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"CODE NAME 'ZORRO'"

The following is a concise summary of each chapter in the book "Code Name 'Zorro,'" written by Mark Lane and Dick Gregory and published in 1977

PART ONE "NINE YEARS AGO"

Chapter 1 - "On the Death of Great Men"

Lane states this book is based on interviews conducted with James Earl Ray during 1976 and 1977. Lane says that according to Ray the murder of King was a conspiracy and he (Ray) was only an unwitting implement. Lane writes that the public has no confidence in the investigation by a "police agency that vowed to destroy Dr. King" and a Department of Justice review of that agency's work (Justice Department OPR Task Force).

According to Lane, new evidence has been developed since 1968 in the assassination investigation, but in this chapter there was no elaboration.

Chapter 2 - "Nine Years Ago"

In this chapter Gregory gives an assessment and build up of King, based on Gregory's personal relationship and association with King.

PART TWO "MARTIN LUTHER KING AND HIS MISSION"

Chapter 3 - Martin and Coretta King"

This chapter contains background data on King and his wife, Coretta, as written by Gregory.

Chapter 4 - "King and Kennedy Call"

This chapter is Gregory's discussion of the Civil Rights Movement including King inviting Gregory to attend the Birmingham Civil Rights March in April, 1963, followed by President Kennedy calling and asking Gregory not to attend.

Chapter 5 - "Birmingham"

Gregory describes the Birmingham Civil Rights March of April, 1963, as the turning point in the Civil Rights Movement. He also relates his experience in jail after being arrested during this March.

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Chapter 6 - "Pearls Before Swine"

Gregory continues description of the Birmingham March and cites in detail the case of Roosevelt Tatum, a Birmingham black, who reportedly witnessed a bomb placed at the home of King's brother by a Birmingham police officer.

Chapter 7 - "Birmingham Jail"

Gregory describes a letter King wrote while in jail in Birmingham. The letter was sent to eight white clergymen who had criticized King for his untimely demonstrations.

Chapter 8 "I Have A Dream"

Gregory describes the August, 1963, Civil Rights March on Washington, D. C., and King's "I Have a Dream" speech.

Chapter 9 - "A Far Deeper Malady"

Lane describes events which occurred in the spring of 1967 when King publicly condemned U. S. involvement in the Vietnam War. Lane tells of King being frightened by the hostile public response to his position on the war.

Chapter 10 - "The Last Campaign"

Gregory describes King's preparation for the Poor Peoples Campaign (PPC) to be held in Washington, D. C., during April, 1968. Gregory relates the hostile white reaction to King's threat to bring thousands of poor people to Washington, D. C., and thus broaden King's base from Civil Rights to Human Rights.

PART THREE "CODE NAME 'ZORRO'"

Chapter 11 - "Hoover's FBI"

In this part of the book Lane begins to examine the FBI's motives and dedication in enforcing Civil Rights laws and to raise questions as to what bearing he feels the answers had on the murder of King. Lane's insight into the FBI's intelligence operations is provided by former Special. Agent Arthur Murtaugh, who was assigned to the Atlanta Office and the squad which investigated King. Murtaugh is well known as a critic of the Bureau and in this chapter discusses the FBI's weight program, disciplinary transfers and other policy matters.

Chapter 12 - "One Man"

Murtaugh's discussion of the Bureau is continued.
He claims Hoover's domination of Bureau Agents forced them to lie.
Lane also includes personal information about Murtaugh and his career.

Chapter 13 - "The Obsession"

This chapter begins a discussion of FBI's discrediting and counterintelligence activites against King. Lane's main source of information here is the report of the Senate Select Committee which reviewed the FBI's investigation of King in 1975. Lane includes a history of the FBI's investigation of King and the SCLC beginning in 1962.

In this chapter Lane writes that "Hoover detested criticism, blacks and movements for change. Dr. King epitomized all that threatened Hoover's tenuous hold on reality. The FBI's unholy war against Dr. King was on. Before it ended Dr. King would lie dead on a motel balcony in Memphis."

Lane also alleges that while working on his book in late 1967, documents containing derogatory information about him were being circulated among members of the Washington Press Corps, primarily to "friendly" FBI news sources. This was done, according to Lane, to discourage Congress from responding to Lane's call for an inquiry into the deaths of King and Kennedy.

