

Memorandum for Mr. Belmont
RE: COMMUNIST PARTY, USA
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS

Interpretation:

As we know, facts by themselves are not too meaningful, for they are somewhat like stones tossed in a heap as contrasted to the same stones put in the form of a sound edifice. It is obvious to us now that we did not put the proper interpretation upon the facts which we gave to the Director.

Martin Luther King:

We have been aware of the communist influence for nearly two years on Martin Luther King, Jr., head of the Southern Christian Leadership Conference, and in the comprehensive memorandum entitled "Communist Party, USA, Negro Question," dated 8/23/63 we set out information to the effect that a number of Negro leaders in this country have had subversive connections in their backgrounds and that Martin Luther King, Jr., has been dealing with

As previously stated, we are in complete agreement with the Director that communist influence is being exerted on Martin Luther King, Jr., and that King is the strongest of the Negro leaders. As we have stated before in a memorandum, we regard Martin Luther King to be the most dangerous and effective Negro leader in the country. In addition, we know the Party is directing a major effort toward strengthening its position among the Negroes inasmuch as we have information the Party plans to intensify its efforts to exploit the racial situation for the purpose of gaining influence among the Negroes.

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SAC Letter to the Field

I would like to set forth here briefly why I think that the enclosed SAC Letter, which was returned to us by the Director, should be sent to the field offices. My first reason is this: We need to renew our efforts and keep the pressure on and leave no stone unturned to develop every and all facts which exist in this matter. Some of these facts may not yet have been unearthed by our field offices, and will not be unless we follow up this matter evermore closely with them. My second reason why I think the SAC Letter should be sent is related to the present changing situation in the Communist Party - Negro relations area. During the past two weeks in particular there have been sharp stepped-up activities on the part of communist officials to infiltrate and to dominate Negro developments in this country. Further, they are meeting with successes. This should be no surprise to us because since the Negro march on Washington on August 28 communist officials have been doing all possible to exploit the very troubled racial situation. As they said weeks ago, the end of the Negro march would be the beginning of evermore systematic activities on their part to penetrate and influence Negroes and Negro leaders. They are now in full force acting upon this intention of theirs expressed weeks ago. The field should be alerted to this fact and given instructions to investigate exhaustively new communist - Negro activities. The SAC Letter in question will be a great help toward this end, and it should result in our developing important facts relating to the current changes and pertinent activities going on during the past few weeks in this entire field.

Subject of Deep Concern

May I repeat that our failure to measure up to what the Director expected of us in the area of communist - Negro relations is a subject of very deep concern to us in the Domestic Intelligence Division. We are disturbed by this and ought to be. I want him

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NEGRO QUESTION
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to know that we will do everything that is humanly possible to develop all facts nationwide relative to the communist penetration and influence over Negro leaders and their organizations.

RECOMMENDATIONS:

(1) That the Director reconsider giving approval for sending the enclosed SAC Letter to the field.

V. O.H.
H

(2) In order that other agencies and prominent government officials will be aware of the determined efforts of the Communist Party to exploit the racial situation, if the Director approves we will prepare a concise document setting forth clearly those attempts to penetrate, influence, and control the Negro movement. By setting these facts forth, succinctly and clearly, the reader cannot help but be impressed with the seriousness of the communist activities.

O.H.
H

EXHIBIT 12
(Classified)

EXHIBIT 13

*O.P. USA - Negro & Communist
Day against Influence in Political Matters*

Tolson	<input checked="" type="checkbox"/>
Belmont	<input checked="" type="checkbox"/>
Mohr	<input type="checkbox"/>
Casper	<input type="checkbox"/>
Callahan	<input type="checkbox"/>
Conrad	<input type="checkbox"/>
DeLoach	<input checked="" type="checkbox"/>
Evans	<input checked="" type="checkbox"/>
Malone	<input type="checkbox"/>
Rosen	<input checked="" type="checkbox"/>
Sullivan	<input checked="" type="checkbox"/>
Tavel	<input type="checkbox"/>
Trotter	<input type="checkbox"/>
Tele. Room	<input type="checkbox"/>
Holmes	<input type="checkbox"/>
Gandy	<input type="checkbox"/>

10/17/63
FILE

MR. TOLSON:

The attached analysis of Communism and the Negro Movement is highly explosive. It can be regarded as a personal attack on Martin Luther King. There is no doubt it will have a heavy impact on the Attorney General and anyone else to whom we disseminate it. It is labeled TOP SECRET. However, even such a high classification seems to be no bar today to a leak, and should this leak out it will add fuel to a matter which may already be in the cards as a political issue during the forthcoming Presidential campaign.

The memorandum makes good reading and is based on information from reliable sources. We may well be charged, however, with expressing opinions and conclusions, particularly with reference to some of the statements about King.

We must do our duty.

This memorandum may startle the Attorney General, particularly in view of his past association with King, and the fact that we are disseminating this outside the Department. He may resent this. Nevertheless, the memorandum is a powerful warning against Communist influence in the Negro movement, and we will be carrying out our responsibility by disseminating it to the people indicated in the attached memorandum.

I am glad to see you organize at last...
A.H. Belmont
AHB:CSH

801-1

100-5-110-445

6 OCT 23 1963

EXHIBIT 14

DEC 15 1976

, FGF:JFW:vek

Mr. James Earl Ray
Post Office Box 73
Brushy Mountain Penitentiary
Petros, Tennessee 37845

Dear Mr. Ray:

In May of 1976 the Attorney General of the United States created a task force for the purpose of reviewing the FBI's investigation of the assassination of Dr. Martin Luther King, Jr.

The task force is now in the process of winding up its inquiry before submitting a final report to the Attorney General. However, we feel that our inquiry will not be complete unless we give you an opportunity to state your participation, or lack of participation, in the murder of Dr. King.

Accordingly, we hereby request, through your attorney, James H. Lesar, Esquire, your consent to an interview by members of the task force. If you should agree to talk to us, our time schedule requires us to arrange for the interview to take place not later than December 31, 1976.

Please let us know immediately whether you desire to be interviewed.

Sincerely,

Fred G. Folsom
Director
Martin Luther King, Jr., Task Force

cc: James H. Lesar, Esquire

EXHIBIT 15



Brushy Mountain Penitentiary
Petros, Tennessee 37845

Mr. James H. Lesar
Attorney at Law
1231 fourth Street, S.W.
Wash. D.C.

December 20, 1976

re: Ray v. Tenn. cr. Indictment no. 16645;
Shelby county, Tennessee. (1968)

Dear Jim:

In respect to your letter saying that a justice department attorney, Mr. James F. Walker, would like to interview me concerning the above indictment, I agree with your advice opposing the interview. It would appear that this would only be in the interest of the J.D. and their book writing collaborators, e.g., Gerold Frank, George McMillian, et al. If they had wanted to interview the defendant, under oath, justice had ample opportunity in the 1974 H.C. hearing in Memphis, Tennessee, through their surrogate, W. Henry Haile; and I understand no representative from justice appeared as a witness at the hearing.

At the present I believe the only body I should testify before is a jury.

I understand you to say justice has not read any of the trs. of prior hearings & suits. Therefore I'll include in the cc copy of this letter to justice a copy of a Complaint that speaks to the MLK jr. matter with attached Ex--A, althoe I doubt if justice or their publishing associates will be interested in the Complaint contents.

Sincerely: James e. Ray #65477

P.O. Box--73

Petros, Tenn. 37845.

cc: James F. Walker, Esq. J.D.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JAMES E. RAY,
Plaintiff

vs.

TIME INC.
GEORGE McMILLIAN
W. HENRY HAILE
WILLIAM BRATFORD HUIE
GEROLD FRANK
HON. ROBERT M. McRAE
BRENDA PELLICCIOTTI
Defendants

Civil Action No. C-76-274.

COMPLAINT

1. ALLEGATION OF JURISDICTION:

(a) Jurisdiction of the parties in the herein subject matter is based upon diversity of citizenship and the amount in recovery.

