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2025 RELEASE UNDER E.O. 14176

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Judge bars use of King evidence in mock trial of Ray

By Chris Conley
The Commercial Appeal

A criminal court judge Wednesday quashed attempts by a British network to use evidence from the Martin Luther King Jr. assassination for a mock television trial for James Earl Ray.

Judge John P. Colton said he would not allow the evidence to be used even though an agreement between the network and local prosecutors had been worked out to safeguard the evidence.

Jack Saltman of Thames Television in London said, "We are definitely going ahead with the program. . . . We still plan to begin filming in October. I hope it will be filmed in Memphis, and I hope it will be filmed in the courthouse in Memphis."

On June 5, Colton ordered a temporary hold on use of the evidence and scheduled a June 15 hearing. Wednesday's ruling made the earlier order final, attorneys in the case said.

The four-hour, \$3 million production is scheduled to be shown Jan. 15, King's birthday.

King was shot April 4, 1968, as he stood on the balcony of the Lorraine Motel, which now is the National Civil Rights Muse-

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

B1
The Commercial Appeal
Memphis, TN.

Date: 6/11/92

Edition: Daily

Title:

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Classification: —

Submitting Office:

Indexing:

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page 2
6/11/90 The Commercial Appeal
"Judge bars use of King
evidence in mock trial
of Ray"

um.

Ray pleaded guilty to the slaying and was sentenced to 99 years in prison.

In a six-page order, Colton said, "such evidentiary items, as long as they remain in court custody, are not subject to public or media . . . as a matter of right."

Colton noted that although Ray now seeks release of the material for the mock trial, Ray "has vigorously attempted to get his guilty plea set aside" since his conviction.

The evidence must be preserved, Colton said, in the event that Ray is ever granted a trial.

The evidence is stored in 15 boxes in a vault in Criminal Court Clerk Minerva Johnican's office. Among the items are the 30.06 rifle said to have been used in the slaying, King's clothing and Ray's passports, receipts and other personal items.

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Evidence put on hold for Ray mock trial

Criminal Court John P. Colton Jr. Friday put the brakes on a British network's plan to use evidence in the Martin Luther King Jr. assassination in a mock trial for King's admitted assassin James Earl Ray.

Colton banned any use of the evidence until a June 15 hearing to determine how Thames Television of London will use the items stored in the Criminal Court Clerk's Office.

Thursday, Thames withdrew a petition in Colton's court seeking the evidence and announced it had reached an agreement with the District Attorney General's Office to view and examine the evidence in the clerk's office and use it during the trial under official supervision.

Producer Jack Saltman then said his company was ready to begin filming here in October.

Colton noted in a two-page order that Ray still is appealing his guilty plea and 99-year sentence and that the evidence in the case must be protected.

King was shot April 4, 1968, as he stood on the balcony of the Lorraine Motel, now the National Civil Rights Museum.

—Lawrence Buser

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

B2
The Commercial Appeal
Memphis, TN.

Date: *6/6/92*
Edition: *Daily*

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The Commercial Appeal
Memphis, TN

Date: 6/16/92

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Indexing:

Rehearing sought on Ray mock trial

A British television network Monday said it will ask a judge to reconsider last week's ruling denying them access to evidence for a mock trial of James Earl Ray.

Attorney Wayne Emmons, who represents Thames Television of London, said he will file a motion asking Criminal Court Judge John P. Colton Jr. to reconsider or clarify his ruling.

Colton set a hearing on the matter for June 24.

Ray is serving a 99-year sentence on his 1969 guilty plea to the assassination of Dr. Martin Luther King Jr.

Thames and state prosecutors had reached an agreement on using evidence from the case for the mock trial but Colton disagreed.

—Lawrence Buser

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MEMPHIS, THURSDAY, DECEMBER 16, 1993

THE COMMERCIAL APPEAL

Pierotti might inquire into King 'plot' claims

By Marc Perrusquia
The Commercial Appeal

State prosecutors may look into new allegations that Dr. Martin Luther King Jr. was killed as part of a plot involving two Memphis businessmen and others, Dist. Atty. Gen. John Pierotti said Wednesday.

Pierotti said he still believes the new allegations are a hoax, but said he cannot avoid the groundswell of media attention since a British newspaper on Sunday reported details of a possible conspiracy.

Pierotti said his staff may interview witnesses after considering new information, including an interview expected to air tonight on national television with a retired businessman and one-time Memphis policeman who claims to know about a plot behind King's death here in 1968.

In 1968, Loyd Jowers owned a restaurant below the second-story boarding house from which

convicted assassin James Earl Ray is said to have fired the shot that killed King.

In an interview with reporter Sam Donaldson on the ABC news program *PrimeTime Live*, Jowers, 67, will give a different account of King's death.

In the interview, to air locally at 9 p.m. on WHBQ Channel 13, Jowers will say "he was part of a conspiracy to murder Dr. King and that he hired someone to do the killing," ABC announced Wednesday.

Jowers claims he hired a triggerman, and it was not Ray. The claim, which has stirred new controversy in the 25-year-old case, appears to add new details to a conspiracy allegation checked out but dismissed by the FBI in 1968.

Pierotti has said the new allegations appear to be manufactured to fit known facts in the case, but Jowers' attorney Lewis Garrison has said his client only wants the truth to come out.

Pierotti, who was interviewed by Donaldson Wednesday, said

he will be watching the Jowers interview closely.