This chapter concludes with a discussion of the tape and letter that were mailed to the Atlanta SCLC office in 1964. According to Lane, King and his associates reasoned that this letter contained a suggestion that King kill himself and that this letter and tape could have only come from J. Edgar Hoover. Lane writes that King, at that time, said he could never again trust the FBI to protect him.

Chapter 14 - "The Destroy King Squad"

Quoting Murtaugh extensively in this chapter, Lane criticizes the FBI's handling of Civil Rights cases in the South, and points out the FBI's personal vendetta against King was a concentrated effort greater than any single investigation observed by Murtaugh in 20 years of FBI service.

Murtaugh states that the security squad he worked on handled the King investigation. He claims the anti-King effort came mostly out of Atlanta but also New York, Washington and some other field offices participated in the "organized vendetta."

According to Murtaugh, Atlanta Agents had a code name for King - "Zorro." Lane writes that "Zorro," the Spanish word for fox, was a legendary, mask figure in the Spanish old west, popularized by a television show in the late 50's, a noble man in disguise, a political Robin Hood.

Concluding the chapter, Murtaugh is quoted to say that bugging of King was so constant and he was even bugged in Sweden when he went to collect the Nobel Prize. (There is no evidence of this in Bureau files and such action was certainly not carried out or initiated by the FBI.)

PART FOUR "PRELUDE TO MURDER"

Chapter 15 - "March 28, Memphis"

Lane discusses the Sanitation Workers Demonstration which occurred on 3/28/68, in Memphis. Lane says the Invaders, a Memphis youth gang, were blamed officially for the violence that occurred. However, quoting a black reporter in "Newsday," Lane writes that the FBI and Memphis police informants in the Invaders were responsible for violence. Lane states that if violence had not occurred during that March, King would not have returned to Memphis in April. Lane states that all of this activity was part of the FBI's plan to destroy King and disrupt black groups.

Lane believes that the infiltration of the Invaders touches directly on King because an undercover Agent with an automatic rifle was part of the Invader security guard detail for King. Lane claims this same detail on 4/4/68, left the Lorraine Motel about 30 minutes before King was killed.

The main point of this chapter is that Government officials (probably meaning the FBI) believe that if King could not control the Memphis Sanitation Workers Strike March then similar violence would occur with his proposed PPC in Washington D. C., which would begin in April, 1968. Lane leaves to the reader to presume that it was, therefore, necessary to prevent King from going through with the PPC.

Chapter 16 - "March 29, Memphis and Washington"

This chapter Lane discusses FBI counterintelligence activity to force King to move to the black-owned Lorraine Motel instead of the white-owned Holiday Inn where King fled during the violence which errupted in the Sanitation Workers March. Lane claims that the FBI memorandum which approved this action contained a notation "handled" which Lane feels was not thoroughly checked into by the Senate Select Committee under Senator Church.

This chapter also contains excerpts from a speech in Congress by Senator Robert Byrd urging that King be prevented from bringing his PPC to Washington. Lane states that Byrd requested the FBI to prepare a speech for him and incorrectly leads the reader to believe that the FBI complied. (Bufiles indicate that we refused to assist Byrd with this speech.)

This chapter concludes by stating that the FBI had "prevailed" and that King was not only to return to Memphis, but to the Lorraine Motel.

Chapter 17 - "April 3 & 4, Memphis"

Gregory describes King's last night in Memphis, excerpting his speech which has become known as his "I Have Been to the Mountain Top" speech.

Gregory discusses the close personal relationship between King and Reverend Ralph Abernathy and describes their personal activity which leads to King's presence on the Motel balcony where he was shot.

PART FIVE "THE MURDER"

Chapter 18 - "April 4, Memphis"

Lane describes the fire station located near the murder site and the transfer of two black firemen to other stations on the day King was killed. Also discussed is reduction in the police security detail from ten to two men. Lane claims Frank Holloman, Memphis Director of Fire and Police Departments, was responsible for the pullback of police security guarding King. Leader of the detail, Ed Redditt, a black detective, was removed after being brought to Holloman's office and told of a threat against his life. Information about this threat came from a representative of the U.S. Secret Service who was also present in Holloman's office, according to Lane.

