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SECTION 3

SERIALS 2/9/69-11/25/75



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FBI/DOJ

FBI-King story is not over

WASHINGTON — In this column, almost exactly a year ago, I wrote the following about the FBI's attempt to destroy Dr. Martin Luther King Jr.:

"Is it a proper FBI function for agents to mail to the wife of a man the FBI director despises a tape recording suggesting that the man has a sexual affair going with another woman? Should this tape be used this way primarily because agents close to the FBI director hope that sending it to the wife will activate the hated man's tendency toward suicide? This was done under Hoover."

The front pages of America recently have blared forth most of the story of J. Edgar Hoover's grisly plot to destroy the reputation and influence of Dr. King. With FBI officials now acknowledging these monstrous efforts to destroy the civil rights leader, I write not to say "I told you so."

I wish only to have Americans realize that what I wrote in 1974, but more important the many columns that I wrote about Hoover and the FBI in 1969, were true.

WHEN I FIRST revealed what Hoover and the FBI had done to Dr. King, for reasons of Hoover's venality, personal spite, political ideology, I stirred up quite a fuss. I shall never forget that when Vera Glasner and Malvina Stephenson asked Hoover who started the controversy over illegal wiretaps, the late FBI director replied:

"That racist columnist, Rowan."

Millions of Americans were a lot more prepared to believe that I was a black racist, forced by paranoia to make "credible" charges against the FBI, than to believe that

(Mount Clipping in Space Below)

Hoover would engage in blackmail and other crimes.

NOW THAT the Senate and various FBI officials have made it clear that I knew what I was writing about six years ago, perhaps you'll treat seriously what I'm about to say:

I am utterly convinced that the FBI knows a lot more about the assassination of Dr. King than has ever been revealed.

The FBI kept Dr. King under both electronic and physical surveillance right up to the time Dr. King was killed, and the campaign to destroy his reputation continued long after the assassination at a black-owned motel in Memphis.

(Dr. King was at this particular motel, by the way, because the FBI urged a friendly reporter to write that even as the civil rights leader was urging a boycott of white merchants he was staying in a white-owned motel.)

Hoover passed around "top secret" documents suggesting the FBI knew every time Dr. King smiled at a woman, or vice versa. Given this kind of surveillance, why were there no FBI "informants" around to see someone firing a gun at Dr. King?

I LOOK BACK at notes I took during private sessions with top FBI personnel when the FBI supposedly was pressing one of its largest manhunts in history — looking for Dr. King's killer. I view those notes in the light of recent revelations regarding FBI activities here at home and CIA assassination attempts abroad, and I personally become convinced that the FBI never told the American people the whole truth about Dr. King's murder.

I recall the strange difficulties James Earl Ray, who was imprisoned for the killing, had with his attorneys. I note the repeated squelching of his claims that he is the patsy for other conspirators. I look back at the evidence and am personally convinced that killing Dr. King was not conceived — perhaps not even executed — by

James Earl Ray alone.

We may never know the whole truth. But that Senate committee ought to go on and explore the question whether when Dr. King's bitter enemies failed to blackmail him into committing suicide they took other means to "eliminate" him.

The mere thought is grotesque. But given the facts at hand, can we ignore the possibilities?

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8 CHICAGO DAILY NEWS
CHICAGO, ILLINOIS

11/25/75

Date:

Edition: BLUE STREAK

Author: CARL T. ROWAN

Editor: D. FELDMEIR

Title: CRIME RECORDS

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Classification:

Submitting Office: CHICAGO

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W. J. Rogers

UP-046

(KING)

(BY ED ROGERS)

WASHINGTON (UPI) -- ATTORNEY GENERAL EDWARD LEVI HAS ORDERED THE JUSTICE DEPARTMENT TO REVIEW AN FBI INVESTIGATION INTO THE ASSASSINATION OF MARTIN LUTHER KING JR. AND ADVISE HIM WHETHER TO ORDER IT REOPENED. IT WAS ANNOUNCED TODAY.

A JUSTICE DEPARTMENT SPOKESMAN SAID LEVI TOOK THE ACTION "IN VIEW OF" DISCLOSURES BEFORE THE SENATE INTELLIGENCE COMMITTEE THAT THE FBI CONDUCTED A PROGRAM OF HARASSING THE LATE CIVIL RIGHTS LEADER FOR SEVEN YEARS PRIOR TO HIS DEATH IN 1968.

KING WAS HEAD OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE AND WINNER OF A NOBEL PEACE PRIZE FOR HIS CRUSADE ON BEHALF OF BLACKS. HE WAS SHOT TO DEATH AT A MOTEL DURING A VISIT TO MEMPHIS, TENN.

"I HAVE ASKED ASSISTANT ATTORNEYS GENERAL J. STANLEY POTTINGER AND RICHARD THORNBURGH TO REVIEW THE FILE AND RECOMMEND TO ME WHETHER THE INVESTIGATION SHOULD BE REOPENED," LEVI SAID IN A STATEMENT RELEASED BY THE JUSTICE DEPARTMENT.

POTTINGER IS HEAD OF THE DEPARTMENT'S CIVIL RIGHTS DIVISION AND THORNBURGH HEAD OF THE CRIMINAL DIVISION.

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ADD 1 KING, WASHINGTON (UP-046)

THE FBI HAS BEEN GIVEN CREDIT FOR TRACKING DOWN KING'S CONVICTED SLAYER, JAMES EARL RAY, WHO IS SERVING A LIFE PRISON SENTENCE IN TENNESSEE FOR THE KILLING.

JUSTICE DEPARTMENT SPOKESMAN JOHN WILSON SAID LEVI SENT MEMOS TO POTTINGER AND THORNBURGH LAST MONDAY EMPHASIZING HIS ACTION WAS NOT IN ITSELF A REOPENING OF THE INVESTIGATION AND SAID LEVI HAS NO INDICATION THE ORIGINAL INVESTIGATION WAS LESS THAN THOROUGH.

LEVI, IN FACT, SAID HE HAD BEEN ADVISED BY A JUSTICE DEPARTMENT ATTORNEY THAT THE FBI MADE AN "INCREDIPLY GOOD" INVESTIGATION INTO KING'S DEATH AND THERE WAS NO INDICATION THAT THE FBI MAY HAVE PULLED ITS PUNCHES.

THE SENATE SELECT COMMITTEE ON INTELLIGENCE REVEALED THIS MONTH THAT THE LATE FBI DIRECTOR J. EDGAR HOOVER CONSIDERED KING A "DANGEROUS" BLACK LEADER AND INSTRUCTED AGENTS TO DO ALL THEY COULD TO BLUNT HIS EFFECTIVENESS.