Garrison approached Pierotti several weeks ago seeking immunity for his client and four others in return for naming a gunman and at least one other businessman supposedly involved in a conspiracy.

Ray, who is serving a 99-year sentence for King's death, did not commit the murder, according to Jowers' account.

Pierotti originally dismissed the new claim as a "sham and fraud." But the prosecutor said he's eager to listen to what Jowers has to say. Yet, if he finds there is any truth in his account, there won't be any deals for the former restaurant owner, Pierotti said.

"If someone actually is guilty of capital murder and I give him immunity just to clear the books on this, I ought to be run out of town," Pierotti said.

Pierotti said his staff may interview other witnesses after listening to Jowers. Pierotti stressed he is not "reopening the

King case," but said investigators likely would check for possible corroborating information to Jowers statement.

Several efforts to reach Jowers at his rural Martin, Tenn., home have been unsuccessful.

In the ABC interview, Jowers details a conspiracy involving himself and another former Memphis businessman, according to excerpts released by the network:

DONALDSON: Was (James Earl Ray) part of the conspiracy?

JOWERS: He was part of it, but I don't believe he knew he was part of it. But he was part of it, yes, he was there.

DONALDSON: Tell me about Frank Laberto (sic). Who was he and what was your relationship with him?

JOWERS: Well, he was in the produce business. I met Frank



Loyd Jowers
in 1963

Food proud record feed

By Quintin Robins
The Commercial Appeal

The Memphis Food Bank distributed a record 8 pounds of food to needy families in the Memphis area this year.

But jubilation over exceeding last year's total of 6.8 pounds was tempered by the fact that the need exceeded supply, said Food Bank executive director Susan Sanford.

"We are just bursting seams over here," she said, "so sad that there are so many people who need our help."

"We are feeling the need more than ever during the holidays."

Please see KING, Page B2

(Indicate page, name of Section A-1&18 newspaper, city and state.)

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Date: 12/12/93

Edition: COMMERCIAL APPEAL
MEMPHIS, TNTitle: Pierotti rejects
King Probe; calls case
Character: "sham"
orClassification:
Submitting Office: MEMPHIS

Indexing:

Pierotti rejects King probe; calls case 'sham'

By Marc Perrusquia
The Commercial Appeal

An attorney is asking that a grand jury reopen the Martin Luther King Jr. assassination investigation, claiming a retired Memphis businessman hired the gunman who killed the civil rights leader in 1968.

Dist. Atty. Gen. John Pierotti said Saturday he's been approached by a group that claims to have new information on King's murder. Pierotti said he places no validity to the claims, saying he declined to reopen the case.

However, the group plans to pursue the case under a state law that allows private citizens to seek grand jury reviews of alleged crimes, Pierotti said.

The allegations have stirred a flurry of media interest, including by a report today in The Observer of London. A front-page story in the British newspaper claims convicted assassin James

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Earl Ray did not shoot King, but that an unidentified retired Memphis businessman hired another gunman.

Pierotti said he has been contacted recently by reporters from several national media outlets inquiring about the new claim. But Pierotti said he believes the claim is not worth pursuing.

"I believe it is a sham and a fraud upon the public," Pierotti said, saying the only possible motive behind the claim that he can think of is publicity.

"I think the whole thing is an Andy Warhol day-in-the-sun thing," Pierotti said, referring to the late American artist's prediction that everyone would famous for 15 minutes.

Pierotti said he first heard of the new claim several months

ago when he received a call from Circuit Court Judge D'Army Bailey. Bailey said he'd been contacted by Memphis attorney Lewis Garrison who said he had a new revelation into the assassination.

Pierotti then called Garrison, who said he represents a Memphis businessman and four others who have new information on the case. The businessman was seeking immunity from prosecution in return for naming the gunman, Pierotti said. Garrison did not return telephone calls to his home Saturday night.

After reviewing the claim with former district attorney general Phil Canale and others familiar with the King case, Pierotti determined there was no validity, he said.

"We were of the unanimous opinion that someone is running a game," Pierotti said.

A recent movie by HBO into

the King assassination has triggered renewed interest into the case.

Memphis private investigator John Billings, who said he was hired to help investigate the case for the movie producers, said he has been working with Garrison to look deeper into the case.

"This isn't just a theory," said Billings, 45, who said he's talked with the Memphis businessman but declined to name him. "We know beyond a doubt that James Earl Ray had nothing at all to do with the assassination."

...a first-degree murder suspect in jail since July 31, had become pregnant.

Harris, Walter S. Smothers and Stacy D. Ramsey are charged in the July 30 killing of 19-year-old college student Dennis Brooks.

Chandler's story followed reports in the competing weekly Carroll County News-Leader, later confirmed by Sheriff Douglas Brandon, that male inmates had been found in female inmates' cells at the Carroll County Jail in Huntingdon.

Brandon's department and the jail are the subject of a Tennessee Bureau of Investigation probe. Brandon accepted the resignation of one deputy jailer and fired another in October after the jail visitation scandal reports surfaced.

It could not be determined Thursday whether Harris is pregnant.

tion, to avert that," he said.

"We just plan not to testify," said the newspaper's editor, Joel Washburn.

Chandler appeared in court on Thursday on an unrelated matter and pleaded guilty to driving under the influence of alcohol and carrying a dangerous weapon. Records show he was arrested Oct. 17 with a 38-caliber automatic pistol that he said he carried after he was stabbed earlier this year. Judge Larry Logan sentenced him to spend 10 days in the same Carroll County Jail he has been writing about.