Plaintiff, acting pro se, is a citizen of the State of Tennessee under "operation of Law" in the subject matter; defendant TIME Inc. (here-in-after, TIME) is a citizen of the State of New York; defendant George McMillian (here-in-after, McMillian) is a citizen of the State of Massachusetts; defendant W. Henry Haile (here-in-after, Haile) is a citizen of the State of Tennessee; defendant William Bratford Huie (here-in-after, Huie) is a citizen of the State of Alabama; defendant Gerold Frank (here-in-after, Frank) is a citizen of the State of New York; defendant Hon. Robert M. McRae (here-in-after, Judge McRae) is a citizen of the State of Tennessee; defendant Brenda Pellicciotti (here-in-after, Pellicciotti) is a citizen of the State of Tennessee. The matter in controversy exceeds, exclusive of interest and costs, the sum of ten thousand dollars.

(b) Jurisdiction founded in the existence of a federal question and the amount in controversy:

The action arises under the fifth, sixth, and fourteenth, amendments to the United States constitution; U.S.C. Title 28 § 1331 (a), as here-in-after more fully appears. The matter in controversy exceeds, exclusive of interest and costs, the sum of ten thousand dollars.

(c) Jurisdiction founded on the existence of a question arising under particular statute:

The action arises under Act 42 U.S.C.A. § 1983; U.S.C. Title 28 § 1343 (4). As here-in-after more fully appears.

THIS IS AN ACTION IN LIBEL & CIVIL RIGHTS VIOLATIONS.

GENERAL BACKGROUND:

On April 4th 1968, Rev. Martin Luther King Jr., was shot and killed in Memphis Tennessee; in May 1968 the plaintiff was indicted by the Shelby county grand jury (cr. indictment no. 16645) for said shooting; on March 10th 1969 plaintiff, allegedly through coercion by his attorney, Percy Foreman & the prosecution, entered a guilty plea to said cr. indictment; on February 2nd 1974 the U.S. 6th circuit court of appeals ordered an evidentiary hearing into the circumstances of said plea, Ray v. Rose 491 F2d 285 (C.A.6, 1974; on February 27th 1975 after hearing said evidentiary proceedings the U.S. District court for the W.D. of Tennessee, Hon. Robert M. McRae, presiding ruled against plaintiff, Ray v. Rose, C-74-166; on May 10th 1976 the U.S. 6th circuit court of appeals upheld Judge McRae's ruling in said evidentiary hearing. Ray v. Rose, C-75-1795.

Plaintiff, JAMES E. RAY, sues

Defendants, TIME INC.; GEORGE McMILLIAN; W. HENRY HAILE; WILLIAM BRATFORD HUIE; GEROLD FRANK; ROBERT M. McRAE; BRENDA PELLICCIOTTI, and alleges:

2. That while awaiting trial in the aforementioned cr. indictment the plaintiff copied down from recollection information he had gained in his 1967 associations, associations which lead to plaintiff being charged under said indictment.

3. That a brief summary of said recollections and their subsequent disposition by plaintiff are as follows:

- (a) during one period plaintiff's confinement in 1968 wrote down on a money receipt issued forth from the Sheriff's office of the Shelby county, Tennessee, jail information which plaintiff believed had a direct bearing on said cr. indictment. See, Ex--A.
- (b) the information consisted of telephone numbers & one name & address; all numbers were written down backwards, including the address.
- (c) the two telephone numbers were listed next to the word "Sister", the first being listed in, New Orleans, Louisiana; the second being in, Baton Rouge, Louisiana.
- (d) the address is listed under the name, Vera C. Staples.
- (e) the telephone number listed under the Baton Rouge address was furnished to plaintiff's attorney, Percy Foreman, who was representing plaintiff in said cr. indictment.
- (f) the address was not investigated until plaintiff was incarcerated upon pleading to said indictment; a compendium of the post trial investigation would indicate: the information cited above was given to a St. Louis, Missouri, labor leader, and informed it pertained to the MLK jr. case, who apparently in turn furnished said information to a Nashville, Tennessee, ex-Attorney to investigate; said Attorney had sources in the State of Louisiana investigate the matter and thereafter said Attorney reported the Baton Rouge listed number resident was under the influence of the Teamsters union; and the New Orleans listed number resident was among other things an agent of a wideast organization disturbed because of Dr. King's reported forthcoming, before his death, public support of the Palestine Arab cause. (References to the address if any was unclear.)
- (g) the plaintiff had come by said name & address shortly before crossing the border in November 1967 from Tijuana, Mexico, into the United States; the name was Randolph Erwin Rosen, 1180 N.W. River Drive, Miami, Florida; other reference was made to a LEAA; a check through the Miami directory in 1970 indicated no Rosen listed with the above first & second name; in 1973-74 a Chicago, Illinois, reporter was quired as to the name of a Rosen who was an official in the Progressive Labor Party, the reporter later responded said Rosen, or Rosens, activities were mainly in the New York, New York, area; shortly thereafter said reporter was substantiated by material plaintiff received indirectly from the Hon. Richard Ichord a congressman from

Missouri; thereafter an Attorney in Oklahoma City, Oklahoma, was furnished the Rosen name and asked if he could find any information re the subject in, New Orleans, and informed the subject might have a cr. record; the Attorney reported back that the subject's last name most likely was, Rosehson, and that he had a cr. conviction in New Orleans, Louisiana, federal court for a narcotics violation; thereafter a Tennessee licensed Attorney procured the tr. of said conviction; subsequently another check was made through the, Miami, telephone directory which did list a "Randy Rosenon" but with an address discrepancy.

4. That plaintiff intended the above information for exclusive use, after a through investigation, in a jury trial under said cr. indictment--rather than for commercializing in the communications industry--and in consequence withheld parts thereof from plaintiff's cr. Attorneys, who were enmeshed with defendant (novelist) William Bradford Huie in commercial publishing ventures: 1st) Attorney Arthur Hanes sr., who immediately upon entering the suit contracted with defendant, Huie and 2nd) Attorney Percy Foreman, who while not entering into literary contracts with Mr. Huie until January 1969, two months after Foreman's entering the suit, Mr. Foreman did not question plaintiff about said information or other aspects of the cr. indictment--because of his (Foreman's) admitted trial preparation methods--until February 1969.

5. That in February 1969, after Percy Foreman had entered into literary contracts with defendant, Huie, plaintiff furnished Attorney Foreman with the above mentioned, Baton Rouge, phone number and asked him to investigate in connection with the MLK jr. homicide. Shortly thereafter Mr. Foreman replied in effect that if there were to be any telephone numbers referred to in court he (Foreman) would furnish them through contacts in interstate gambling--Mr. Foreman mentioned a, Mr. Meyer Lansky, as his source.

6. That subsequently, after the prosecution and Percy Foreman had maneuvered plaintiff into entering a plea to said indictment, the plaintiff on March 11th 1969 was checked into the Tennessee State penitentiary--Nashville Branch--and therein all plaintiff's personal property including the paper herein attached as EX-A, and including incoming legal & personal letters mailed to said prison, were confiscated from plaintiff. Two or three days later after discussing briefly with State corrections commissioner, Harry Avery, the letters including EX-A were returned to plaintiff by said,

Commissioner, Harry Avery. (except for a thin line circling some writings the property seemed in order.

7. That prior to Plaintiff's transfer to the aforementioned penitentiary, Commissioner Avery, the late Governor of Tennessee, Hon. Buford Ellington, and Governor Ellington's administrative assistant, Mr. William L. Barry, had decided and committed to writing (see, Avery testimony in, Ray vs. Russell, U.S. Dis. Ct. M.D. Tn. Civ. Action no. 5590, 1970) Plaintiff's treatment upon entering said penitentiary, i.e., arbitrary lodging of Plaintiff in solitary confinement immediately upon his entering prison.

8. That thereafter on (March 13, 1969) when plaintiff commenced petitioning the trial court for a new trial under said indictment, Commissioner Avery attempted to persuade Plaintiff against seeking a trial under said indictment and after failing that informed Plaintiff that he would never be released from solitary confinement while he (Avery) was corrections commissioner.

9. That in the succeeding years until the present Plaintiff has been arbitrarily locked in solitary confinement/segregation for approximately five years, during which time there has been several suicides by prisoners because of the harshment of the confinement including two (2) who burned themselves to-death. See, EX--B.