Quoting Murtaugh, Lane alleges that FBI Agents in Atlanta had no will to get the right answers to the questions in the King murder investigation. Murtaugh states Agent feeling against King was too strong that if, in possession of information in advance that King was to be killed, these Agents would "sit on it." Lane quotes Murtaugh as saying the case was never investigated thoroughly and, if it could be, a conspiracy would be found and that "the King killing was some kind of a counterintelligence scheme cooked up by somebody and it could be anybody." Murtaugh states there are too many questions about "Oswald and Ray" and that no guy like Ray could have done "that sort of thing on his own."

Chapter 20 - "Director Holloman"

In this chapter Lane describes how he and his close friend, Abby Mann, interviewed Holloman in Memphis. Lane states Mann wrote "Judgment at Nuremberg" and created the television show, Kojak. Main points in the interview concern violence during the Sanitation Workers Strike and reduction of the police security force guarding King. According to Lane, Holloman said that a threat against Redditt's life was the reason he was removed from guarding King. Holloman denied having knowledge that two black firemen were reassigned away from the assassination site. Holloman, according to Lane, did not recall the original source (Government agency) that supplied information about the threat on Redditt's life.

In this chapter Lane includes biographical data on Holloman, connecting him with the FBI as SAC in Atlanta and Memphis and at FBIHQ as an Inspector in Mr. Hoover's office. Lane implies that Holloman's loyalty to Hoover resulted in Holloman's inability to remember the original source of the Redditt death threat.

Chapter 21 - "April 5, Memphis"

In this brief chapter Lane tells of two Memphis reporters who claim, that at the time of the assassination, trees obstructed the view of the Lorraine Motel balcony from the bathroom window of the rooming house from where the fatal shot was fired. According to one of these reporters, these trees were cut down just as the murder investigation began. The implication is, if the trees existed, the shot could not have been fired from the bathroom window as claimed by the FBI and police.

PART SIX "THE STATE OF TENNESSEE VS. JAMES EARL RAY"

Chapter 22 - "The Case Against Ray"

In this chapter Lane describes the hearing where Ray pled guilty. Lane's attorney, Percy Foreman, is criticized for not objecting to leading and improper questions by the prosecution, which gave the jury details and evidence of the case against Ray. At this hearing from two eyewitnesses to the murder, the medical examiner who performed the autopsy, Memphis Police Inspector in charge of the Homicide Bureau, and SAC Jensen of the FBI office in Memphis who would testify about identification of Eric S. Galt and discovery of a white mustang.

After these witnesses, the prosecution presented stipulations of additional evidence against Ray, mainly including purchase of the rifle, renting of the boarding house room, movement of Ray before and after the murder and finger-print and firearm evidence.

In rebuttal, Lane points out that no fingerprints were left in the rooming house bathroom from where the shot was fired and that the entire case against Ray was presented uninterrupted by Defense Counsel and unrestrained by the Rules of Evidence.

Chapter 23 - "The Defense"

In this chapter Lane evaluates the case against Ray, stating that if the State could not prove Ray guilty then his plea must be examined to see if it was improperly coerced.

Lane claims he reviewed documents in the office of Ray's first attorney, Arthur Hanes, and made copies of material later turned over to the House Select Committee on Assassinations (HSCA). Lane believes the case was flawed and Ray would not have been convicted if he had been tried. Lane questioned that the State could prove the bullet actually came from Ray's gun, and that a dent on the rooming house windowsill was made by Ray's gun. Further, the bullet could not be traced to Ray. Therefore, evidence of Ray's gun ownership is worthless. Lane states that the manager of the rooming house never identified Ray as the man who rented a room under the name John Willard. Other witnesses who put Ray into the rooming house were questionable as to their reliability. One of these witnesses was kept in jail for his protection and another unjustifiably committed to a mental institution.