"It's part of life," he said of the sentence.

Sheriff Brandon is expected to be in court Wednesday for a trial of charges that he was driving drunk in Paris, Tenn., on Sept. 30, when he ran a stop sign and collided with a van. Brandon has pleaded not guilty.



Heat on the bacon

By Robert Cohen

J. McBride puts out a fire in a refrigerated truck Thursday on North Parkway. Larry Valentine of Hardin's-Sysco Food Services was backing up to the dock at St. Joseph Hospital when he saw smoke. He moved the vehicle, loaded with 400 cases of bacon and other food, away from the dock and called the fire department.

The same panel ruled month that the Senate planned the Voting Rights Act cause it underrepresented black voters in West Tennessee.

County jail begins for

By Rob Johnson
The Commercial Appeal

Willie Sanders glanced at cards, slapped them on the c block table and began fidgeting with the piece of string wrapped around his wrist.

It's hard to maintain a polite face, after all, when the rest of your body is screaming for nicotine.

"Yeah, it's tough," he said. "But I'm glad to get the chance to quit smoking, I guess."

He doesn't have much choice. The 38-year-old Sanders is one of the 160 Shelby County Jail inmates now housed in the facility's direct-supervision pod, the floor jail administrators determined would be the first to undergo the new smoking ban.

The direct-supervision floor is for inmates who have earned the right to extra amenities. By Wednesday, these inmates were the first group to lose the right to smoke.

That's because they are the

Support slim for Jowers's conspiracy claim

By Marc Perrusquia
The Commercial Appeal

MARTIN, Tenn. — Loyd Jowers, the retired Memphis businessman who claims he conspired to assassinate Dr. Martin Luther King Jr. in 1968, may need to do some more talking to convince one of his best friends he committed the act.

"He don't seem like that kind

of a feller," said Robert Ferguson, 57, who fishes with Jowers and helped him move back here from Memphis two years ago. "Course, you never can tell."

Jowers, 67, shook up friends and acquaintances Thursday night when he claimed in a nationally televised interview that he hired a gunman to kill King and that the killer was not convicted assassin James Earl Ray.

Jowers, who now lives in a

small house on the edge of Martin, a small town two hours north of Memphis, told reporter Sam Donaldson on the ABC news program *PrimeTime Live* that he was paid "a large amount of money" by another Memphis businessman to kill King.

But if Jowers is what he says he is, he's left little record of it. Jowers has assembled a small collection of real estate holdings over the years, but there is little

evidence that he is the wealthy businessman that proponents of a new conspiracy theory make him out to be.

In Memphis, Jowers had several careers, working in the 1960s as a restaurant proprietor, in the 1980s as a taxi cab company owner and, for a brief time in the 1940s, a Memphis police officer, he said. Jowers currently owns a

Please see JOWERS, Page B2

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courses such as management training and the handling of hazardous material.

But this fall, many firefighters were not approved for tuition reimbursement. They were told that no money was left from \$281,627 appropriated for training, Posey said.

Some firefighters already had paid the tuition when they were denied approval for the classes, Posey said. Others did not take courses because they learned they wouldn't be reimbursed.

Personnel director Westelle Florez and Fire Director Charles E. Smith did not return telephone calls to their offices.

The Memphis Police Association has filed a grievance about the denial of the tuition reimbursements, said president Ray Maples. He said the group has requested a meeting with Mayor W. W. Herenton and expects to settle the matter without an arbitration hearing that will cost the union and city \$2,500 each.

—Patti Patterson

Ole Miss readies ban on smoking

The University of Mississippi at Oxford will ban smoking in all academic and administrative buildings starting Jan. 1.

Those buildings, as well as the Student Union, Vaught-Hemingway Stadium and Tad Smith Coliseum, will no longer have designated smoking areas.

"It is the duty of the university to provide a safe, healthful environment for students, faculty and staff members and visitors," Ole Miss Chancellor Gerald Turner said.

Policies governing Ole Miss dormitories will remain virtually unchanged with smoking allowed only in students' rooms, said Monroe Harrison, director of student housing.

—Staff and wire

Body ID'd as Michelle Branch

Police identified the body of a 27-year-old woman found dead on a sidewalk Thursday.

Michelle A. Branch of 2314 Norman was found lying on a sidewalk in the 1100 block of Springwood Cove.

Police do not suspect foul play, but homicide Commander R. G. Wright surmised it would take several days to determine the cause of death as medical exam-

From Page B1

Jowers

convenience store and several small houses in Martin, where he moved in 1991.

For years, Jowers was just an obscure footnote among the reams of books and investigation files on the King assassination.

In 1968, Jowers owned Jim's Grill, a restaurant at 418 S. Main near the Lorraine Motel, where King was shot. Interviewed by police three days after the April 4, 1968, assassination, Jowers, then 41, said he heard a loud noise "like something that fell in the kitchen."

About five minutes after the shooting, "a state highway patrol or sheriff's deputy come to the door with his pistol drawn, and he ordered me to lock the door, not let anyone in or out," Jowers told police then.

Jowers told investigators he noticed that a white Mustang, later linked to Ray, had been in front of his grill before the shooting but had disappeared afterward.

Jowers tells a much different story now, to the astonishment of some people who knew him.

"He was a nice Southern gentleman," said Joanne Osborne, 35, who once lived next door to Jowers in Memphis's Frayser area. "He was a very nice neighbor. He seemed like a very honorable man."