10. That after the aforementioned plea by Plaintiff the trial Judge, Hon. Preston Battle, departed from Memphis, Tennessee, for a vacation and while on said vacation the then Governor of Tennessee, Hon. Buford Ellington, upon learning of Plaintiff's effort to receive a jury trial under said indictment, dispatched State officials to locate Judge Battle to offer him the next Appellate Judgeship vacancy if the Judge would deny Plaintiff a trial under the petition referred to in paragraph-8 above.

11. That on or about March 12th 1969 in the prison segregation building Plaintiff was confronted through a ruse by special agent, Robert Jensen of the Memphis, Tennessee, federal bureau of investigation office. The thrust of Mr. Jensen's conversation was seeking cooperation of Plaintiff in furthering the FBI investigation of said cr. indictment. When Plaintiff refused the cooperation offer Mr. Jensen upon departing said Plaintiff could expect Plaintiff Brothers (John & Jerry Ray) to join him in prison, or words to that effect, thereafter:

(a) Plaintiff's brother, Jerry Ray, was intimidated to the extent that he had to resign his job in the Chicago, Illinois, area; subsequently after forcing him from his job the FBI attempted to frame him for numerous crimes.

(b) plaintiff's other brother, John Ray, was arrested by police while driving his car in the St. Louis, Missouri, area and subsequently charged by the FBI for aiding and abetting a bank robbery. Tried and convicted with a defendant whom the government alleged actually robbed said bank, John was given 18 years and the alleged robber 10 years; upon appeal the alleged robber's conviction was reversed by the 8th U.S. circuit court of appeals because the fruits of an illegally search & seizure was used against him; however, the 8th circuit ruled that the fruits of the illegal search was not ground for reversing John Ray's case because the alleged evidence (stolen money) was not taken from him; upon re-trial the alleged robber was acquitted; subsequently another defendant in the robbery was charged and entered a plea for three (3) years which was later reduced to eighteen months by the government.

12. That in June 1969 Plaintiff filed a civil action in the United States District court for the M.D. of Tennessee seeking to void contracts between plaintiff, the aforementioned Percy Foreman, and defendant, Huie. In attempting to have said civil action (Complaint) dismissed, thus necessitating the re-filing by Plaintiff in the W.D. of Tennessee, the defendants Attorney the late, John J. Hooker sr., of the Davidson county Tennessee bar, illegally procured Plaintiff's entire prison record, including domicile information, from the aforementioned corrections commissioner, Harry Avery, and was thus able to have said Complaint dismissed in the M.D. of Tennessee and refiled in the W.D. (civil action no. C-69-199) before Judge McRae, because of said domicile information.

13. That thereafter in civil action no. C-69-199 one of Judge McRae's initial rulings was that said action would be decided by deposition rather than live testimony--subsequently the Judge dismissed the suit on motion of the defendants.

14. That following the United States Sixth circuit court of appeals ruling on February 3rd 1974 ordering an evidentiary hearing into the circumstances of Plaintiff's aforementioned guilty plea under said indictment defendant, Judge McRae, again assumed jurisdiction to conduct said hearing (civil action no. C-74-166) and again ruled that the two principal witnesses, the

aforementioned Percy Foreman & defendant Huie, would not have to undergo live testimony, only depositions. The Judge accomplished this legal maneuver by ruling the Plaintiff's subpoena powers were limited to a 100 mile radius of Memphis, Tennessee.

That Judge McRae further prejudicial & arbitrary actions & inactions listed below effectively diminished the Plaintiff's right under the United States Supreme court mandate for a full and equitable evidentiary hearing:

(a) the court ruled in effect P _____ at the solicitation of the State's Attorney, defendant Haile--who had complained to the court that the press was urging the State to ask certain questions of Plaintiff--that General Haile could inquire of Plaintiff's alleged information he (plaintiff) provide said Percy Foreman concerning others persons allegedly culpable under said cr. indictment. Thereafter, althoe Plaintiff did refer to information described above as being given to Mr. Foreman by Plaintiff, and within the confines of the above court ruling, neither defendant, Haile, or, Judge McRae questioned Plaintiff in the matter.

(b) Judge McRae in concert with defendant, Pellicciotti, has consistently--despite petitions from Plaintiff's counsel, James H. Lesar--declined to forward to the U.S. 6th circuit court of appeals relevant & necessary portions of the transcript in said evidentiary hearing: specifically, the definitive portions of said transcript evidencing, Percy Foreman, after invatation, refused to offer live testimony in said evidentiary hearing; and thus through their deleterious inactions in the tr. matter contributed substantially to the 6th circuit decision against Plaintiff therein.

(c) Judge McRae has ignored a petition to take perpetuating testimony, filed after said evidentiary hearing, from defendant, Huie. Mr. Huie being a principal character therein.

15. That prior to said evidentiary hearing, Judge McRae, mislead or attempted to mislead Plaintiff's Tennessee cr. counsel as evidenced by a series of letters Plaintiff received from said Counsel (Mr. Robert I. Livingston) implying that during several encounters with Judge McRae he (Livingston) was lead to believe the court was sympathetic to Plaintiff's case and thus a vigorous presentation by Plaintiff's counsel would not be necessary or desirable.

16. That their have been publicized allegations that, Judge McRae, is more concerned with the political effects of his decisions than the law. See, EX--C.

17. That the clerk of the court defendant, Pellicciotti, wherein said evidentiary hearing was conducted acted in concert with, Judge McRae, in declining to prepare and forward tr. material, described in paragraph 14-b above, to the U.S. sixth circuit thus contributing substantially to the sixth circuit denying Plaintiff relief under said evidentiary hearing.

18. That defendant, Haile, who was the State's chief counsel in the aforementioned evidentiary hearing, but is now in private practice, has libel- ed Plaintiff by aiding & abetting defendant, McMillian, in McMillian's preparing & authoring the aforementioned artifice for defendant, TIME.

19. That defendant, McMillian, informed Plaintiff's bráther, Jerry Ray, of his (McMillian's) relationship with defendant, Haile.

20. That in _____ 1975 defendant, Haile, appeared with defendant, McMillian, at the Tennessee State penitentiary--Nashville Branch--wherein McMillian requested warden, James H. Rose, a personal friend of Haile, to contact Plaintiff and ask if he would consent to an interview by, McMillian. Warden Rose did forward said interview request to Plaintiff which Plaintiff declined and, thereafter, Haile & McMillian viewed the solitary confinement building wherein Plaintiff was housed.

21. That defendant, Haile, while asst. att. gen. for the State of Tennessee several times publicly criticised court decisions unfavorable to him in a manner suggesting he was attempting to intimidate Judges, acts for which he subsequently was dismissed from the A.G.'s office by the Attorney General for the State of Tennessee.

22. That in the January 26, 1976, issue of TIME magazine (EX--D) under the title of "The King Assassination Revisited", defendant, McMillian, authored a malicious article subtitled "I'm gonna kill that nigger King" and alleged said subtitle to be a statement made by Plaintiff.

Said article is littered with deliberate fabrications, and while of a hollywoodish character they are delivered with malice intent, beginning -186-

"...In 1963 and 1964 Martin Luther King was on TV almost everyday, talking defiantly about how Black people were going to get their rights...Ray watched it all avidly on the cell-block TV at Jeff City. He reacted as if King's remarks were directed at him personally. He boiled when King came on the tube. He began to call him Martin 'Lucifer' King and Martin Luther 'coos'. It got so that the very sight of King would galvanize Ray ". p. 18 said article.

The facts are that their were no TV sets in the cellblocks or, cells, during Plaintiff's entire sojourn in the Missouri State penitentiary at, Jefferson City; and, that defendant McMillian is cognizant of this fact through conversations with Missouri corrections officials whom he has contacted for information numerous times. See, EX--G.

23. That several other deliberate fabrications with malicious intent in said article are:

(a) "Ray and (his fellow convict Raymond) Curtis would set around, often high on speed..." Speed being a form of narcotic. p. 18.