In this chapter Lane discusses the legal aspects of the case. He states that Ray, during invterview, told him the following items of significance:

- (1) Ray registered as John Willard at the rooming house, but the registration book disappeared and the prosecution made no reference to it.
- (2) That he met Raoul in Canada and became involved in smuggling activities for Raoul, presumably contraband.
- (3) Ray met Raoul in New Orleans four months before King was killed. Raoul promised Ray \$12,000 and papers to get out of the country, stating he (Raoul) would need Ray in three or four months.
- (4) Two months before King died Raoul and Ray traveled together from Birmingham to Atlanta, then back to Birmingham where the rifle was purchased.
- (5) Raoul disliked the rifle and an exchange was made.
- (6) They met again in Memphis on 4/3/68, went to Jim's Grill on the afternoon of 4/4/68, and then together returned to the rooming house.
- (7) Raoul told Ray to buy binoculars and to bring the car and belongings to the rooming house since they would be there a few days.
- (8) As to his location when the shot was fired, Ray told Lane that after returning to the rooming house Raoul sent him out several times, the last of which was to a service station to get air in a spare tire. As he was returning to the rooming house police were in the area and King had already been shot.
- (9) Ray claimed he didn't even know King was in town. When he heard the report on a radio he kept driving to get as far away from Memphis as possible since increased police activity could effect his capture.

Using the above information from Ray, Lane makes an affirmative case for the defense, and attacks the prosecution's case, trying to show that Ray did not kill King and that a conspiracy existed.

Lane raises questions, such as where was Ray's source of income since the FBI did not find any substantial sources of funds? Also, why didn't Ray place his personal belongings in the mustang, rather than on the street? Why did he go back twice to buy a gun and, therefore, increase chances of being identified by sales personnel?

According to Lane important factors in challenging the case against Ray and to indicate a conspiracy are as follows:

- (1) Ray would have no advance information that King would be at the Lorraine Motel.
- (2) No fingerprints of Ray were located in the bathroom and it could not be proved that the bullet came from Ray's gun.
- (3) Trees obstructed the view of the Lorraine balcony from the rooming house bathroom window.
- (4) Questionable angle of the bullet entering King and the statement of a witness that the shot was fired from a clump of bushes between the motel and rooming house.
- (5) False radio broadcast which misled police as to Ray's escape route.
- (6) Ray's Canadian aliases were actually names of existing people whose ages and physical descriptions resembled that of Ray.

Chapter 25 - "The Plea"

According to Lane, at the time of his plea, Ray said that a conspiracy existed.

Lane describes prison conditions of Ray which included constant observation and bright lights in the cell, all of which were factors leading to Ray's guilty plea. Lane also questions the personal motives of Foreman and alleges Foreman was not prepared to go to trial and did not properly investigate the case.

Lane claims Ray told him that, while in prison, Foreman displayed photographs of people the FBI wanted out of circulation and that if Ray would identify one as King's killer, the FBI would arrest that person and bring him to Memphis. Ray told Lane that he declined to make an identification but that one person's photograph was familiar to him, that being a man who resembled Raoul, photographed with two other men in Dallas just after Kennedy was killed. Ray also claimed that on another occasion Foreman showed him a list of places that had been robbed. Ray believed this list came from the FBI to either Foreman or William Bradford Huie who also wrote a book on the assassination case. According to Ray, Foreman said Huie had better FBI connections than he (Foreman) had.

Lane writes that, according to Ray, the reasons Foreman had him plead guilty are:

- (1) He was already convicted in the media.
- (2) It was in Ray's best financial interest.
- (3) A witness against Ray had already been promised reward money by the prosecution.
- (4) A trial would have adverse effect on Memphis businesses and hurt city's image.
- (5) Foreman would arrange a pardon for Ray in two or three years through a connection with the Governor of Tennessee.
 - (6) A guilty plea would avoid the death penalty.

Lane alleges that Ray also felt that, if a trial was held, Foreman would deliberately destroy the case. Lane concludes by questioning the judges conduct in the case, that Ray still talked of a conspiracy at the time of his conviction and that court officials talked Ray out of asking for a new trial.

PART SEVEN "KALEIDOSGOPE"

Chapter 26 - "They/He Slew The Dreamer"

In this chapter Lane discusses the book "He Slew the Dreamer" by William Huie. According to Lane, Ray's reason for getting involved with Huie and later McMillan was that he needed money.