AGENTS SENT KING ONE ANONYMOUS LETTER SUGGESTING THAT HE COMMIT SUICIDE RATHER THAN FACE DISGRACE ON SOME UNDISCLOSED ALLEGATIONS, THE COMMITTEE SAID.

ASSISTANT DEPUTY FBI DIRECTOR JAMES ADAMS TOLD THE COMMITTEE EARLIER THIS MONTH HE COULD FIND "NO STATUTORY BASIS OR JUSTIFICATION" FOR SOME 25 HARASSMENT ACTIONS AGAINST KING.

ADAMS SAID THE ACTIONS WERE TAKEN BECAUSE THE FBI FEARED WHAT HE CALLED "COMMUNIST CONNECTIONS" WITH KING -- CONNECTIONS WHICH HE SAID NEVER WERE SUBSTANTIATED.

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FBI's crimes

The revelations that the Federal Bureau of Investigation was actively involved at the highest levels in schemes to intimidate Martin Luther King Jr. and discredit him as a leader of the civil rights movement are shocking.

Associate Deputy Director James B. Adams of the FBI, testifying Wednesday before the Senate Intelligence Committee, confirmed and enlarged on the particulars of the FBI's anti-King campaign as revealed by members of the committee's staff Tuesday. He said the FBI under J. Edgar Hoover mounted 25 covert operations to damage King. The schemes had "no statutory basis or justification," he said. Atty. Gen. Robert F. Kennedy had requested and approved FBI wiretaps on King.

Testimony before the committee Tuesday indicated that there were 16 electronic bugs and eight wiretaps installed to eavesdrop on the civil rights leader.

The crimes attributed to the FBI before the committee are too numerous to list here. One of them was the mailing of an anonymous letter to Mrs. King accompanied by a tape picked up by one of the bureau's bugs. The letter included this ominous threat to her husband: "King, there is only one thing left for you to do. You know what it is. You have just 34 days in which to do it. You are done. There is but one way out for you." It was just 34 days before the scheduled presentation of the Nobel Peace Prize to the civil rights leader in 1964. King interpreted the letter as demanding his suicide.

Other FBI papers raise the possibility that the FBI was instrumental in King's checking into the Lorraine Hotel in Memphis, Tenn., where he was murdered on April 4, 1968.

The Senate Intelligence Committee, with the full cooperation of the executive branch of the government, including the new leadership of the FBI, should pursue its investigation to its revolting depths. There must be changes made in the controls over FBI operations. Never again should it be possible for the nation's principal law enforcement agency to violate the law on such a scale.

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 PORTLAND, OREGON

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DIV. 6

NEW YORK (UPI) -- JAMES EARL RAY SAYS HE DID NOT SHOOT DR. MARTIN LUTHER KING JR. AND WAS A MILE FROM THE SCENE AT THE TIME.

THE CIVIL RIGHTS LEADER WAS SHOT TO DEATH IN MEMPHIS, TENN., APRIL 4, 1968. RAY PLEADED GUILTY AT THE TIME AND WAS SENTENCED TO 99 YEARS IN JAIL FOR KING'S ASSASSINATION.

IN AN INTERVIEW PUBLISHED IN THE NATIONAL STAR, WRITER STEVE DUNLEAVY REPORTED RAY TOLD HIM MATTER-OF-FACTLY: "I PERSONALLY DID NOT SHOT DR. KING. I MIGHT HAVE BEEN PARTLY RESPONSIBLE FOR HIS DEATH.

"BUT THEN THE MAN WHO MADE THE RIFLE MIGHT HAVE BEEN RESPONSIBLE IN PART, TOO.

"I WAS A MILE FROM THE SCENE."

RAY HAS SERVED MORE THAN SIX YEARS IN SOLITARY CONFINEMENT IN PRISON IN TENNESSEE, BUT WAS RECENTLY ALLOWED TO JOIN THE GENERAL PRISON POPULATION. IN 1974, HE CLAIMED HE WAS PRESSURED INTO PLEADING GUILTY TO A CRIME HE DID NOT COMMIT, AND IS NOW APPEALING THE CONVICTION.

"NO, I'M NOT LOOKING FOR A LESSER CHARGE," THE STAR QUOTED RAY AS SAYING. "I'M LOOKING TO BE FOUND NOT GUILTY. I DON'T WANT ANY CONSPIRACY CHARGES. I WANT A NOT GUILTY.

"IF I DIDN'T KILL HIM, THEN SOMEONE ELSE DID. BUT THAT'S FOR THE PROSECUTION TO FIND OUT. I'M NOT A STATE WITNESS AND DON'T INTEND TO BE. "THERE'S A LOT MORE INVESTIGATING TO DO INTO THE CASE, BUT I'M NOT GOING TO HELP THE AUTHORITIES.

"THEY ARE THE PEOPLE WHO WANT TO SEE THE END OF ME. IN DECEMBER, 1973, THEY TRIED TO PUT ME IN A LUNATIC ASYLUM. THEY WANT TO KEEP ME QUIET. I EMBARRASS THEM.

"LOOK, I KNOW THE TELEPHONE NUMBERS OF TWO MEN IN LOUISIANA. THE AUTHORITIES COULD HAVE GOT THEIR NAMES. FOR SOME REASON THEY DON'T SEEM TO WANT TO PURSUE THE CASE.

"GET THE TWO GUYS IN LOUISIANA AND YOU WILL KNOW A LOT MORE.

"IF I GET MY APPEAL I'LL TELL YOU ALL ABOUT IT THEN. YEAH, IT WILL SHOCK A LOT OF PEOPLE. WAS I A FALL GUY? I'M NOT GOING TO ANSWER THAT -- BUT I'M NOT GOING TO WASTE MY CASE ON YOU."

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'Shaky Statement' Alleging Plot In Dr. King's Death Is Reported

ATLANTA, June 20 (AP)—A court in his original trial that he fired the rifle shot that killed Dr. Martin Luther King Jr. on April 4, 1968, is serving a 99-year prison sentence.

Mr. Ray later attempted to change his plea to innocent, and one of his attorneys said, "Our contention is that there was a definite conspiracy and that Mr. Ray was set up as a fall guy and was not a part of the conspiracy."

Mr. Ray later attempted to change his plea to innocent, and one of his attorneys said, "Our contention is that there was a definite conspiracy and that Mr. Ray was set up as a fall guy and was not a part of the conspiracy."

Commissioner Hayes said that the documents delivered to him were "well-written" and that they included many "facts, dates and events." He said that he should know within two weeks whether the charges made in the documents were sufficient to request an F.B.I. investigation.

Mr. Hayes said that if the material proved to have sufficient substance for a thorough investigation, he would turn it over to the Federal Bureau of Investigation.