(b) "On April 24, 1967, just one day after Ray escaped from the prison at Jefferson City, he met his Brothers Jack and Jerry in Chicago's Atlantic Hotel..." Allegedly, say's McMillian, discussing the murder of Martin Luther King. p. 18.

(c) that McMillian alleged Plaintiff's Brothers, John & Jerry Ray, had, from conversations with Plaintiff, knowledge before the fact of the MLK Jr. murder. PP. 18 & 23.

24. That the State of Missouri's department of corrections commissioner, Mr. George M. Camp, alleges in effect that defendant McMillian is a fraud in connection with McMillian's aforementioned allegations concerning Plaintiff's conduct while in said Missouri penitentiary. See, EX--E.

25. That the Missouri prisoner defendant McMillian principally relies on to substantiate his allegations, allegations that Plaintiff not only plotted the murder of MLK Jr. but was also a narcotic addict, narcotic peddler, ect. ect., is revealed to be one, Raymond Curtis.

Said, Raymond Curtis, attempted onced to converse with Plaintiff while in said penitentiary, thereafter he (Curtis) voluntarily "checked into" segregation, after being exposed as a professional informer, and thus

was thereafter limited in his prison association to his own type.

26. That shortly after Plaintiff's arrest in 1968 to answer for said cr. indictment defendant McMillian stated at a news conference that since he (McMillian) knew Plaintiff was guilty of the indictment charge he (McMillian) would not have to investigate the case. Thus it follows a fortiori that McMillian has relied on the work product of other novelist to substantiate sizeable portions of his allegations in said TIME article.

27. That defendant McMillian has posted Plaintiff numerous letters, first threatening, then cajoling, in seeking interviews for use in said article and his alleged forthcoming book re Plaintiff.

28. That defendant TIME magazine has a vested (financial) interest in publishing said article by McMillian--thus in promoting McMillian's forthcoming book re Plaintiff-- in that McMillian's publisher, Little Brown, is a subsidiary of TIME inc.

29. That defendant TIME deceived their own agent (Richard C. Woodbury) in their Chicago, Illinois, office into thinking TIME would run an objective story re the matter. See, EX--F.

30. That defendant TIME was consciously endeavoring to influence the United States Sixth Circuit court of appeals in, Ray v. Rose, no. 73-1543, which just a few days subsequent to said article heard arguments in the above Ray v. Rose suit to determine whether to order Plaintiff a new trial under said cr. indictment.

31. That TIME inc. has a history of conspiring to subvert the judicial and political processes by publishing, timely, malicious articles prior to judicial decisions or election of public officials.

32. That because defendant, TIME, has made a fresh investigation (p. 17 said article) into the "case"--their initial investigation evidently being performed by Time inc. LIFE magazine in 1968--TIME is cognizant that a substantial portion of said article is false & malicious.

33. That substantial portions of said article by McMillian were supplied to Mr. McMillian by defendants, Frank & Huie--Defendant, Huie, published a novel re Plaintiff in 1970 titled "He Slew the Dreamer"; defendant, -188-

34. That the false allegations in said article: "that Plaintiff committed a holdup in London, England, and that George C. Wallace would pardon plaintiff, pp. 17 & 23 respectively, were supplied to defendant McMillian by defendant Hule as evidenced by statements made directly to Plaintiff by the above mentioned Percy Foreman (quoting Hule to Plaintiff) along with oral & written declarations by Defendant, Hule. See, ...

35. That defendant Hule in his ongoing media campaign against Plaintiff libeled Plaintiff in a CBS-TV interview hosted by, Dan Rather, on or about January 2, 1976, by falsely alleging in effect that Plaintiff had murdered MLK Jr. and, robbed a loan company in London, England.

36. That the false allegations in reference to Adolph Hitler (p. 23 said article) was supplied to defendant McMillian by Defendant, Frank, as evidenced by statements made directly to plaintiff by Plaintiff's former Attorney (who was interviewed extensively by defendant, Frank) Robert Hill, of the Chattanooga Tennessee bar.

37. That defendant Hule has a history, for commercial reasons, of contentiousness with said, Gov. Wallace.

38. That defendant Frank has a history of defending Zionism even when it includes murder, eg, see Frank's novel, publisher in 1963, titled "THE DEED", and if allegations in count 2-f above are substantiated in court proceeding Mr. Frank's intrusion into said cr. indictment as a Government advocate is readily explicable.

39. That an article in the BILALIAN NEWS published March 12, 1976, page 15, penultimate paragraph, reported MEK Jr. was shifting his political alliances.. "Dr. King was shifting his political allinaces and civil rights approach. To support this view observers point to Dr. King's views on the Viet Nam war and his growing support of the labor movement. Dr. King was also coming under the influence of the Teaching of the Honorable Master Elijah Muhammad..."

40. That Plaintiff filed a libel suit in the United States Dis. Ct. for the W.D. of Tennessee titled, Ray v. Frank, Civil Action no. C-73-126, against herein defendant, Frank, in 1973, and had process served upon him through his publisher, Doubleday company. Mr. Frank was subsequently

received by the Court as a defendant in said suit by falsely alleging (See, EX-G. p. 1) a process deficiency; Mr Frank's in effect falsely alleged that he & Doubleday Company's affiliation was formal & transitory.

41. That the record will confirm that not one of the Plaintiff's accusers in the communication industry have ever offered live testimony in a court of law but on the contrary, they have utilized numerous ruses to avoid process and the subpoena while the record will evidence Plaintiff has not only given live testimony (in the aforementioned evidentiary hearing) but prior to the plea in said cr. indictment was in contention with his cr. counsel in their insistence--in collusion with defendant, Huie--that plaintiff not be a defense witness therein.

Moreover, nothing of substance indicates that the legal system-influential publishing companies combine are not acting in concert to assure that their shall never be a (jury) trial for Plaintiff, criminal or civil, that's related to said indictment...apparently because it would not be a "show trial", i.e., the Government could not sustain it's heretofore media case.

And it would appear that a cr. defendant without the economic or political influence to effectively contest the above situation is not only subject to the denial of due process but can also expect his family members to be jailed and framed for criminal offences while the same publishing industries, eg, defendant, TIME, complain self-righteously about some distant country's corrections or legal system.

Further, it seem's that, by chanced, the same media-political combine that coalesced in the Watergate investigation-prosecution and demanded full disclosure are out of the same sack as thoes who prosecuted plaintiff under said cr. indictment and who are now opposed to disclosures.

IN SUMMARY: the above mentioned Percy Foreman has heretofore, since he & the Government maneuvered Plaintiff into said indictment plea, been giving a running commentary in the media on how he (Foreman) accomplished the feat. Now he has published analogously the epilogue to the feat in the STAR magazine wherein he pronounces:

"...with the publicity, appellate courts are reluctant to reverse because it would bring down a heap of criticism from the public who are not familiar with the rule and regulation of law...to find a Judge or a group of Judges with sbought courage would or experience, be unexpected". See, EX--M.

42. That the defendants, TIME inc., George McMillian, W. Henry Haile, William Bratford Huie, and Gerold Frank are guilty of the violation as follows:

(a) of libeling plaintiff in said TIME article with malicious intent.

43. That the defendants, TIME inc., George McMillian, W. Henry Haile, are guilty of the violation as follows:

(a) of acting in collusion, by the nature of said article and it's publishing date, to influence the U.S. 6th circuit court of appeals in, Ray v. Rose, No. 73-1543, adversely to herein Plaintiff, thus obstructing justice and violating plaintiff's civil rights.

44.-That defendant, McMillian, is in addition guilty of the violation as follows:

(a) of receving & publishing malicious marerial from defendants, Huie & Frank, with a reckless disregard for the truth or falsity of said material thus compounding McMillian's libel.

45. That defendant, Huie, is in addition guilty of the violation as follows:

(a) of libeling with malicious inteny by falsely charging on a CBS-TV special dated January 2, 1976, and hosted by Dan Rather, that Plaintiff had in effect murdered, Rev. Martin Luther King Jr., and, robbed a loan company in, London, England.