Jowers didn't seem like the type of man who would hire a killer, or one who would lie about it, Osborne said.

But Jowers didn't show his gentle side in 1987 when he took on topless bar owner Danny Owens in a fight to control local taxicab business.

In 1982, Jowers bought Veterans Cab Co. out of Chapter 11 bankruptcy court proceedings. But in a lawsuit five years later, Jowers claimed Owens was using threats and intimidation to drum him out of the business.

Jowers alleged in a Chancery Court lawsuit that Owens paid Jowers's cab drivers to go on strike in 1983 in a move to flatten Jowers's new business. Jowers

eventually sold Veterans Cab to Owens for \$35,000 in 1985, but Jowers charged Owens pulled the deal off through fraud.

Jowers claimed his business really was worth \$150,000.

Owens also sued Jowers, claiming Jowers had reneged on an agreement to not compete with Owens.

The opposing lawsuits eventually fizzled for lack of action, but Jowers didn't take the matter sitting down. Jowers, who operated a taxi radio dispatch service after selling Veteran Cab, "unplugged the dispatch radios on several occasions" so Owens's taxis could not receive calls, Owens charged in court papers.

Jowers quietly left Memphis in 1991 after the death of his first wife, Dorothy. Public records show Jowers sold his taxicab headquarters in 1991 for \$15,250 and sold his home at 3258 Boone for about \$40,000 before heading to Martin.

On Aug. 9, 1991, Jowers married a woman 19 years his junior, the former Shirley Ann Wiloughby, now 48. The couple bought a Gardner Stop N' Shop convenience store last spring in Martin. Jowers also owns at least three other properties in Martin with a total appraised value of about \$36,000, records show.

Jowers lives in a small house with white siding across the street from a trailer park with numerous abandoned mobile homes and littered yards. Junked cars abound in yards in the neighborhood.

As he did in Memphis, Jowers has kept a low profile. Repeated efforts to reach him this week were unsuccessful, including several visits to his home.

Ferguson said he once visited Jowers in Memphis, where Jowers took him to Jim's Grill and showed him where King was shot. But Jowers never mentioned any conspiracy, Ferguson said.

Martin Police Chief Jackie Moore said he never heard of Jowers until reporters began pouring into town this week looking for him. Moore said he is concerned about security now that Martin is home to a self-proclaimed conspirator.

"We're afraid we may attract some attention," he said.

From Page B1

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charter amendment. ings on the ordinance required and the su least eight of the cc 11 members would b place the issue on th

If the proposal re mission approval, a ion might be needed the amendment coul ballot at the time of t

The county's b charter states that amendment must be to voters "at the n county election" t between 60 and 120 adoption of an amen nance.

It is unclear whet publican primary would qualify as county election."

The county's ne election is Aug. 4 wh sion posts, the county several other county sitions will be on th well as primaries f fices.

The proposed i would apply only to the County Comm would not affect Joh is both a state senat eral Sessions Court c

Police ID found at c

Memphis police sa they have identified two bodies found W an illegal dump n Memphis Defense l Depot.

They determined t gerprints that one c Charles Gregory Cl 2447 Saratoga.

Police believe he dead about 48 h health inspectors body at the dump a Menager, Deputy Warner said.

Police say that gun chest, thigh and Chism, the 203rd h tim in Memphis this tives say they have n

Police still had no the body of a white skeletal remains w about 75 feet from Ch officers were invest first body.

Nursing students to receive pins

Members of the Shelby State Community College evening and weekend nursing classes will receive pins signifying completion of the student nursing course of study in a ceremony at

Jan Young, vice president of St. Joseph Hospital, will be guest speaker at the ceremony, in which 76 nursing students are expected to participate.

Nurse candidates will take

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SATURDAY, DECEMBER 18, 1993

THE COMMERCIAL APPEAL

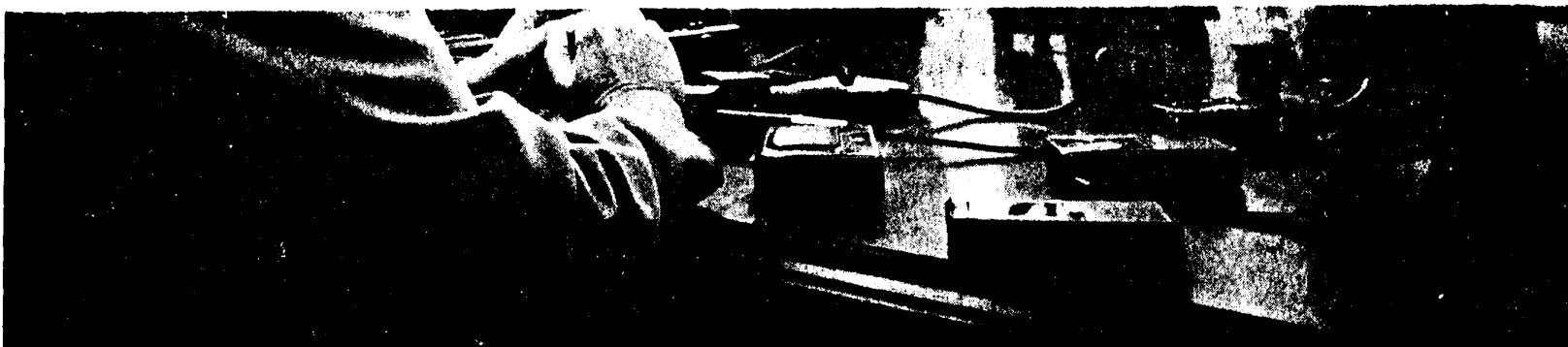


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By Michael McMullan

Dist. Atty. Gen. John Pierotti is asking the news media for "breathing room" to probe claims of a plot to kill Dr. Martin Luther King Jr.