A spokesman for the F.B.I. in Atlanta said, "We don't know anything about it. We're conducting no investigation."

Mr. Ray was admitted to

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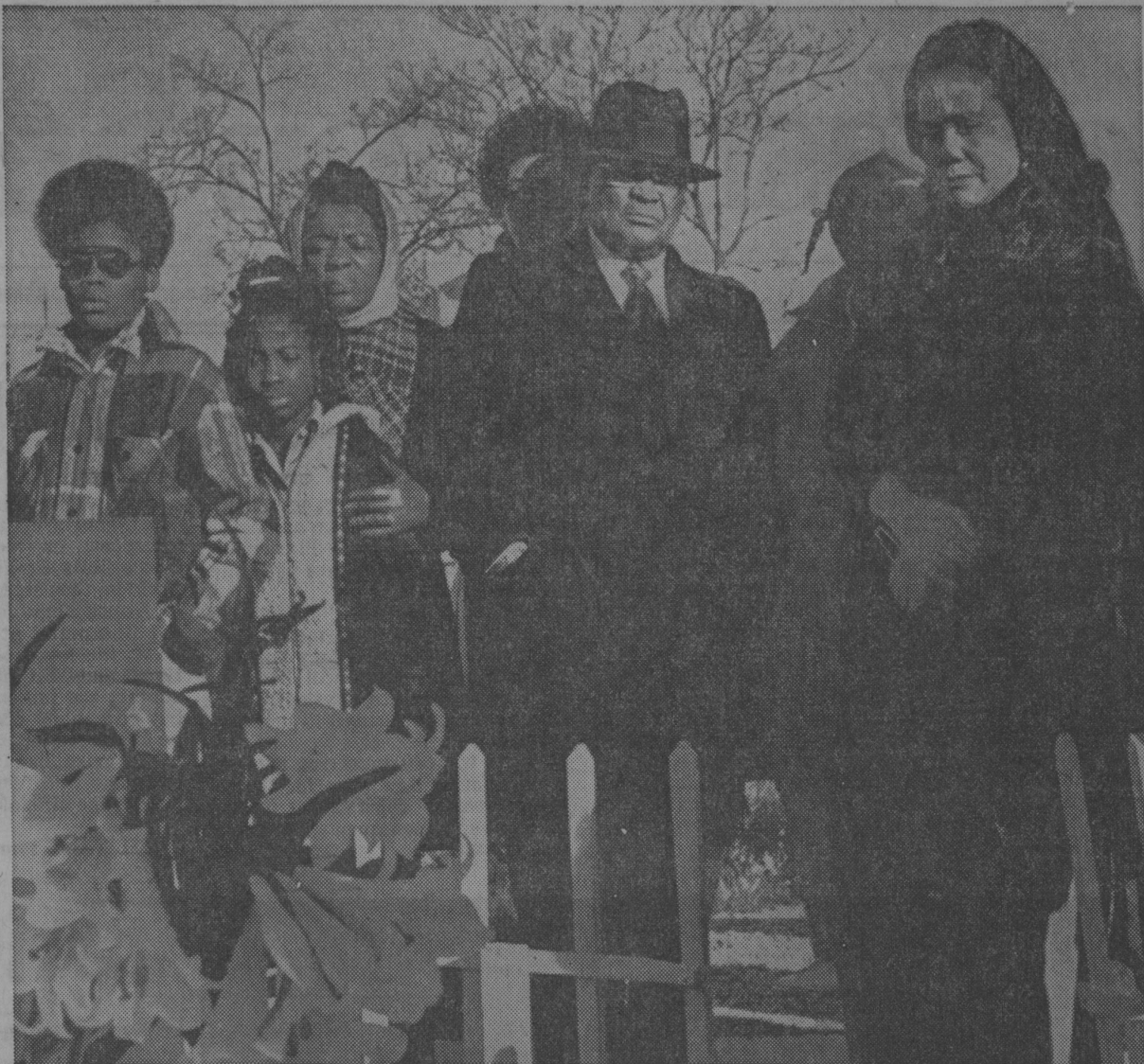
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United Press International

Mrs. Martin Luther King Jr.; her father-in-law, Dr. Martin Luther King Sr., and relatives and friends attend

a gravesite service at Atlanta marking the seventh anniversary of her husband's death.

The Washington Star

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spected in Crash of Saigon

Officials said they "to clear up" confusions of the victims. It has been determined there were 73 persons on board, and initially.

The Seventh Day said 73 persons, including 40 children, bodies of 30 or 40 are believed to be in the fuselage. It also said that the out of the victims pressure after the

of the flights order-

ed by President Ford to bring 2,000 Vietnamese orphans to new homes in the United States. Ford and his wife had planned to be at Travis Air Force Base, Calif., when the Galaxy transport arrived Monday. He said the airlift would continue despite the tragedy.

THE PLANE slashed to earth with the pilot trying a desperate landing in a rice paddy just 35 minutes after it had left Saigon's Tan Son Nhut airbase. It had risen to 23,000 feet when the cargo doors blew and the pilot lost his elevator, rudder and flap controls.

Pages of comic books, toys and a baby's bottle were strewn among the bodies where the mercy flight ended in torn metal and flames 1½ miles from the airport.

Ford said he was "deeply saddened at the loss of so many lives" but "our mission of mercy will continue. The survivors will be flown here when they are physically able. Other waiting orphans will make the journey."

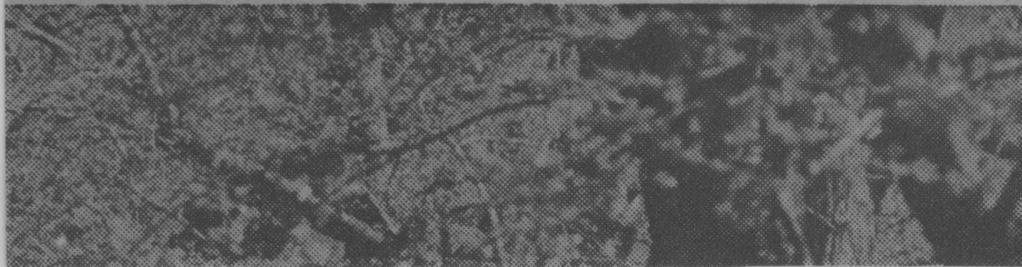
"This tragedy must not deter us from offering new hope for the living," President Ford said in a statement given to newsmen as he flew to San Francisco.

Officials said that lift flights are expected tomorrow or Monday. Military Force C141s already in position, they said.

