, complained that the inquiry would run out of money by Sept. 15, right in the middle of public hearings on President Kennedy's assassination, without a fresh transfusion, but his colleagues were unimpressed. Subcommittee Chairman John H. Dent (D-Pa.) said the Assassinations Committee had \$822,000 as of July 1, more than enough to keep it going until the current furor is settled and the Kennedy hearings completed.

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The charges of committee-authorized spying on Jerry Ray were first aired Monday in a St. Louis "news conference" that Lane had carefully orchestrated last weekend after enlisting Patterson as a defector, willing to tell all. In a typewritten statement, the self-described undercover agent said he had been "recruited" by committee investigator Conrad (Pete) Baetz early this year and sent to Georgia to "renew my relationship" with Jerry Ray.

According to Patterson, he had been an informer for the FBI on the activities of Jerry Ray and white supremacist J. B. Stoner from 1971 to 1974. Apparently the FBI supplied Patterson's name to the Assassinations Committee as a potential asset.

In any case, Patterson said in his statement that Baetz, a \$24,000-a-year committee investigator based in St. Louis, "regularly instructed me to telephone Jerry Ray and to tape-record those conversations."

"I often did that while Baetz was in my house," continued Patterson, an electronics salesman who used to operate a shop called Blackjack Radio out of his home. "Often Baetz would listen into the conversation by using earphones designed to monitor conversations. This went on for several months. Baetz took the tapes of the recorded conversations with him and gave me back tapes regularly."

Under rules adopted by the committee last year in the midst of another controversy, "no conversation of com-

mittee members or staff with any person shall be recorded without the prior knowledge and/or written consent of the person whose conversation is to be recorded." In addition, the rules state, "there shall be no electronic surveillance or wiretapping of any person."

A Madison County, Ill., deputy sheriff on leave for a year, Baetz was reportedly closeted here with committee officials yesterday. A representative of the committee quoted him as saying, "I can't make any comment. I don't want to make any comment."

Patterson also said that on one occasion while he was in Washington with Jerry Ray—apparently in mid-April when both testified before the Assassinations Committee and shared a motel room during the trip—he searched Ray's belongings. Patterson said he found some letters from James Earl Ray to his brother along with a map "which Jerry had placed in his toilet articles bag."

"I took them, photocopied them, and sent the copies to Baetz," Patterson said.

He said Baetz later told him the documents were considered "so important" that they were discussed at a meeting in Washington attended by Blakey, "the director of the FBI and Attorney General [Griffin] Bell."

Asked about that, Blakey parried by asking whether he was really being asked to comment about such a "ridiculous" claim. Told that he was being asked just that, he declined to comment. He also refused to say whether he thought the committee itself, rath-

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er than some other body, ought to be conducting the investigation of Patterson's allegations. Finally Blakey demanded that all his "no comments" not be attributed to him by name.

According to Patterson, Baetz also sent him to Georgia to see Jerry Ray and "to secure samples of Jerry Ray's hair. A woman named Donna, who traveled with me at the time, assisted in securing hair samples."

Later, after Patterson told Baetz of an argument he had with "Donna," Patterson said that the committee investigator "immediately visited Donna and threatened to send her and her husband to a federal penitentiary if either of them ever told of our secret undercover work for HSCA"—the House Select Committee on Assassinations. "Baetz also threatened to send my former wife Leslie to a federal penitentiary if she told the truth about the secret operation."

The gamesmanship involving The Times—which Lane has claimed is a recipient of inflammatory and misleading committee leaks—came last weekend. According to John Auble, a reporter for KSD-TV in St. Louis who had been alerted to Jerry Ray last week, once Patterson started cooperating with Lane, Lane suggested that Patterson call Baetz.

"So Patterson calls Baetz and says something like 'Mark Lane's found out about us spying on Jerry Ray and he's going to make a big deal out of it,'" Auble recounted. Auble, who says he heard the tapes Lane made of this and ensuing conversations, quoted Baetz as having replied: "We'll beat him

[Lane] to it . . . I'll arrange for you to have a press conference with The New York Times."

In his statement, Patterson said he was instructed to tell The Times that Lane was "a queer" and to hand the newspaper a lot of other false information.

As Auble understood it, New York Times reporter Nicholas Horrock, the senior man in a Washington-based investigative team for the paper, subsequently called Patterson and arranged to send reporter Anthony Marro to St. Louis on Monday for what The Times evidently thought would be an exclusive interview with a committee source.

Instead, Marro walked into the Hilton Inn near St. Louis' Lambert Field, was met by Patterson and a "friend" (Lane associate Don Freed) in the lobby, and then was led to the two-room suite The Times had reserved for Patterson. There The Times reporter found Lane and crews from KSD-TV and KTVI-TV in St. Louis whirring away.

"Mark says [to Marro]: 'If you're a reporter, you'll want the real truth. We can give you the real story,'" Auble recalled yesterday. He said Marro turned on his heels, got past a slight bumping match with Lane and Freed, declared "You're not going to use me" and walked out.

Marro agreed yesterday that he'd been "sandbagged." Although he talked to Lane and the others later, he said, "I wasn't going to take in a news conference if I was more of an exhibit than a reporter."

Horrock was more tight-lipped. "I don't discuss how we do stories," he said.

Balky Witness Is Indicted

A federal grand jury here yesterday indicted a Decatur, Ga., man on contempt of Congress charges for refusing to testify about an alleged offer of \$75,000 to assassinate the Rev. Martin Luther King Jr.

The indictment charged Claude Powell Jr. with refusing to testify before the House Assassinations Committee on Feb. 6 after being subpoenaed for that date.

According to the indictment, the panel wanted to ask him about allegations that in 1967 or 1968 he and his brother, Leon Powell, "were asked in Atlanta, Ga., whether they might be interested in making a large sum of money by killing Martin Luther King Jr."

Persons connected with the committee have refused to say whether they believe the offer of money actually occurred, but said the issue was whether any witness can be allowed to defy a committee subpoena.