46. That defendant, Haile, is guilty of the additional violation as follows:

(a) of violating Plaintiff's civil rights with malicious intent by aiding & abetting defendant, McMillian, in his (McMillian's) publishing said article, through furnishing McMillian information from the files of the Tennessee Attorney General's office while he (Haile) was asst. Att. Gen.

(b) of having direct knowledge resulting from his tenure in the Tennessee A.G. office and his association with the aforementioned, Percy Foreman & William L. Barry, of the truthfulness of allegation made in count-3 herein above, thus violating Plaintiff's civil rights.

47. That defendants, Judge McRae & Brenda Pellicciotti, are guilty of the civil rights violation as follows:

(a) of deliberately withholding relevant portions of Plaintiff's transcript from an appellate court, referred to in count-14 b above, and thus contributed substantially to that court--U.S. 6th circuit court of appeals--sustaining Judge McRae's earlier ruling therein against Plaintiff.

48. That defendant, Judge McRae, is in addition guilty of the civil right's violation as follows:

(a) of refusing to act on a motion to take perpetuating testimony from defendant, Huie, in the aforementioned evidentiary hearing, referred to in count-14 c above.

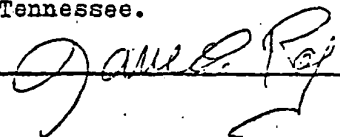
49. That the Plaintiff is entitled to exemplary damages because defendants, excluding Judge McRae & Pellicciotti, should be taught that the culpability of defendants in cr. indictments were intended under the United States constitution to be decided in courts of law rather than through fraudulent misrepresentations in the commercial communications industry; and the other two defendants that legal requirements precede political considerations or biasness against a particular litigant.

50. That as a result of the defendants actions cited herein the Plaintiff has not only been ligeled in a malignant fashion but thoes who have the responsibility of upholding litigants constitutional rights have by their collusive acts indirectly contributed to and encouraged the libel.

WHEREFORE, Plaintiff demands judgment from defendants, excluding Judge McRae, punitive damages of Five hundred thousand dollars respectively.

James E. Ray
Station--A
Nashville, Tennessee.

Plaintiff



Dr. Specialty Power

DATE: Dec 23, 1965

3100 MAIN AVE. MEMPHIS, TENNESSEE

Received of Sheriff William N. Morris, Jr. the sum of \$10⁰⁰. Said monies being sent by mail to James Earl Ray, with aliases, from CAROL PEPPER who resides at 1025 BELLEVUE MAPLEWOOD, MO. 63143

SISTER. The above sum was received in the form of STEER No. 7573-4834129

cash, check money order.
(circle appropriate)

VERA C. STAPLES
8811 N.W. RIVER DR.
MI, FL.

ROSEAN LE...
Hanes & Hanes, Attorneys
BY: [Signature]

James Earl Ray, County Jail

ERRY RAY - 710 ANN AVE,
LOUIS, MISSOURI, 63104

JAMES EARL RAY 1982

EXHIBIT 16

State of Tennessee }
SHELBY COUNTY } ss.

I, J. A. BLACKWELL, Clerk of the Criminal Courts of said County, do hereby certify that the foregoing (5) FIVE Pages contain a full, true and perfect copy of the PETITION FOR WAIVER OF TRIAL AND REQUEST FOR ACCEPTANCE OF PLEA OF GUILTY AND ORDER AUTHORIZING WAIVER OF TRIAL AND ACCEPTING PLEA OF GUILTY AND VOIR DIRE OF DEFENDANT ON WAIVER AND ORDER - OF JAMES EARL RAY - BOCKET NUMBER B-16645 as the same appears of record now on file in my office.

In Testimony Whereof I have hereunto set my hand and affixed the seal

of said Court, at office, in the City of Memphis,

this 16 day of AUG. 1976

/s/ J.A. BLACKWELL Clerk

By *Alan Cantello* D. C.

State of Tennessee }
SHELBY COUNTY }

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENN.
Memphis, Tenn. AUG. 16, 1976 19

I, WILLIAM H. WILLIAMS, sole and presiding Judge of the Criminal Court of said County Division 3, certify that J. A. BLACKWELL, who gave the foregoing certificate, is now, and was at the time of signing the same, Clerk of said Court, and that said Court is a Court of Record, and that his attestation is in due form, and his official acts, as such, are entitled to full faith and credit.

Witness my hand, this 16 day of AUG. 1976

William H. Williams Judge.

State of Tennessee }
SHELBY COUNTY }

I, J. A. BLACKWELL, Clerk of the Criminal Courts of said County, certify that HON. WILLIAM H. WILLIAMS, whose genuine official signature appears to the above and hereto annexed Certificate, is and was at the time of signing the same, sole and presiding Judge of the Criminal Court Division 3, in and for the County and State aforesaid, duly commissioned and qualified, and that all his official acts, as such, are entitled to full faith and credit.

In Testimony Whereof I have hereunto set my hand and affixed the seal

of said Court, at office, in the City of Memphis,

this 16 day of AUG. 1976

/s/ J.A. BLACKWELL Clerk.

By *Alan Cantello* D. C.

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION III

STATE OF TENNESSEE

VS.

NO. 16645

JAMES EARL RAY
DEFENDANT

PETITION FOR WAIVER OF TRIAL AND REQUEST FOR
ACCEPTANCE OF PLEA OF GUILTY

That my true full name is JAMES EARL RAY and I assert that all proceedings against me should be had in the name which I hereby declare to be my true name.

My attorney in the cause is PERCY FOREMAN, who was selected and retained by me, who was appointed by the Court ~~XXXXXX~~, to represent me in this cause. and Hugh Stanton, Sr., Public Defender,

I have received a copy of the indictment before being called upon to plead, and I have read and discussed it with my attorney, and believe and feel that I understand the accusation made against me in this case and in each case listed herein. I hereby waive the formal reading of the indictment.

I have told my attorney the facts and surrounding circumstances as known to me concerning the matters mentioned in the indictments, and believe and feel that my attorney is fully informed as to all such matters. My attorney has informed me as to the nature and cause of each accusation against me, and as to any and all possible defenses I might have in this cause.

My attorney has advised me as to the punishment provided by law for the offenses charged and embraced in the indictment against me. My attorney has further advised that punishment which the law provides for the crime with which I am charged in the indictment is as follows:

death by electrocution or confinement in the State Penitentiary for

life or for some period of time over twenty (20) years

and if accepted by the Court and Jury my sentence on a plea of guilty will be:

confinement in the State Penitentiary for ninety-nine years (99).

It has been fully explained to me and I understand that I may, if I so choose, plead "Not Guilty" to any offense charged against me, and that if I choose to plead "Not Guilty" the Constitution guarantees and this Court will provide me the right to a speedy and public trial by jury; the right to see and hear all witnesses against me; the right to use the power and process of the Court to compell the production of any evidence, including the attendance of any witness, in my favor; and the right to have the assistance of counsel in my defense at all stages of the proceedings.

In the exercise of my own free will and choice and without any threats or pressure of any kind or promises of gain or favor from any source whatsoever, and being fully aware of the action I am taking, I do hereby in open Court request the Court to accept my plea of guilty to the charges outlined herein. I hereby waive any right I may or could have to a Motion for a New Trial, and/or an appeal.

Witness:

Percy Foreman

Hugh Stanton Sr.
Hugh Stanton Jr.

James Earl Ray
Defendant

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION III

STATE OF TENNESSEE

VS

NO. 16645

JAMES EARL RAY

DEFENDANT

ORDER AUTHORIZING WAIVER OF TRIAL AND ACCEPTING
PLEA OF GUILTY

This cause came on for hearing before the Honorable W.
PRESTON BATTLE, Judge of Division III, of the
Criminal Court of Shelby County, Tennessee, on the petition of the
defendant, JAMES EARL RAY, for Waiver of trial by jury and
request for acceptance of a plea of guilty, said petition being attached
hereto and incorporated by reference herein; upon statements made in
open Court by the defendant herein; his attorneys of record; the District Attorney General,
the Assistant
Attorneys General representing the State of Tennessee; and from questioning
by the Court of defendant and his counsel in open Court; and

IT APPEARING TO THE COURT after careful consideration that the
defendant herein has been fully advised and understands his right to a
trial by jury on the merits of the indictment against him, and that the
defendant herein does not elect to have a jury determine his guilt or
innocence under a plea of Not Guilty; and has waived the formal reading
of the indictment, AND:

IT FURTHER APPEARING TO THE COURT that the defendant intelligently
and understandingly waives his right to a trial and of his own free will and
choice and without any threats or pressure of any kind or promises, other
than the recommendation of the State as to punishment; and does desire to
enter a plea of guilty and accept the recommendation of the State as to
punishment, waives his right to a Motion for a New Trial and/or an appeal.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the petition
filed herein be and the same is hereby granted.