A spokesman for the lift Command at MacDill Air Base, Ill., told United Press International that MAC has not yet contacted the nation's airlines to find out how many civilian planes would be chartered for the

"It looks like that everyone who flies will be on one airline official's

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KING 4-4
 MEMPHIS, TENN. (UPI) -- CIVIL RIGHTS LEADER REV. JESSE JACKSON TOLD MARCHERS OBSERVING THE SEVENTH ANNIVERSARY OF THE SLAYING OF DR. MARTIN LUTHER KING JR. FRIDAY HE BELIEVES THE CIA AND THE FBI WERE INVOLVED IN THE ASSASSINATION.

"JAMES EARL RAY SAID HE WAS NOT ALONE AND I BELIEVE HIM," JACKSON SAID.

JACKSON SAID HE WILL MAKE A PERSONAL APPEAL TO ATTORNEY GENERAL EDWARD LEVI TO REOPEN THE INVESTIGATION OF THE MURDER AND WILL JOIN WITH A GROUP OF OTHER MINISTERS FROM ACROSS THE NATION IN ATTEMPTING TO INTERVIEW RAY, WHO IS NOW SERVING A 99-YEAR SENTENCE IN THE TENNESSEE STATE PRISON FOLLOWING HIS GUILTY PLEA IN 1969.

RAY HAS REPUDIATED HIS CONFESSION AND NOW CLAIMS HE WAS PRESSURED INTO IT BY DEFENSE LAWYER PERCY FOREMAN.

AFTER AN EIGHT-DAY HEARING LAST YEAR, U.S. DISTRICT JUDGE ROBERT M. MCRAE JR. RULED RAY IS NOT ENTITLED TO A NEW TRIAL. HOWEVER, THE JUDGE'S RULING IS BEING APPEALED.

JACKSON, WHO WAS WITH KING IN MEMPHIS ON APRIL 4, 1968, THE DAY THE FOUNDER OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE WAS SHOT, SAID HE DID NOT UNDERSTAND HOW RAY WAS ABLE TO LEAVE THE SCENE OF THE SLAYING AND MAKE HIS WAY TO LONDON, WHERE HE WAS ARRESTED TWO MONTHS LATER.

"I BELIEVE THE CIA WAS INVOLVED," JACKSON SAID, "AND UNTIL IT'S PROVEN OTHERWISE I WON'T CHANGE MY OPINION."

"I THINK THE FBI WAS INVOLVED WITHOUT A DOUBT," HE SAID, "MAYBE MORE SO THAN THE CIA."

JACKSON SAID IN SUPPORT OF HIS CLAIM THAT THE LATE J. EDGAR HOOVER, DIRECTOR OF THE FBI, ISSUED A MEMO SAYING AGENTS SHOULD "DISRUPT, DISCREDIT OR OTHERWISE NEUTRALIZE THE CIVIL RIGHTS MOVEMENT."

"WITH THE WATERGATE REVELATIONS AND THE EXPOSURE OF THE ROLE OF THE GOVERNMENT IN SPYING IN THE NAME OF NATIONAL SECURITY, WE HAVE CONSIDERABLE EVIDENCE WE HAVE A VALID CASE," HE SAID.

JACKSON TOOK PART WITH ABOUT 2,000 PERSONS IN A MARCH THROUGH THE STREETS OF MEMPHIS TO COMMEMORATE THE DEATH OF KING.

THE MARCHERS, CLAPPING HANDS AND SINGING "WE SHALL OVERCOME," WOUND THEIR WAY TO THE LORRAINE MOTEL WHERE KING WAS HIT IN THE NECK WITH A RIFLE SLUG.

IN ATLANTA, HIS WIDOW, CORETTA SCOTT KING, AND FATHER, DR. MARTIN LUTHER KING SR., WERE JOINED BY ABOUT 25 FRIENDS AND FAMILY MEMBERS AS THEY PLACED PINK AZALEAS AT THE GRAVE SITE.

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UP-154

(KING)

MEMPHIS, TENN. (UPI) -- BLACK LEADER REV. JESSE JACKSON, IN MEMPHIS FOR A MEMORIAL MARCH ON THE 7TH ANNIVERSARY OF THE MURDER OF DR. MARTIN LUTHER KING JR., SAID TODAY HE BELIEVES THE CIA AND THE FBI WERE INVOLVED IN THE ASSASSINATION.

"JAMES EARL RAY (THE CONVICTED ASSASSIN) SAID THAT HE DIDN'T ACT ALONE AND I BELIEVE HIM," SAID JACKSON, PRESIDENT OF OPERATION PUSH. RAY IS CURRENTLY SERVING A 99 YEAR SENTENCE.

ABOUT 2,000 PERSONS TOOK PART IN THE KING MEMORIAL MARCH. THEY MADE THEIR WAY THROUGH MANY OF THE SAME NEIGHBORHOODS FROM WHICH KING DREW HIS FOLLOWERS IN HIS MARCHING DAYS. THEIR VOICES RAISED IN THE ANTHEM OF THE CIVIL RIGHTS MOVEMENT -- "WE SHALL OVERCOME".

JACKSON SAID HE WILL ASK ATTORNEY GENERAL EDWARD LEVI TO REOPEN AN INVESTIGATION OF THE APRIL 4, 1968, SLAYING AND THAT HE AND OTHER MINISTERS WILL SEEK TO INTERVIEW RAY, WHO CONFESSED IN 1969 TO THE CRIME BUT HAS SINCE SAID HE WAS PRESSURED BY HIS ATTORNEYS INTO THE ADMISSION OF GUILT.

A FEDERAL JUDGE LATE LAST YEAR HELD AN EIGHT-DAY HEARING INTO RAY'S CLAIMS, AND FOUND THEM GROUNDLESS.

IN SUPPORT OF HIS CONTENTION, JACKSON MENTIONED MEMOS WRITTEN BY J. EDGAR HOOVER, THE LATE DIRECTOR OF THE FBI, WHICH HE SAID OUTLINED THE ROLE OF THE FEDERAL AGENCY WAS TO PLAY "TO DISRUPT, DISCREDIT OR OTHERWISE NEUTRALIZE THE CIVIL RIGHTS MOVEMENT."

JACKSON SAID SEVERAL INCIDENTS IN MEMPHIS AT THE TIME OF THE MURDER ALSO RAISED QUESTIONS IN HIS MIND. HE SAID HE DID NOT UNDERSTAND HOW RAY WAS ABLE TO LEAVE THE VICINITY OF THE LORRAINE MOTEL WHEN SO MANY POLICE OFFICERS WERE IN THE AREA.

"I BELIEVE THE CIA WAS INVOLVED AND UNTIL PROVEN OTHERWISE I WON'T CHANGE MY OPINION," JACKSON SAID. "THE FBI WAS INVOLVED WITHOUT A DOUBT, MAYBE MORE INVOLVED THAN THE CIA."