Pierotti to investigate charges of King plot

By James Chisum
The Commercial Appeal

Dist. Atty. Gen. John Pierotti promised Friday to investigate fully the televised allegations of a West Tennessee man that he participated in a plot to kill civil rights leader Dr. Martin Luther King Jr.

But Pierotti asked media representatives to give him breathing room as the investigation continues, saying he will keep the public informed of any findings.

Lloyd Jowers, 67, who operated a restaurant across the street

from the motel balcony where King was shot on April 4, 1968, said in the television interview Thursday night that he was asked to hire a man to kill King.

The request, Jowers said, came from Frank Liberto, who operated a produce business here in the 1960s. ABC reporter Sam Donaldson, who interviewed Jowers on *PrimeTime Live*, said Liberto gave Jowers \$100,000 to pay a hit man.

Jowers stopped short of identifying the hit man or saying that he actually gave him the money to kill King.

Rev. Joseph E. Lowery, president of the civil rights group

that King led until his assassination, on Friday reacted to Jowers's claims by calling for a Justice Department probe.

"I don't think there's any doubt there was a conspiracy," said Lowery, head of the Atlanta-based Southern Christian Leadership Conference. "When you put everything together, you have to take these allegations seriously."

During the ABC interview, Jowers said a man with Hispanic features with a name that sounded like Raoul visited him at Jim's Grill, which Jowers operated at 418 South Main, and asked him to hold a rifle. The

man promised police would be out of the way and a decoy would be used, Jowers said.

Also interviewed on ABC was Willie Akins, who said "a friend" — whom Donaldson identified as Jowers — asked him in 1974 to "get somebody out of the way." He said he thought the target was King's killer and described him as a "slow-acting black man."

Donaldson also talked with former King assassination investigator Walter Fauntroy, who implied that Liberto was linked to organized crime in New Orleans.

Pierotti said he will assign investigators and ask for help from the Tennessee Bureau of Investigation to find out whether the allegations can be proved or disproved.

Pierotti said media interest in the allegations requires him to

Please see KING, Page B2

to spotlight China tomb

By Jimmie Covington
The Commercial Appeal

Memphis and Shelby County Port Commission members Monday approved a \$3.5 million loan to the Wonders International for a 1995 China exhibit.

Series director Jon Thompson said the commission would highlighted as a major sponsor of the exhibition. The partnership between the two governmental entities reflects that the city is a progressive community, he said.

Commission approval of the loan was the last step needed for the city to move forward with contracting for the exhibit. The City Council on Tuesday approved appropriation of funds subject to the port group approval.

The loan will come from the commission's reserve fund held by the city and will not include any commission funds that go to Shelby County government. The Port Commission supervises industrial development on Presidents Island and Francis C. Pidgeon Industrial Park.

Outlining the attention the port group will receive, Thompson

True g Birch o

Lanier asks



MID-SOUTH BRIEFS

program, the largest in DeSoto County history.

Trent Lott (R-Miss.), the speaker, congratulated the county for DeSoto County's progress. "No county has been more progressive than DeSoto County. The county is making progress because of the positive attitude in the county, in its people and in its leaders."

William C. Bayne

Second man held in fatal robbery

Police have charged a second man in the slaying of a retired police officer in a robbery in a South Memphis business district.

James Galtmore III, 23, was charged with one count of first-degree murder, one count of attempted murder and two counts of especially aggravated robbery. Memphis Police Commissioner R. G. Wright said.

Swartz, 61, was killed while working at the Keyport Self-Storage business he operated at 1235 S. Main. Two men stabbed and killed him after getting into his bulletproof office.

Edward Hathaway, 33, was charged Thursday with first-degree murder, attempted murder and especially aggravated robbery.

He said the Swartzes let him into the business because they knew him, but he was not involved in the robbery. Both men were armed, Wright said. The husband was shot and killed, as was the wife. She was taken to a hospital and later died. Call a daughter and police are looking for the two men left.

—Chris Conley

ing awaited

casino site on the Gulf Coast.

Commissioner Bob Engram, who joined Bill Gresham in voting to approve the site, said he was surprised at the industry group's audacity. "Are they so strong that they think they can run the state?" he said.

The site, being developed by Gold Strike Resort and Casino and Lone Star Casino Corp., sits about 800 feet north of the Bay of St. Louis. The companies want to dig a 1,200-foot canal to the site, where they plan to spend \$170 million building two casinos, two hotels and a golf course.

The Mississippi Casino Operators Association is asking the court to overturn the commission's decision and to stop Gold Strike and Lone Star from proceeding with construction.

—Sarah C. Campbell

Johnican event stars Kirk Whalum

Jazz saxophonist Kirk Whalum will be featured in a Christmas concert and fund-raiser sponsored by Friends of Minerva Johnican, the Shelby County Criminal Court Clerk, at 7 p.m. Sunday at The Peabody.

Son of City Council member Kenneth Whalum, the tenor sax player lives in Southern California and has toured with pop singer Whitney Houston for the past three years.