Enter this the 16th day of March, 1969.

W. Preston Battle
J U D G E

JUDGE "James Earl Ray, stand."

JUDGE "Have your lawyers explained all your rights to you and do you understand them?"

DEFENDANT "Yes"

JUDGE "Do you know that you have a right to a trial by jury on the charge of Murder in the First Degree against you, the punishment for Murder in the First Degree ranging from Death by Electrocution to any time over twenty years? The burden of proof is on the State of Tennessee to prove you guilty beyond a reasonable doubt and to a moral certainty and the decision of the Jury must be unanimous both as to guilt and punishment?"

In the event of a jury verdict against you, you would have the right to file a Motion for a New Trial addressed to the trial judge? In the event of an adverse ruling against you on your Motion for a New Trial, you would have the right to successive appeals to the Tennessee Court of Criminal Appeals and the Supreme Court of Tennessee and to file a petition for review by the Supreme Court of the United States? Do you understand that you have all these rights?"

DEFENDANT "Yes"

JUDGE "You are entering a plea of Guilty to Murder in the First Degree as charged in the Indictment and are compromising and settling your case on agreed punishment of ninety-nine years in the State Penitentiary. Is this what you want to do?"

DEFENDANT "Yes"

JUDGE "Do you understand that you are waiving, which means "giving up", a formal trial by your Plea of Guilty although the laws of this State require the prosecution to present certain evidence to a jury in all cases of Pleas of Guilty to Murder in the First Degree?"

Jan

P. J.

By your plea of guilty you are also waiving your rights to (1) Motion for a New Trial; (2) Successive Appeals to the Tennessee Court of Criminal Appeals and the Supreme Court of Tennessee; (3) Petition for Review by the Supreme Court of the United States.

By your plea of guilty you are also abandoning and waiving your objections and exceptions to all the Motions and Petitions in which the Court has heretofore ruled against you in whole or in part, among them being:

1. Motion to withdraw plea and quash indictment
2. Motion to inspect evidence
3. Motion to remove lights and cameras from jail
4. Motion for private consultation with attorney
5. Petition to authorize defendant to take depositions
6. Motion to permit conference with Huie
7. Motion to permit photographs
8. Motion to designate court reporters
9. Motion to stipulate testimony
10. Suggestion of proper name"

DEFENDANT "Yes"

JUDGE "Has anything besides this sentence of ninety-nine years in the penitentiary been promised to you to get you to plead guilty? Has anything else been promised you by anyone?"

DEFENDANT "No"

JUDGE "Has any pressure of any kind, by anyone in any way been used on you to get you to plead guilty?"

DEFENDANT "No"

JUDGE "Are you pleading guilty to Murder in the First Degree in this case because you killed Dr. Martin Luther King under such circumstances that would make you legally guilty of Murder in the First Degree under the law as explained to you by your lawyers?"

DEFENDANT "Yes"

for

P. 7

Page 3
Voir Dire of Defendant on Waiver and Order

JUDGE "Is this Plea of Guilty to Murder in the First Degree with agreed punishment of ninety-nine years in the State Penitentiary, freely, voluntarily and understandingly made and entered by you?"

DEFENDANT "Yes"

JUDGE "Is this Plea of Guilty on your part the free act of your free will, made with your full knowledge and understanding of its meaning and consequences?"

DEFENDANT "Yes"

JUDGE "You may be seated."

James Earl Ray

Percy Foreman

EXHIBIT 17
(Classified)

-200-

EXHIBIT 18
(Classified)

-201-

DOJ-1977-02

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (44-1574)

DATE: 5/23/77

FROM : SA RICHARD M. WOOLF

SUBJECT: MURKIN

On 5/16/77, LES SUZUKAMO, reporter, UCLA "Daily Bruin" telephone 825-2638, telephonically advised that MARK LANE had made an appearance at UCLA on 5/16/77, and had talked about his new book concerning the assassination of MARTIN LUTHER KING. Among other things, according to SUZAKAMO, LANE alleges that the FBI was responsible for the death of KING, that the FBI had no basis for investigating KING, that the FBI conducted an illegal wiretap of KING, etc.

In response to inquiry, SUZAKAMO was furnished information as set forth in Bureau letter dated 4/21/76, entitled, "MEDIA RELATIONS, RESPONSE TO CRITICISM OF FBI CONCERNING ACTIONS TAKEN AGAINST MARTIN LUTHER KING, JR."

For information.

Rmw
1 - 80-33

RMW/mkg
(2) *mkg*



5010-110

44-1574-1962

SEARCHED	INDEXED
SERIALIZED <i>km</i>	FILED <i>km</i>
MAY 27 1977	
FBI - LOS ANGELES	

RMW

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

(Mount Clipping in Space Below)

Man Loses Reward In King Murder

NASHVILLE, Tenn. (AP) — The man who led police to the rifle which investigators believe killed Dr. Martin Luther King Jr. was denied a \$100,000 reward Monday offered for help in convicting the killer.

Charles Quitman Stephens, who lived in the rooming house where the shot that killed King was fired on April 4, 1968, told police then that he saw a man running from a bathroom carrying a long package. A rifle with the fingerprints of James Earl Ray was found inside later.

Ray now is serving a 99-year sentence at Brushy Mountain State Prison after pleading guilty to murder in King's death.

Stephens was held in the Shelby County jail at Memphis after the slaying as a material witness in the case.

Judge Charles A. Rond denied the rewards because Stephens gave police most of his information before the rewards were posted and it did not lead "to the identification and arrest of James Earl Ray as murderer."

The state Court of Appeals upheld Judge Rond's ruling. Judge Charles E. Nearne dissented from that portion which held, in effect, that Stephens' giving information to the police before the rewards were posted disqualified him.

If that were the case, Nearne said, it would encourage citizens to wait "until the pot is right" before giving information to police.

Nearne agreed Stephens' information was not essential to the case against Ray, which Ray still is fighting despite his guilty plea.

The Memphis Publishing Co. had offered \$50,000 of the reward. Other donors included: The Memphis Chamber of Commerce, Downtown Association and Future Memphis Inc., \$25,000; Mrs. Wells Awsumb, \$1,000; National Alliance of Postal Employees, \$10,000; City of Memphis, \$5,000; city councilmen, \$8,915, plus \$85 in cash donations.

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

A-9 HERALD EXAMINER
LOS ANGELES, CA

Date: 5/24/77
Edition: Tuesday Latest
Author:
Editor: Donald Goodenow
Title: MURKIN

Character:
or C.R.
Classification:
Submitting Office: LA 44-1574*
Los Angeles
 Being Investigated

44-1574-1963

SEARCHED	INDEXED <i>lam</i>
SERIALIZED <i>lam</i>	FILED <i>lam</i>
MAY 24 1977	
FBI - LOS ANGELES	

(Mount Clipping in Space Below)

Attorney Says Ray Sought Trial in Escape Bid

By JOY HOROWITZ
Herald-Examiner Staff Writer

James Earl Ray, convicted assassin of Martin Luther King Jr., escaped from the Brushy Mountain Penitentiary a week and a half ago not to flee prison, but to "escape into a courtroom," one of his lawyers has said.

In an exclusive interview with The Herald-Examiner, attorney Mark Lane, of Washington, D.C., said that Ray, who has attempted to be tried for the murder of King, fled from prison so that his case could finally come to trial.

"What he had planned was if he got off the (prison) wall and escaped from the mountainous regions of Tennessee and got to a population center, he was going to call his attorney and have him negotiate with the government — state and federal," Lane said.