IN ATLANTA, KING'S WIDOW AND ABOUT 25 OTHER FRIENDS AND FAMILY MEMBERS GATHERED TO PLACE PINK AZALEAS ON KING'S GRAVE.

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PUSH 4-7

CHICAGO (UPI) -- CHURCH MINISTERS OF OPERATION PUSH ASKED MONDAY FOR A MEETING WITH ATTORNEY GENERAL EDWARD LEVI TO REQUEST A NEW INVESTIGATION INTO THE DEATH OF DR. MARTIN LUTHER KING.

OPERATION PUSH, OR PEOPLE UNITED TO SAVE HUMANITY, IS A CHICAGO-BASED ORGANIZATION DIRECTED BY THE REV. JESSÉ L. JACKSON, WHO WAS WITH KING WHEN HE WAS SHOT IN MEMPHIS IN 1968.

A TELEGRAM SENT TO LEVI AND SIGNED BY JACKSON SAID:

"THE MINISTERS OF OPERATIONS PUSH ARE REQUESTING A MEETING WITH YOU TO DISCUSS THE CIRCUMSTANCES OF DR. MARTIN LUTHER KING'S DEATH."

"WE BELIEVE THAT THERE ARE MANY UNANSWERED QUESTIONS AND IN THE FACE OF THE STRANGE AND BIZARRE BEHAVIOR ON THE PART OF THE LOCAL POLICE -- CIRCUMSTANCES SURROUNDING THE 'ESCAPE' OF JAMES EARL RAY TO EUROPE AND RAY'S PERSISTANT ASSERTION THAT HE DID NOT ACT ALONE AND THAT A CONSPIRACY ENGINEERED THE EVENT OF APRIL 4, 1968 -- WE ARE CONVINCED THAT FURTHER INVESTIGATION OF DR. KING'S DEATH IS WARRANTED."

"LET IT BE UNMISTAKABLY CLEAR THAT WE ARE NOT SATISFIED WITH PURPORTED EXPLANATION OF THE ASSASSINATION OF OUR LEADER AND BELIEVE THAT THE NATION IS ENTITLED TO A THOROUGH AND RESPONSIBLE ACCOUNT OF THAT TRAGIC EVENT."

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Ray Begins Fight for Trial

MEMPHIS (AP) — As James Earl Ray looked on without emotion, his attorney opened the battle today to win Ray's freedom with a declaration that he was badgered into pleading guilty to slaying Martin Luther King Jr.

Bernard Fensterwald, of Washington, told a federal court hearing that Ray and one of his former attorneys, Percy Foreman of Houston, Tex., locked in a "fierce struggle" over whether Ray should plead guilty to the assassination.

FINALLY, Fensterwald said, Ray's resistance to the plea yielded and two days later, on March 10, 1969, he admitted to firing the rifle that killed King on April 4, 1968.

Fensterwald's statement

opened an evidentiary hearing before U.S. District Judge Robert M. McRae Jr. on whether Ray is entitled to withdraw the plea and stand trial for King's murder.

Ray, 46, gained the right to the hearing this summer, when the Supreme Court declined to interfere with a U.S. 6th Circuit Court of Appeals ruling that his claims of a coerced guilty plea required judicial review.

FENSTERWALT asserted that Ray had been a victim of illegal acts by public officials in that he had been denied the right of counsel; his mail had been opened by authorities and evidence that bore on his innocence had been withheld from him.

Fensterwald said Ray's

first attorney, Arthur Hanes Sr., of Birmingham, Ala., and Foreman had failed to take adequate steps to prepare a defense for Ray.

He said Ray's former attorneys were guilty of a conflict of interest because of their rights to royalties from the works of author William Bradford Huie, who wrote about the case.

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Ray Gets Hearing to Ask New Trial

By Paul W. Valentine
Washington Post Staff Writer

MEMPHIS, Oct. 22—Under heavy guard, James Earl Ray, confessed assassin of Dr. Martin Luther King Jr., appeared in federal court today as his attorneys sought to prove he was illegally coerced into pleading guilty to the civil rights leader's murder more than six years ago.

Drawn, thin and impassive, Ray, 46, contends his former lawyer, noted criminal attorney Percy Foreman of Houston, browbeat him into pleading guilty. The attorney, he claims, sought to avoid full disclosure of the case at a trial so that Foreman could share the profits from books and articles by author William Bradford Huie, who had contracted with Foreman for exclusive details of the murder.

Ray also says his nine months' incarceration here after his arrest in a special windowless cell equipped with 24-hour-a-day floodlights, close-

circuit television surveillance and sound monitor rendered him incapable of making an intelligent decision on whether to plead guilty. He is now serving a 99-year sentence in the state penitentiary at Nashville.

The current hearing into his claims comes after almost four years of maneuvering from court to court by Ray's present attorneys. The hearing was ordered last January by the Sixth U.S. Circuit Court of Appeals in an opinion which said the case "reeks with ethical, moral and professional irregularities, demanding a full-scale judicial inquiry."

If Ray prevails, he could be allowed to withdraw his guilty plea and receive a full-dress trial in the King murder.

The hearing, which started today before U. S. District Court Judge Robert M. McRae Jr. and may last two weeks, opened with testimony by Shelby County (Memphis) sheriff's department Inspector

Billy J. Smith, who acknowledged supervising the elaborate prison surveillance for Ray in late 1968 and early 1969.

But he contended it was needed "strictly for security" to protect Ray from outsiders during an emotional time and to prevent Ray, a known escape artist, from attempting to break out.

Smith also acknowledged that all of Ray's incoming and outgoing mail, except correspondence with his attorneys, was opened, copied and sent to the local prosecutor's office.

"How does delivery of those letters to the prosecutor relate to security?" asked Ray's attorney Robert I. Livingston of Memphis.

"It afforded them a chance to study them and see if there was anything in there," Smith answered.

Smith said the mail of other prisoners in the county jail is not copied and sent to the prosecutor's office.

Defending the handling of the Ray case is the Tennessee assistant attorney general, Henry Haile, who contends the original trial judge, who accepted Ray's guilty plea, W. Preston Battle, went to extra lengths in his questioning of Ray to assure the plea was freely and voluntarily made.

A transcript of the March 10, 1969, plea hearing shows that Battle repeatedly asked Ray if he was pleading on his own accord. Ray said yes. He said he objected only to the theory held by then U. S. Attorney General Ramsey, Clark and other officials that there was no conspiracy to kill King and that Ray acted alone. Ray did not elaborate.

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DATED 10/22/74
FROM Star-News
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Associated Press

James Earl Ray, escorted by law enforcement officials, leaves a Memphis jail for a hearing on his guilty plea.

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(Mount Clipping in Space Below)

Ballistics Export**Claims Ray's****Rifle****Wasn't Fired****From Bathroom****Window**

(Indicate page, name of newspaper, city and state.)