Tickets are \$100 and \$25. For more ticket information, call 682-7667 or 522-9229.

—Nate Hobbs



Kirk Whalum

From Page B1

Loan

tal improvements needs up to the amount of the loan.

The loan will be the third received by Wonders, a series of exhibitions of art, cultural and historic objects from various countries and empires.

The series still owes about \$3 million from a \$4.2 million revolving loan fund approved by the City Council in 1989. A second loan, \$2.5 million for this year's Napoleon exhibit, has been repaid. At the end of the 1992 fiscal year, the Port Commission's city reserve fund totaled \$7.8 million.

County government takes a position that the commission does not have any control over the county's one-half share of excess operating funds. County government pays half of the commission's bills and receives half of the revenue with excess funds going into the county's general operating funds, said John Trusty, deputy finance administrator with the county.

From Page B1

King

investigate, adding:

"I'm kind of curious myself why all this is being said 25 years after the fact."

It will be difficult to investigate something that happened so long ago, he said. The time lag makes it easier to make statements that can't be verified.

Asked if he believed anything said by Jowers and Akins, Pier-

otti said:

"Yeah, I believe they stated their names correctly. Those were probably honest answers."

He would not describe plans for the investigation, though he promised it would be thorough. And he expressed skepticism.

"Who are they giving us?" he asked rhetorically. "They're giving us a man who's been dead for a number of years and can't respond. They're giving us again the mysterious Raoul, who nobody knows anything about."

James Earl Ray, who pleaded guilty to killing King, claims a shadowy smuggler named Raoul may have killed King.

"And (they are) telling us about an individual who is supposed to be the shooter that nobody's found yet, claiming he's a rather dull black man who they got to do it because he was dumb. "Aw, come on, give me a break."

The New York Times News Service contributed to this story.

From Page B1

Birch

On leave for 30 days, he studied for and passed the Tennessee Bar Exam.

His first real law job was with real estate broker J. F. McLellan of Nashville, whose own law practice was incidental to real estate. Birch started out with closings and property law. One year later, he joined the law firm of Nashville city councilman and Democratic leader Bob Lillard. "I guess he saw some kind of potential in me, but he hired me."

Like other black lawyers in Nashville, he represented many of the black protesters here who



Adolpho Birch

elected to a statewide office.

Today, he'll become the second African-American ever to hold a seat on the state Supreme Court.

Privately, some Democrats and Republicans have predicted Birch will face a difficult election in August because of his race.

Unlike elections to the appellate courts, which involve voters choosing whether to retain a sitting judge, the Supreme Court is chosen through a contested

the court.

Birch is restrained by judicial ethics in what he can say about specific issues coming before the court.

But on the issue of the state's death penalty, which Daughtrey's critics accused her of resisting, he points out that he has sentenced people to death as a criminal court judge and has upheld death sentences on appeal. "My oath is to uphold the law and I do that."

Relaxing in his office, Birch is clearly awed by the prospect of the state's highest court. But he also doesn't gloss over the fact that his job has been to review some of the most gruesome of criminal cases.

"It's a job that I can wake up to



By Richard Gardner

new clothes as the church helps Robinsonville, Miss., residents.

Delta's down-and-out

newfound plenty.

"This baby needs some shoes. Get her some shoes and get this family a box of food," said Rean Jackson, one of about 200 church members who took part in Imani's fourth annual gift-bearing visitation to a county that still is among America's poorest.

Robinsonville was the first of four stops made Saturday morning by Imani's Christmas train of 50 cars and trucks. Church members spent the better part of the day passing out food, clothing, toys, even a few pieces of

furniture to dozens of families in need.

"We're not doing anybody any favors," Rev. Bill Adkins told the flock as they prepared to load up and head out early Saturday morning.

"We're just trying to do the Lord's business. Jesus said, 'Inasmuch as ye did it for the least of these, ye did it for Me.'"

"Down in one of those cotton fields may be Jesus waiting to see if we're coming to feed him

Please see **HELP**, Page A26

old homicide record set in 1990, when 207 were murdered.

The record began as the weekend began, a 6-year-old boy, missing by his grandfather, was found dead under a pile of clothes in his Frayse

Then Saturday morning stumbled across a 41-year-old woman onto the grassy strip of office park near the International Airport. She had been stabbed to death, becoming the 20th victim in Memphis this year.

Memphis Police Division T. Burgess, who has a million to hire 75 new officers, deplored the violence tearing at the heart.

"This country is a mess," he said. "It's not like we have to do so many things to stop this violence."

Memphis is not a city with a long record of violence.

'Why now?' wary ask in King 'plot'

By James Chisum
The Commercial Appeal

Lloyd Jowers, a former Memphis businessman, says there was a conspiracy to kill Dr. Martin Luther King Jr. and that he has the details of the plot.

Hogwash or truth?

For some, the answer doesn't seem to make any difference. They want the claim investigated. Others are wondering how such an obscure, minor character in the original investigation rose to such prominence.

But for the really skeptical, the only worthwhile inquiry is this: Why is all of this talk about the King assassination surfacing now — almost 25 years after James Earl Ray pleaded guilty to gunning down the civil rights giant on the balcony of the Lorraine Motel here?

No one has a definitive answer to the *why now?* question. But many share the conclusion of N.E. Zachary, then-chief of homicide for the Memphis Police Department.

"They're trying to get Ray out of prison," said Zachary. "If he knew all this, why is he telling it now? ... This doesn't make a lot

of sense from any direction."