Lane tells how Huie first believed a conspiracy existed, primarily because publishing companies interests were better served to promote a conspiracy theory. However, according to Lane, Huie contradicts this theory when, in his three articles which appeared in "Look" magazine, he was paid more for the last article denouncing a conspiracy than for the first two which promoted a conspiracy.

Lane attacks the basis on which Huie changed to his conclusion that no conspiracy existed and emphasizes that such vacillation by Huie is further indication of an existing conspiracy.

Chapter 27 - "The Making of an Assassin"

In his criticism of the above book by George McMillan, Lane writes that McMillan did not spend enough time studying details regarding the FBI and police investigations into the assassination. Lane also criticizes "Washington Star" reporter, Jeremiah O'Leary, who wrote a favorable review of McMillan's book during the controversy in the House of Representatives involving funding of the HSCA. Lane alleges O'Leary to be close to the FBI and a publicly identified paid CIA operative.

According to Lane, McMillan uses statements by Ray's brother, Jerry, to support his conclusion that Ray killed King alone. Lane says McMillan refused to talk to him or to deny that he (McMillan) made up statements attributed to Jerry Ray. Lane quotes Jerry Ray as saying he fabricated stories about his brother to McMillan in order to get money from McMillan.

Lane alleges the FBI helped McMillan and others who were writing in support of the official version of the assassination and denied access to relevant material to those with other opinions.

PART EIGHT "FOR A DAY IN COURT"

Chapter 28 - "The Appeal"

In this chapter Lane states that Ray's first request to the judge for a second trial was ignored. After a second letter, the judge improperly asked the prosecutor to check into Ray's attorney situation. That judge then died and his replacement refused to grant a new trial. In 1970 the Supreme Court of Tennessee refused to review the case as did later the U.S. Supreme Court. Lane makes his final point that the American people had been denied an opportunity to witness an open inquiry into the King assassination.

Lane discusses the Citizen's Commission of Inquiry (CCI) which he founded in 1975 to investigate the assassination of John F. Kennedy and later the death of King. The CCI was funded primarily by Lane's lecture fees. Small chapters of the CCI were formed at speaking sites and these chapters were effective in influencing Congressional interest to conduct a new investigation in both assassination cases.

Lane goes into the history of the HSCA, starting with House Resolution 204 on 2/19/75, which called for a Select Committee of seven House members to study the assassinations of President John F. Kennedy, Senator Kennedy, King and the attempted killing of Governor Wallace. However, the majority of the Rules Committee opposed this resolution. In May, 1975, Representative Downing introduced a second resolution to investigate the death of President Kennedy. However, in March, 1976, the Rules Committee refused to refer either resolution to the floor of the House.

Lane continues describing his own travel and activities in writing his book and working with the CCI during this period to support the Downing Resolution and encourage an investigation of the Kennedy and King assassinations by the 95th Congress which would convene in January, 1977.

In August, 1976, Lane contacted three members of the Black Caucus, including Representative Andrew Young, and presented his findings, to date, regarding King's assassination. He received the Black Caucus' endorsement that a Congressional Inquiry was needed. This was followed by meeting with leaders of the Black Caucus, various House leaders and Coretta King. Lane states that House leaders were convinced a new investigation was needed and a newly-drafted resolution was passed in the House in September, 1976, creating the HSCA. Lane credits Representative Fauntroy with maneuvering the resolution through Congress.

Lane claims that the news media attacked the HSCA and its Chief Counsel Richard Sprague while ignoring other significant events, such as the mayor of Memphis ordering the police to burn all facilities (180 boxes) which comprised the entire history of the Domestic Intelligence Division of the Memphis Police Department. In January, 1977, efforts of the news media and Intelligence agencies combined to fight reestablishment of the HSCA.

Lane concludes this chapter by stating that the known evidence leads to the conclusion that "persons employed by the Federal Bureau of Investigation in 1968 must be considered to be prime suspects in the murder of Dr. Martin Luther King, Jr." He continues that, if the facts ultimately acquit those persons, even to allow the FBI to conduct the only authorized investigation is to "profane our concept of justice and to betray our pretentions of decency." Further, the Department of Justice investigation enjoys limited credibility. Therefore, the Congress should act.