PAGE 1

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MEMPHIS, TENN.

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Editor: SCHNEIDER

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By KAY FITZMAN EL PASO TIMES JOURNAL

A New York ballistics expert and criminologist testified in Federal Court today that there is "no way" the rifle said to have been used in the slaying of Dr. Martin Luther King Jr. could have been fired from the rooming house bathroom window, as the state claimed.

Herbert Lynn MacDonell, Queens College, N.Y., criminologist, was called to the witness stand to testify in the third day of the evidentiary hearing which could lead to a new trial for James Earl Ray, the man serving 99 years in state prison for the April 4, 1968, slaying of King in Memphis.

Bernard Fensterwald, one of Ray's Washington, D.C., attorneys, told U.S. Dist. Judge Robert M. McRae Jr. he called MacDonell to illustrate the "incompetence of the investigation" conducted by Ray's former attorneys, Arthur Hanes Sr. of Birmingham, Ala., and Percy Foreman of Houston, Tex.

Fensterwald, speaking of the work done by the other attorneys, said, "It's inconceivable to me . . . they did not examine the room with the gun . . . and attempt to fire it . . ."

Drawing diagrams on a blackboard, MacDonell illustrated the position of the rifle in the rooming house at 4746 S. Main. He said the state claimed the shot was carried when the rifle was propped against the sill and fired at 6:01 p.m. at Dr. King as he stood on the balcony of the nearby Lorraine Motel.

MacDonell, doing geometric calculations based on the angle of the sill which, said that because of the nearness of the window to the wall there was "no way" the rifle could have been fired from the rooming house.

SHOWCASE OF SERVICES — Mrs. Elsie Coleman, left, working for Memphis City Schools Adult Vocational Education classes in the adult education program with Mrs. Al... employees of the Memphis Public Library. About 100 people gathered for information on these programs today at a... showcase of better services" at the... were expected before closing time at 6 p.m.

Leaving Hospital

Jack Benny, the 50-year-old comedian, leaves Cedars of Lebanon Hospital in Los Angeles today after undergoing tests for... of the right hand that he experienced for six days.

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MacDonell said that issue with a Federal Bureau of Investigation ballistics report presented by the state at Ray's March 10, 1969, guilty plea.

MacDonell said he went to the Shelby County Criminal Court Clerk's office, where the Ray evidence is maintained, and microscopically examined the window sill taken from the rooming house, the dent in it, and fragments of the bullet taken from Dr. King's body.

MacDonell took issue with the report, prepared by FBI expert Robert Frazier, which stated that because of the "distorted" condition of the bullet fragments there was no way to draw a conclusion "that the submitted bullet was fired from the submitted rifle."

MacDonell said the mushroom-type bullet fragment was not so torn up that it could not be classified. He said the fragments showed six grooves and the grooves would be consistent with bullets that come from two types of rifles.

Fensterwald quoted Fraz-

ier's statement as saying microscopic evidence led him to believe the fresh sill dent was caused by the firing of the rifle.

MacDonell said he also made a microscopic examination but found no evidence to indicate what caused the dent.

Further, MacDonell said, the back side of the sill, when fired, would not cause such a dent. "A dent could only be caused by a muzzle or a sight."

MacDonell said that Gen. Henry H. Hall, called MacDonell to the scene to testify at the trial.

MacDonell said that he

MacDonell said that he

MacDonell said that he

MacDonell said that he

The testimony of MacDonell was a further attempt to erode the prosecution's case against Ray and to bolster the defense theory that the shot that killed King could have come from behind the building, as some witnesses at the scene claimed.

The state's key eyewitness who placed Ray at the scene of the slaying could have been "discredited" since the witness was drunk at the time of the shooting, witnesses indicated yesterday.

Attorneys for Ray concentrated their questioning on the reliability of Charles Q. Stephens, who lived at the rooming house where officers said the fatal shot was fired.

Shelby County Attorney General Hugh Stephens Jr., formerly an assistant public defender assigned to Ray's defense, testified that investigations had shown that Stephens was the only person who could identify Ray as a burglar at the rooming house.

Stephens said that he

Stephens said that he

A driver for Yellow Cab Company, James McGraw, testified that Stephens was drunk at the time King was shot.

McGraw said that he

The former cop

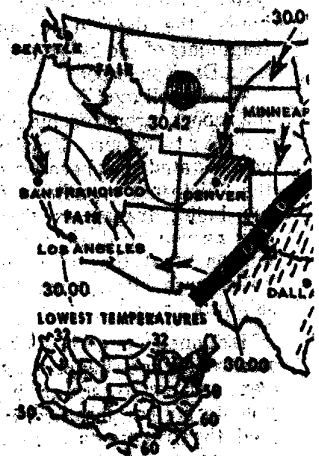
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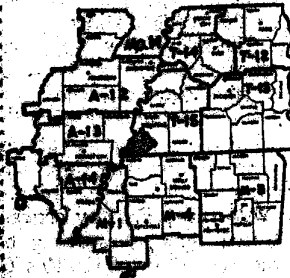
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Memphis and Vicinity

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Mid-South Weather

MISSISSIPPI — Zones 12 and 14
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chance of showers. High today in the
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in the middle 70s. Winds east to south-
east 5 m.p.h. today and tonight.

LOUISIANA — Zones 12 and 14
Mostly fair today and tonight. Vari-
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chance of showers. High today in the
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high Friday in the middle 70s. Winds
east to southeast 5 m.p.h. today and
tonight.

MISSISSIPPI — Zones 1, 4 and
6
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ing.

Statements by the fleeing robbing house dwellers were examined.

● **Harold (Cornbread) Carter**, who said he was drinking in a nearby parking lot when "he heard the shot, loud in his ear, looked around and saw a man run away."

• Mrs. Beulah Brewer, landlady of the rooming house, who could not identify the man who rented a room at 3 p.m. Officials contended the man was Ray.

• Bertie Reeves, 70, who said Ray was not the man who rented the room. He said the "shot came from the bushes" behind the building.

● Harvey (Ace) Locke, who said three were in the room about two hours before the shooting. He did not identify Ray.

● Willie Auschultz, who said he thought the shot "came from the bushes."

Stanton also revealed that the defense had been investigating reports that law enforcement agencies "were paying Charlie Stephens' bills" at Jim's Grill. However, he added the investigation stopped abruptly when he learned that Ray intended to plead guilty.

Dr. J. T. Francisco, Shelby County medical examiner, was questioned by Ray's attorneys about the origin of the fatal shot. He said it was "not possible" to definitely identify the location where the bullet was fired, but said the bathroom window was "consistent" with the path of the bullet.