Joe Hester, the retired FBI case agent, suspects that Jowers's claim has something to do with expected income from talk shows, books, movies and other ways of exploiting the issue.

"I can't imagine any other reason," Hester said.

Police, the FBI and congressional investigators concluded that King's assassin fired the fatal shot on April 4, 1968, from an upstairs bathroom window in a boarding house at 418 S. Main. The shooter escaped, but a rifle and other items later identified with Ray were dropped just outside the boarding house.

Although police swarmed over the area within minutes, Ray escaped. He fled first to Atlanta, then to Montreal, and finally to England, where he was captured by British police.

Returned to Shelby County, Ray pleaded guilty to the murder charge in 1969 and was sentenced to 99 years in prison.

But he quickly recanted the guilty plea. He has insisted since that he did not shoot King, that he was used as a decoy by a mys-

Please see **KING**, Page A22



Welcom

Soldiers return to Drum, N.Y. "This Staff Sgt. Kevin (C) About 450 members

COMMERCIAL APPEAL

12/19/93

Pg A-1

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From Page A1

King

serious seaman called "Raoul."
A number of books, articles and television films supporting Ray's claims or putting forth other conspiracy theories have followed.

Then last week, an article in a London newspaper reported that a Memphis businessman wanted immunity in return for describing a plot to kill King. It quoted William Pepper, the latest in a long line of lawyers who have represented Ray, and Lewis Garrison, a Memphis lawyer who represents Jowers and four others who say they know details of the alleged plot.

As the week continued, media interest grew. It reached a peak Thursday night when the 67-year-old Jowers told a national television audience that he was asked by Frank Liberto to arrange for the assassination of King. Liberto, who operated a produce company in Memphis, is dead, according to Sam Donaldson of ABC News.

Dist. Atty. Gen. John Pierotti is skeptical of the allegations but said the media interest forces him to investigate them.

In 1968, Jowers ran Jim's Grill, a greasy-spoon restaurant on the first floor of the boarding house, directly under the upstairs room rented by Ray.

He figured into the initial investigation only as an observer who reported hearing a loud shot. He told police he saw a white Mustang parked outside the restaurant when he arrived for work at midafternoon.

The information about the Mustang was confusing because other testimony placed the getaway car farther south. Memphis police concluded that two Mustangs had been parked on South Main or that Ray had moved the car after Jowers saw it.

Liberto had a larger role in the initial investigation, though police and FBI agents concluded that he was not involved in the assassination.

He came to the attention of in-

vestigators a few days after the slaying when John McFerren, the operator of a small store in Somerville, called Baxton Bryant, then director of the Tennessee Council on Human Relations.

McFerren said he had been at the Scott Street farmers market, buying a sack of potatoes when he heard a heavyset white man say on the telephone:

"Kill the son of a bitch on the balcony and get the job done. You will get your \$5,000."

Later, McFerren said, he heard the man say:

"Don't come out here. Go to New Orleans and get your money. You know my brother."

Frank Liberto denied making such statements on the phone, though he said he often discussed large amounts of money in connection with his business. He also admitted he might have said King should be shot in casual conversations.

But he denied any knowledge of the assassination.

FBI agents in New Orleans interviewed Liberto's family on April 23, 1968.

Anthony Liberto said his brother, Frank, made occasional trips to the Hammond, La., area to buy produce, particularly strawberries.

Emma Liberto, his mother, said she had seen her son in mid-April when he came to Louisiana to buy strawberries.

Vincent Liberto said he hadn't talked to Frank by telephone in four years.

But Salvador Albert Liberto said that just before the King assassination he had called Frank to borrow \$200. He said his brother told him of his winnings at the races in Hot Springs and invited him to go to the track with him.

Zachary, in his capacity as chief of homicide for the Memphis Police Department, interviewed McFerren several days after the assassination.

He concluded that McFerren had not known what Liberto was talking about and had jumped to a false conclusion.

"He just put two and two together and assumed he was talk-

ing about King," Zachary said Friday.

The information from McFerren was mixed with hundreds of tips to police and the FBI in the aftermath of the King slaying. Investigators followed them up, but many were inconclusive. They were forgotten as the trail left by Ray became hot.

The men who sent Ray to prison remain fully confident that Ray was the triggerman. They view with strong skepticism Jowers's televised claim that he took part in a plot to kill King.

"I think it's hogwash," said Robert Cochran, who helped investigate the King slaying in 1968 as a homicide captain. He's now an executive in a security firm.

"It's kind of warmed-over soup to me," said Robert K. Dwyer, who would have helped prosecute Ray had he gone to trial. Then an assistant district attorney general, Dwyer now is a judge on the state's Court of Criminal Appeals.

Former district attorney general Phil Canale, who was in charge of the Ray prosecution, was not available to comment on the latest in the line of conspiracy theories. "We're not taking calls," said Mrs. Canale.

"I still believe James Earl Ray killed Martin Luther King, and that he acted alone," said Hester, the retired FBI case agent for the murder.

Others involved in the investigation and prosecution have never declared flatly there was no conspiracy, though some believe the shooting was not especially complicated and could have been accomplished by Ray alone.

Their position since 1968 has been simply that they had no evidence of a conspiracy.

Retired Criminal Court judge James C. Beasley, who worked on the case as an assistant district attorney general, says he would be delighted if concrete evidence of a conspiracy appeared.

"I don't discourage any effort to bring forth any other person who had a part in it," Beasley said last week.