"The terms he had in mind when he escaped were that he would surrender if he was guaranteed a trial," Lane added.

Ray never has been tried for King's murder since he entered a guilty plea on March 10, 1969. The U.S. Supreme Court recently refused to allow him to withdraw his guilty plea.

"In essence," said Lane, who became Ray's attorney two days ago along with Tennessee attorney Jack Kershaw, "he was not trying so much to escape from the Brushy Mountain Penitentiary as to escape into a courtroom."

Ray, who is serving a 99-year prison sentence, has claimed that his original guilty plea was coerced by his lawyer at the time, Percy Foreman.

Ray claims a mysterious man named "Raoul" furnished the money for a rifle Ray bought which was apparently used to kill King in Memphis on April 4, 1968.

But he has said he did not know "Raoul" planned on shooting King.

Ray is expected to be indicted for escaping prison, a felony, by a Tennessee grand jury next week.

Lane said his legal strategy will be to try the case of the murder of Martin Luther King in Ray's escape trial.

"It is our contention that Ray is wrongfully at the penitentiary in the first place because he was coerced into pleading guilty, and therefore, he cannot lawfully escape," Lane declared.

"The trial of the death of Martin Luther King has never taken place. We hope to turn the trial of James Earl Ray for escaping into the first legal confrontation of the evidence about who killed Dr. King."

Lane, who said he last spoke with Ray April 23, said that he will attempt to call key witnesses involved with the King assassination, including "all the people in the FBI who masterminded the destroy-King squad" and former Memphis Police Chief Frank Holloman, a J. Edgar Hoover confidante and the man who was responsible for reducing the security surrounding King the day he was killed.

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

A-3 HERALD EXAMINER
LOS ANGELES, CA

Date: 6/22/77
Edition: Wednesday Latest
Author: Joy Horowitz
Editor: Donald Goodenow
Title: MURKIN

Character:
or C.R.
Classification:
Submitting Office: LA 44-1574*

Los Angeles
 Being Investigated

44-1574-1911

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 23 1977	
FBI - LOS ANGELES	

Lane further charged that the FBI had no lawful jurisdiction in trying to apprehend Ray since he was charged with a state crime, not a federal one.

"Kershaw (Ray's other attorney) has informed me that one prisoner picked up (before Ray was captured) was actually beaten by an FBI agent for the purpose of forcing him to tell where Ray was because the FBI was anxious to capture Ray before the local authorities did," Lane claimed.

"The rest of that is going to be told in affidavits in court."

UNITED STATES GOVERNMENT

Memorandum

TO : ADIC, LOS ANGELES (44-1574)

DATE: 9/9/77

FROM : SUPERVISOR ROBERT E. KERTIN

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS

Re Los Angeles airtel to Bureau dated 8/22/77.

JOHN ALDHIZER, FBI Headquarters, Extension 3685, advised that a review of the Los Angeles Office submission in this matter in connection with the MARTIN LUTHER KING case reflected the following serials were missing from Los Angeles file 44-1574:

✓ Volume I - Serials 2, 61, 62, 85-87, 89

Volume II - Serials 226-231

Volume IV - Serial 551

Volume V - Serials 707, 748, 908

Volume VI - Serials 1034, 1036

Volume VII - Serial 1288

Volume VIII Serials 1480, 1507, 1510

Volume IX - Serials 1652, 1754

Volume X - Serials 1818, 1832, 1873, 1895

Unable to locate

ALDHIZER stated that he desired that the file be reviewed again to see if these serials are actually missing and if they are, submit explanations as to what happened to them. In many cases these serials will probably have been misserialized or an incorrect serial number placed on them which is a satisfactory explanation.

If some of these serials are not missing, they should be Xeroxed and sent to the Bureau so that they may be added to the file prior to the submission to the House Select Committee.

Mr. ALDHIZER requested that this be handled prior to

9/23/77.

REK:cea
(2)

*XRT for
9/22/77
cek*

44-1574-1965

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
SEP 9 1977	
FBI - LOS ANGELES	



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- Airtel

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- E F T O
- CLEAR

Date 9/22/77

TO: DIRECTOR, FBI
ATTN: JOHN ALDHIZER

FROM: ADIC, LOS ANGELES (44-1574) (2) (P)

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS

Re Bureau telephone call to Los Angeles dated 9/9/77.

Enclosed for the Bureau are the following serials concerning the MARTIN LUTHER KING investigation contained in Los Angeles 44-1574:

- Volume I Serials 2, 61, 85-87, 89
- Volume II Serials 226-231
- Volume IV Serial 551
- Volume V Serial 707
- Volume VI Serials 1034, 1036
- Volume VII Serial 1288
- Volume VIII Serials 1480, 1507, 1510
- Volume IX Serials 1652, 1754
- Volume X Serials 1818, 1832, 1873, 1895

- 2 - Bureau (Enc. 9)
- ② - Los Angeles

RAS/dw
(4)

AW

44-1574-1966

SEARCHED _____

INDEXED _____

SERIALIZED _____

FILED _____

OFFICE COPY *SCHUSSLER*

Approved: *REG/AM*

Transmitted _____

(Number)

(Time)

Per _____

LA 44-1574.

It should be noted that serials 748 and 908, located in Volume V, are missing. A review of this volume failed to locate the missing two serials, and Los Angeles is unable to determine whether they are misfiled or the serials in Volume V were misnumbered.

- 2* -

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile - CLEAR

Precedence Routine

DEC 14 1977

To: SAC, Los Angeles (44-1574) **TELETYPE**

Date: December 14, 1977

From: Director, FBI

Time Transmitted:

Subject: MURKIN

Initials:

- Fingerprint Photo
- Fingerprint Record
- Map
- Newspaper clipping
- Photograph
- Artists Conception
- Other Letter

Special handling instructions:

Attention: Mr. Ron Perkerson, Squad #2.

Approved: *EP/009*

Rin 8988

611706438

FACSIMILE 12-14-77
 REC. 1 INT. 1 DATE TIME
 1550 PM

SENT 1 INT. 1 DATE TIME

01/1/78 44-1574-1967

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 14 1977	
FBI - LOS ANGELES	

Stamp

JOHN W. MOHR, JR., OHIO
 RICHARD L. BENTON, OHIO
 ROBERT C. LAMBERT, ILL.
 RICHARD D. MANNING, OHIO
 THOMAS J. MURPHY, OHIO
 CHARLES W. RYAN, ILL.
 DANIEL J. RYAN, ILL.
 HENRY J. WOOD, ILL.
 ROBERT W. WOOD, ILL.

Select Committee on Assassinations

U.S. House of Representatives
 331 HOUSE OFFICE BUILDING, ANNEX 2
 WASHINGTON, D.C. 20515

(202) 225-4020

December 2, 1977

The Honorable Griffin B. Bell
 Attorney General of the United States
 Department of Justice
 Washington, D. C. 20530

Attention: Mr. Robert L. Keuch
 Deputy Assistant Attorney General
 Criminal Division, Room 2113

Dear Mr. Attorney General:

In connection with the investigation of the House
 Select Committee on Assassinations into the death of
 Dr. Martin Luther King, Jr., we would appreciate two copies
 of the following photographs in the possession of the
 Federal Bureau of Investigation in LA MURKIN File 44-1574A
 EXHIBITS Series 1A1:

- (1) Copy of driver's license # D56162 from
Jerome Wallis Vernon (1a2)
- (2) Six photos - Jerome Wallis Vernon (1a4)
- (3) Five photos - Rita Stein (1a13)
- 4/15/77 Photo of J. C. Hardin (1a31)
- 4/18/77 Photo of Muriel Tomaso (1a32) - *not photo.*
- 4/18/77 Photo - Paul Osborn Bridgman (1a34)
- (7) Voter Registration Stub - signed Charles J.
Stein (1a44)
- (8) Negative - composite photo of Eric S. Galt,
Jerome Wallis Vernon (1a48)
- (9) Notes of interview with Charles Calvin Bookman
(1a62)

Robert L. Keuch

Robert L. Keuch

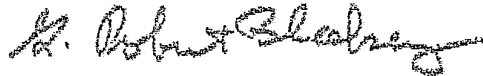
THREE
 ORIGINAL

- (10) ✓ Copies of Ray Photos - 1960 (1a65)
- (11) ✓ Three photos of James Earl Ray taken 1/4/66
✓ (1a70)
- (12) ✓ Five double photos of Dyrell Dennis (1a71)
- (13) ✓ Three photos of Eric Starvo Galt taken November,
1967 (Mexico City) (1a75)
- (14) ✓ Two photos of James Wilbourne Ashmore (1a88)
- (15) ✓ Two photos of Jerome Wallis Vernon (1a103)
- (16) ✓ Three photos and one negative of James Earl Ray
from U. S. Postal Inspection (1a107)
- (17) ✓ Three photos of artist's conception of James C.
Hardin (1a108)

Additionally, we would like two copies of the following photograph in LA MURKIN File 44-1574 C-1A31 which is one color photo of Tomas Lau and Eric S. Galt.