Ray's attorneys closely questioned witnesses about the investigation conducted by the defense. Ray's trial was scheduled for April 7, 1969, and when he pleaded guilty on March 10, Stanton said only 31 of the state's 360 witnesses had been interviewed by defense.

Other testimony today revealed that almost immediately after Stanton and his father, Public Defender Hugh Stanton Sr., were appointed in November, 1933, to the position of public

1. The first step in the process is to identify the problem. This involves gathering information about the situation and the people involved.

Cahill said that "within a couple of weeks," a newspaper, he said, would have probably been a couple of weeks before Christmas, he contacted the U.S. Department of Justice in Washington, the attorney for Mrs. Martin Luther King, and then Gov. Buford Ellington.

Canale said negotiations on the stipulations of the actual plea did not start until Feb. 21, 1969.

Stanton testified that many of the reports contained in the defense files were gathered by Renfro Hays, a private detective. He characterized the work as unreliable.

Ray's attorneys have argued that the investigation by the defense was poor and that Ray was never told of the results. Fensterwald said the significance of the Stanton file revealed that the investigation "really did not get started" until a month before a March 3, 1969, trial date. The trial was then continued to the April 7 date.

Hays was hired by Ray's first lawyer, Hanes, said Stanton.

How would you evaluate the reports by Mr. Flays?" asked Haynes.

"Less than reliable," answered Stanton. "We spent a great deal of time checking out material. He distorted some facts."

Stanton testified that Hays believed the fatal shot was fired from the backyard of the rooming house. "He took a little fact and distorted it to make it fit a puzzle he was investigating," said Stanton.

Haynes then asked Stanton if Hays had shot some goats with a 30.06 rifle similar to the murder weapon. Stanton replied, "I heard about it. He had the theory that the bone structure of goats was the same as (that of) people."

[illegible]

"I know the bullet came from the rifle," says Ray, "but I don't know if it was an accidental shooting." The FBI does not definitely state that the shot which killed King was fired from the rifle.

Stanton said the latent print found on the rooming house bathroom sink was good enough to have identified Ray.

Despite the quality of the evidence, Stanton said, concluded we didn't need much defense. We were doing no harm to our defense.

"How did you get away if you didn't have much of a chance?" asked the man.

"I found it a little difficult to explain how that finger print (of Ray) was made," said Starnes.

"It was his god,
ed Fensterwald. "It
it" [unclear]

"Yeah, Sam Stanton found a hole in Stanton's presence in Memphis and time too."

Cross was with Haynes, Sheriff, who "Based on the fact in Shelby County and the general record and reputation of the subject, was the recommendation of the sheriff for the years a recommendation of recommendation."



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ER70-14	69.95	17.98
FR70-14	64.95	19.48
GR70-14	67.48	20.24
HR70-14	71.95	21.58
GR70-15	68.49	20.54
HR70-15	71.95	21.58
JR70-15	74.49	22.34
LR70-15	76.95	23.08

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Free replacement within
defective in any way. Ther
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No-Frost System
Completely Ends
Messy Defrosting!



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\$329.95

Big 15 cu. ft.
capacity with
16.5 sq. ft. of
shelf storage!

Magnetic door
keeps cold in,
opens at a touch!

Fan-circulated
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Electric Flyer

**26-In. 10-Speed
Lightweight
Bike!** Reg.
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10-Speed gear
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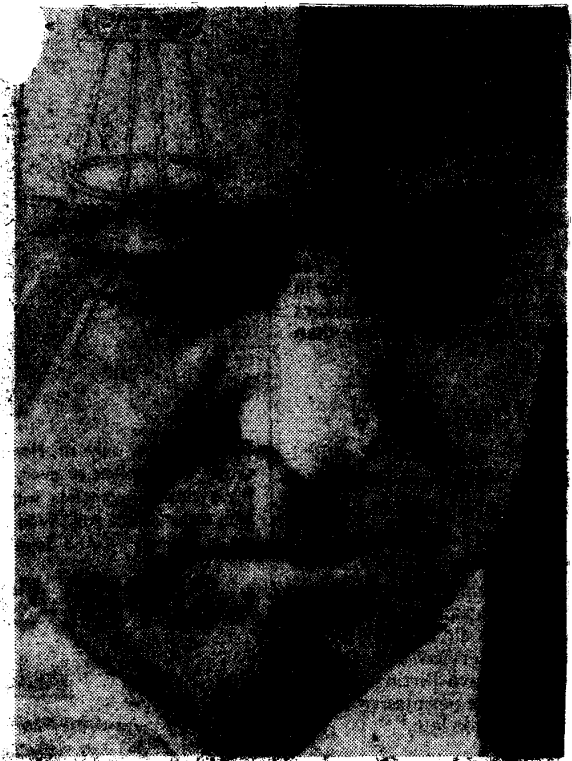
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JAMES EARL RAY 10 17 1967
En route to court today.

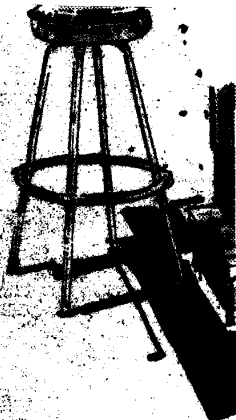
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Ray From Seemingly Vets Court

New York Times Service

RAY — James Earl Ray has testified that he did not see Martin Luther King Jr. that he was alone in a room away at the time of the murder and that he had witnesses to prove it.

Ray has not finished his account of his involvement in the murder of the civil rights leader here April 4, 1968, but he admitted involvement yesterday and was to be on the witness stand answering questions about it again today.

He said his involvement had been peripheral.

"I personally did not shoot Dr. King, but I believe I may be partly responsible for his death," Ray, who is 47, testified.

RAY DENIED a full-scale trial. He pleaded guilty in March 1969 and was sentenced to 99 years in prison after a one-hour court proceeding.

He said on the witness stand yesterday that he had pleaded guilty because he thought his attorney, Percy Foreman of Houston, might "take" a defense if he insisted on a trial, and that he might end up being sentenced to the electric chair.

He said that Foreman had seemed intent on getting him to plead guilty, and didn't seem to have time to sit down with him and discuss the case.

Foreman estimated there was a 99 percent chance he would get the death penalty if he went to trial, Ray said.

"I TOLD HIM I thought that was ridiculous, that the state would rely on circumstantial evidence and the most they could convict me of, if they convicted me, was aiding and abetting," Ray said, according to the Associated Press.

Ray's attorneys claim he was a dupe of a conspiracy by others to kill King.

Ray later testified that he had rented a room across the street from a motel where King was slain thinking there would be "some kind of meeting between me and another party up there," AP reported.