"POST SCRIPT"

Lane states that the report of the Department of Justice, Office of Professional Responsibility (OPR), which concluded that Ray acted alone, was leaked to the news media on the day the new Attorney General took office and the day that Congress was to consider reestablishment of the HSCA. Lane states this report raises more questions than it answers.

Lane gives the history of the Department's review of the King case, first by the Civil Rights Division under Mr. Pottinger and then the OPR review. Lane focuses on the following key points in the OPR report:

- (1) The report says only that the FBI did not conduct electronic surveillance coverage of King at the time he was killed. It does not cover whether or not he was physically surveilled by the FBI in the hours before his death. There is only the statement that FBI Agents observed the Sanitation Workers March.
- (2) The OPR report is not clear as to why the police security detail surveilling King was removed, and why Detective Redditt was removed from his fire station position on the day of the assassination.
- (3) OPR was unable to determine why two black firemen were transferred away from the fire station, but the report concludes the transfers were not connected in any way with the assassination.
- (4) The OPR report dismisses Ray's claim that he was financed by Raoul.

(5) That the FBI investigation did not show if Ray committed any robberies in the United States or elsewhere, and that OPR concluded that the sources of Ray's funds are still a mystery.

Lane complains about OPR denying public access to Appendix B of its report, which contained key interviews relative to some of the points mentioned above. Lane also criticizes the OPR for relying on Huie's book for many of its findings on Ray.

Lane also refers to the expressed reservations of Attorney General Bell that Ray acted alone. These reservations were outlined by Bell on 2/18/77, when the OPR report was publicly released. Lane claims he met with OPR attorneys on 3/3/77, and raised questions as to their report and interview, emphasizing that no Federal employees ever interviewed the two black firemen and two policemen on the security detail until July, 1976, when it was done by an OPR attorney. Lane also believes OPR interviews were incomplete.

Lane then adds the statement of Carl T. Rowan in the "New York Post" on 2/19/77. Rowan writes that "very clearly the FBI is suspect." Rowan based this on his claim that FBI "operatives" told him that the Russians killed King, while within four hours after the shooting, the FBI was gathering evidence to the contrary and against Ray.

Lane concludes the chapter by stating that the OPR did not examine the failure of the FBI to seek Ray from the outset in spite of his fingerprints left at the scene. He claims the report did not disclose the fact that original circulars advertising Ray's escape from the Missouri Penitentiary bore another man's fingerprints and not Ray's. The report did not disclose or explore false stories circulated by the FBI regarding the suggested culprits, from Hoover's talk of a "Jealous Husband," to allegations about Russian spies.

Appendix One "The Funeral"

Gregory begins by criticizing the FBI's investigation of Civil Rights by stating "black foxes in America rate the FBI like they do the swine flu shots . . . use it at your own risk."

He follows with a detailed description of King's funeral, including the verbatim text of King's eulogy delivered by Benjamin O. Mays, President, Emeritus of Morehouse College, Atlanta.

Appendix Two "Speech of Senator Robert C. Byrd"

This is a transcript of Byrd's speech which is referred to in Chapter 16 when Lane alleges the FBI assisted Byrd in its preparation. Speech is critical of King as a "self-seeking rabble-rouser," who should not be allowed to bring his Poor Peoples Campaign to Washington, D. C., because it would cause the same kind of violence that occurred in Memphis. This speech was delivered in the Senate on 3/29/68.

Appendix Three "Percy Foreman Letter to James Earl Ray"

In this letter Foreman states that all Ray's royalties from his book, magazines, etc., are his (Foreman's) and that Ray requested a guilty plea and agreed to accept a 99-year sentence. Foreman writes that since legal proceedings were shortened by the plea, Foreman's fee would be only \$150,000, plus \$15,000 for expenses.

Appendix Four "The Right to Know"

Lane discusses CIA documents he received under FOIA concerning the CIA campaign against critics of the Warren Commission. According to Lane, this campaign would employ propaganda assets to refute the critics, including a CIA critical review of Lane's own book "Rush To Judgment." Lane deplores this activity and makes the point that secretive Government organizations should not interfere with the peoples' right to know.

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CODE NAME "ZORRO": THE MURDER OF MARTIN LUTHER KING, JR.

By Mark Lane and Dick Gregory

Englewood Cliffs, NJ: Prentice-Hall, Inc., 1977

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