Your prompt attention to this request will be most appreciated.

Very truly yours,



G. Robert Blakey
Chief Counsel and Director

GRB:mka
cc Danny G. Coulson

X
AIR MAIL

12/14/77

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, LOS ANGELES (44-1574) (C) (2)
SUBJECT: MURKIN
CIVIL RIGHTS (C)

Re Bureau facsimile letter to Los Angeles, 12/14/77,
with copy of Select Committee on assassination to Attorney
General, dated 12/2/77.

Enclosed for the Bureau is one package containing
17 sets of documents requested in letter from Attorney General
BELL.

Colored photographs, C-1A31, of THOMAS LAU and
ERIC S. GALT forwarded to Bureau by airtel 4/15/68.

2 - Bureau (Enc. 1 Package)
① - Los Angeles

JHM/dga
(3)

44-1574-1968
SEARCHED
INDEXED
SERIALIZED
FILED

FBI

C

TRANSMIT VIA:

- Teletype
- Facsimile
- Airtel

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- E F T O
- CLEAR

Date 2/9/78

TO: DIRECTOR, FBI (62-117290)
 ATTN: CONGRESSIONAL INQUIRY UNIT,
 RECORDS MANAGEMENT DIVISION

FROM: SAC, LOS ANGELES (44-1574)(2)

RE: HOUSE SELECT COMMITTEE
 ON ASSASSINATION

Re telephone call of J. T. ALDHIZER to Los Angeles, 2/8/78.

Enclosed for the Bureau are two copies each of three serials from Los Angeles file 44-1574. These serials are as follows: Serial 1957, serial 1843, and serial 1282.

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- 3 - Bureau (Enc. 6)
- ① - Los Angeles

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Per _____

(Mount Clipping in Space Below)

Offer to kill King being examined

WASHINGTON (UPI) — An FBI spokesman said Wednesday the House Assassinations Committee is investigating a report that a St. Louis man claims he refused a \$50,000 offer to assassinate Martin Luther King.

The New York Times reported Wednesday Russell G. Byers, a former auto parts dealer, said he was offered the money in 1966 or 1967 on behalf of a group of businessmen to kill King, but had refused.

James Earl Ray is serving a 99-year prison term, having pleaded guilty to murdering King in Memphis in 1968. He since has claimed he was the "fall guy" for someone he identified only as "Raoul."

G. Robert Blakey, chief counsel and director of the House panel investigating the assassinations of King and John F. Kennedy, would not comment on the Times story — latest in a series of uncorroborated claims by persons who said they were offered money to kill King.

But an FBI spokesman said "the case is at present being investigated by the House Select Committee on Assassinations."

UPI learned Byers, 46, was interviewed several times this spring by committee investigators, who have heard scores of witnesses.

The Times said Byers told the committee he had been approached by two men — both now dead — in late 1966 or early 1967 to kill King.

"The account," the Times said, "has spurred an intense inquiry by investigators for the committee largely because Mr. Byer's brother-in-law, John Spica, was serving a murder term at the time of the alleged offer in the Missouri State Penitentiary where James Earl Ray was also a prisoner. The committee plans to administer a lie detector test to Mr. Ray as a result of Byers report."

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

I-3 THE VALLEY NEWS
VAN NUYS, CA

Date: 7/27/78
Edition: Thursday Final

Title: OFFER TO KILL KING

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Los Angeles

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JUL 27 1978

FBI - LOS ANGELES

ORIGINAL TO THE BUREAU



MARTIN LUTHER KING
New Investigation

(Mount Clipping in Space Below)

Evidence in King death viewed

WASHINGTON (UPI) — The House Assassinations Committee today viewed photographs of Martin Luther King Jr. taken just after he was murdered and heard testimony from pathological experts on the April 4, 1968, shooting in Memphis, Tenn.

The committee, in its second day of public testimony on the death of the civil rights leader, sought to dispel questions about the trajectory of the fatal bullet.

The pictures were grim. One was taken from behind King — revealing the back of his head and a conspicuous lump several inches below the left shoulder where the bullet was imbedded after entering his body through the lower right jaw.

Experts said the bullet apparently smashed through King's spinal column and, in the words of one witness, would have left him a "vegetable" had he lived.

Another picture showed King's neatly knotted tie, the neckband severed where the bullet had cut through.

Today's panel of medical experts was assembled to determine if the preliminary medical treatment administered to King was adequate from the time he was taken by ambulance from the Lorraine Motel to St. Joseph's Hospital where he died about an hour after the shooting.

The experts were also asked to review the autopsy report and the exhibits and to determine if the trajectory of the bullet "indicates the point of origin of the shot."

Finally, they were asked if the damage to King's body and clothing was consistent with what could be expected from a projectile of the type recovered from the body.

Convicted assassin James Earl Ray takes the witness stand Wednesday.

Robert Blakey, the assassination panel's chief counsel and staff director, said in an opening statement today the visual exhibits and the testimony on the King autopsy were designed to try to dispel "disagreement over the point of origin of the fatal shot."

Reports of the shooting said the bullet was fired at King from the bathroom of a cheap Memphis rooming house nearby. King was standing on the second floor balcony of the motel.

Blakey said several questions arose after the autopsy performed by Dr. Jerry T. Francisco, the medical examiner of Shelby County, Tenn.

"The angle of trajectory and bullet tract through the body, for example, were not clearly delineated," Blakey continued. "Questions arose also over the pathological findings."

King's chief aide, Ralph David Abernathy, told the committee Monday he was convinced King was the victim of a conspiracy and that Ray, who pleaded guilty and was never tried, could not have done everything alone.

The heavyset Baptist preacher sat alone at a felt-covered table before the House members, arranged in two tiers before him, and fidgeted with a purple ballpoint pen while he testified.

When it was the turn of Rep. Yvonne Brathwaite Burke, D-Calif., to question him, he interrupted her to say he was glad a woman was on the committee. He said he tried to fight for the rights of all minorities — women included.

Abernathy said he went in the ambulance with his stricken leader to St. Luke's hospital where a doctor told him, "It would be an act of mercy if he passes away."

"The bullet entered his cheek, severed the spine and ended up in the chest," Abernathy said. He quoted the doctor as saying "he'd be a vegetable all his life if he lived."

About one hour after King was shot, Abernathy said, "he died in my arms."

"I believe very firmly the assassination was a political assassination," Abernathy said. "I believe it was a conspiracy. I believe it was an assassination to kill the dream, the American dream of blacks and whites, rich and poor, brown and yellow."

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

P-5 EVENING OUTLOOK
SANTA MONICA, CA

Date: 8/15/78
Edition: Tuesday Final

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ORIGINAL TO THE BUREAU

But he could offer no proof. Citing King's behavior in the days before the April 4, 1968, shooting, Abernathy said he believed King had been forewarned by someone of an imminent attack on his life.

"He was troubled, nervous, very jittery ... at points frightened," Abernathy said. "I think he had received some word from some source that he was going to be assassinated."

After the three-hour committee session, Abernathy told reporters he believes King's killers were helped by "people in high places." Asked if this would include the late FBI Director J. Edgar Hoover, Abernathy replied, "I wouldn't eliminate Mr. Hoover."