Ray also said he had witnesses who could verify his whereabouts about 11 minutes before King was assassinated, but had kept the information to himself for fear the FBI would find out and harass them.

WHEN RAY was asked if his first attorney, Arthur Hanes Sr. of Birmingham, Ala., ever asked him if he was guilty of the murder, he replied:

"I just told him no."

He said that Foreman, who took over the case from Hanes, never asked him directly. "But some time in the early part of February (1969) he asked me to write out everything I did when I escaped from the Missouri State Penitentiary until I was arrested," Ray said.

"I just assumed he read from that that I wasn't in that particular area (the slaying scene) and I wasn't guilty."

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The Wall Street Journal _____
The National Observer _____
People's World _____

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READ INTO evidence was a letter Ray wrote four days after the guilty plea, to Senate Judiciary Committee Chairman James O. Eastland, D-Miss., saying, "I personally did not shoot Dr. King, but I believe I am partly responsible for his death."

Asked what he meant, Ray replied, "I assumed you could be involved in some kind of crime and not have knowledge of it. I had no direct knowledge."

Ray was asked whether he assumed that a rifle identified as the murder weapon and bearing his fingerprints, was used to kill King.

"I DIDN'T MAKE NO strong assumptions in that area," he replied.

He did not say what his responsibility had been, but added that "the man who made the rifle may have been responsible in part."

Much of the evidence that Ray has given to U.S. District Judge Robert E. McRae Jr. has been couched in such cautious language.

Before being sentenced in King's death, Ray had served three prison terms and was in the midst of a fourth when he escaped from prison about a year before King's death.

Ray's involvement in the assassination—which set off riots in black sections of many cities—is being pieced together indirectly.

RAY SAID HE WANTED you to know that he left California in March 1966 to go to New Orleans. He had been in California for several months, taking dance lessons, going to basketball school, and having his nose broken.

He said he wanted his features altered so that he could get a merchant seaman's license. He said he knew that the FBI would be circulating a photograph of him, and he did not want to resemble it.

He said that when he got to New Orleans, "I stopped there for maybe an hour or so. Then I left New Orleans. I had to go to Birmingham. I was supposed to meet a party in New Orleans but he had gone on to Birmingham."

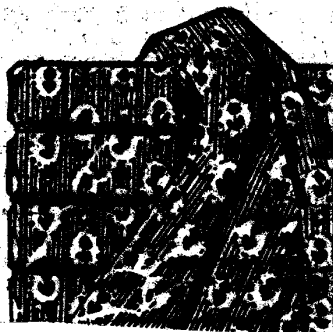
Ray has contended that the "party" he met in Birmingham was a "black leader" named Raoul whom he had met the year before in Canada and who had persuaded him to smuggle bombs from Canada into the United States.

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Attorney Assailed At Ray Hearing

By Paul W. Valentine
 Washington Post Staff Writer

MEMPHIS, Dec. 24—A number of people said Ray testified that attorney John Foreman asked the Ray family to pressure Ray into pleading guilty to the 1968 assassination of Dr. Martin Luther King Jr. John Ray, himself a prisoner on a robbery-related conviction, said Foreman told the Ray family that city leaders in Memphis feared the city would be burned down "in retaliation" if Ray were tried and acquitted.

John Ray's testimony came in the third day of a U.S. District Court hearing in which attorneys for James Earl Ray are attempting to prove Ray was railroaded into the guilty plea and given ineffective assistance by Foreman.

A favorable ruling by U.S. District Court Judge Robert Taylor could mean a full-scale trial for Ray in the murder case. Ray is currently under a 99-year sentence following his guilty plea in March.

John Ray, who met with the Foreman family in December 1969, said after entering the case, he and his brother Jerry, and his mother, Pearl, were told to plead guilty to the assassination of Dr. Martin Luther King Jr.

Foreman said that city leaders "didn't want the city to be burned down if there was a trial" and Ray was "scuttled," according to John Ray, who did not say whether Foreman named any leaders.

John Ray said none of the family members went along with Foreman's request.

Foreman, a noted Houston lawyer who is now 72 and reportedly ailing, is not expected to appear at the current hearing. In a deposition last April, he denied John Ray's allegations.

John Ray said Foreman considered a number of "deals" in handling James Earl Ray's case. One of them, he said, was to have 1970 Tennessee Democratic gubernatorial candidate John J. Hooker Jr., a Nashville attorney, enter the case and "plead" Ray guilty. Then if Hooker was elected governor, he would pardon Ray in exchange for "all the publicity he got out of the case."

John Ray, who was glared at his brother sitting in the courtroom, is currently serving an 18-year sentence at the federal penitentiary in Marion, Ill., on conviction of aiding and abetting a bank robbery in 1967.

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 The New York Times _____
 The Wall Street Journal _____
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 The Los Angeles Times _____

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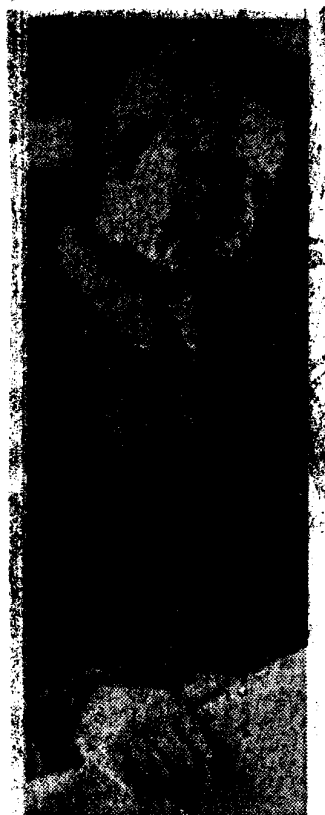
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JAMES EARL RAY
Nashville Banner 10/24/74
Ballistics Expert Testifies
FBI Wrong In Ray Trial

By LARRY BRINTON
Banner Staff Writer
Memphis — A New York professor of criminology testified today in the James Earl Ray case that the FBI ballistics expert was wrong in stating there was insufficient identification markings on the bullet removed from the body of Dr. Martin Luther King Jr. to compare it with a rifle found at the death scene with Ray's fingerprints on it.

MacDonell, a professor at El Mira College, Ithica, N.Y., and director of a laboratory of forensic science, was the first witness in the federal court hearing this morning. Ray's attorneys are attempting to prove their client did not shoot the slain congressman and that the federal investigation was flawed.

MacDonell testified that a nearby rooming house from where King was suspected to have been shot could be traced to the same .30.06 caliber rifle found outside the rooming house. Under questioning by Ray's chief attorney, Bernard Fensterwald, MacDonell, permitted by District Court Judge Robert W. McRae Jr. to testify as an expert witness, said he examined the rifle and found it was the same as the one found at King's death scene.

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