Political vulnerability game's myths and measurements change

By Rhodes Cook
Congressional Quarterly

WASHINGTON — As Rep. Marjorie Margolies-Mezvinsky (D-Pa.) voted in August to put Presi-

lican district.

By the criteria historically used to judge incumbents' vulnerability, Margolies-Mezvinsky fits the classic profile of a "marginal" House member.

But congressional vulnerability

vulnerability and election-year volatility has become so difficult. Even apart from the overarching influences of presidential politics and economic conditions, assessing House members' individual predicaments can be vexing.

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Homeless man denies claim he killed King

NASHVILLE (AP) — A homeless man in Orlando, Fla., denied any involvement in the assassination of Dr. Martin Luther King Jr. after he was called the triggerman of a conspiracy to kill the civil rights leader.

Frank Holt, 62, spoke to The Tennessean in a copyright story published today. He was identified as the man who shot King by one of five people who have come forward 25 years after King was assassinated, the newspaper said.

M.B.

The five have asked for immunity from criminal prosecution in exchange for telling their version of how King came to be shot to death on April 4, 1968, as he stood on a balcony of the Lorraine Motel in Memphis.

James Earl Ray pleaded guilty to the killing and is serving 99 years in a prison in Nashville. He has tried to take back his guilty plea, and a London lawyer is handling his effort to gain a new trial.

The Tennessean reported that Holt was named as King's assassin

by Willie Akins, one of two men who told their version of King's murder on ABC's *Prime-Time Live* broadcast Thursday.

Akins attributed the story to Loyd Jowers, who told ABC during the broadcast that he was paid by a Memphis man, now deceased, to hire someone to kill King. Jowers said Ray wasn't the assassin.

Holt said the secondhand report by Akins is wrong.

"I didn't do it — oh, no, no, no," he said when questioned. The newspaper reported that Holt

took a polygraph test which supported his claim of innocence.

The Orlando man said he was often a customer in a restaurant Jowers owned near the Lorraine Motel. Holt said he worked as a produce packer in Memphis in 1968 but barely knew Jowers and

had no knowledge of a plot to kill King. "Jowers is lying," he said. "Jowers ain't give me no money."

He said he did know Frank Liberto, whom Jowers named as the man who paid him to arrange the assassination.

From Page A1

King

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"Kill the son of a bitch on the balcony and get the job done. You will get your \$5,000."

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"Don't come out here. Go to New Orleans and get your money. You know my brother."

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"It's kind of warmed-over soup to me," said Robert K. Dwyer, who would have helped prosecute Ray had he gone to trial. Then an assistant district attorney general, Dwyer now is a

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APPEAL
12/19/93
Pg A-22

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

COMMERCIAL APPEAL

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Date: 12/20/93

tion:

Pierotti says King 'plot' weakening

Latest twist proves
it's a hoax, he says

By David Waters
The Commercial Appeal

A Florida man's denial that he was hired to kill Dr. Martin Luther King Jr. pokes even more holes in a recently publicized conspiracy theory, Shelby County Dist. Atty. Gen. John Pierotti said Sunday.

Pierotti said Frank Holt's denial — reportedly confirmed by a polygraph test — proves recent claims about the assassination are a hoax.

But Dr. William Pepper, a London attorney working to free King's imprisoned assassin James Earl Ray, said Sunday that Holt is being set up as a patsy to throw investigators off the trail

of Loyd Jowers.

Pierotti said he will still investigate Jowers's recent claims about the killing and will talk to Frank Holt, now homeless in Orlando, Fla. Holt worked in Memphis in 1968 and says he was in Jim's Grill near the Lorraine Motel when King was killed.

Holt was named as the triggerman by an associate of Jowers, who is a retired Memphis businessman now living near Martin, Tenn. Jowers ran Jim's Grill in 1968.

Jowers told ABC's *PrimeTime Live* last week he hired someone to shoot King and that person was not James Earl Ray.

Ray pleaded guilty to the charge of killing King in 1969 but recanted three days later. He

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has sought a trial ever since and has written two books in which he claims he was set up by a shadowy figure named Raoul.

Willie Akins, who appeared with Jowers on the television news program, said Jowers told him repeatedly that Holt was the true triggerman.

Holt denied the claim in a copyrighted interview in Sunday's The Tennessean newspaper. Holt said he barely knew Jowers and had no knowledge of a plot to kill King. The newspaper said Holt passed a lie detector test.

"Jowers is lying," he told the newspaper. "Jowers ain't give me no money."

Pierotti said Sunday that Holt's denial adds even more

doubt to Jowers's claims.

"I think we're going to be able to shoot holes all through this thing," Pierotti said.

"If you get a look at his picture, well, if he's the one who shot King, it would surprise me."

In the ABC interview last week, Jowers stopped short of identifying the alleged hit man or saying that he actually gave him the money to kill King. But Akins has not been so reticent in other interviews he has given.

Reached at his London home Sunday, Pepper said he has known Jowers for 16 years and has known about Jowers's claims for the past five years.

Pepper said he thinks Jowers hired a lawyer and went public with part of his story because he is running scared. He noted that Jowers has asked for immunity before telling more of his story.

"There's no doubt in my mind that Jowers had the contract in Memphis to kill King," Pepper said.

"I think he's trying to bring Frank Holt into it to pass it all off on him. It's possible that Jowers was paid \$10,000 to hire an assassin and carried it out himself."

Pepper said he has hired Memphis lawyer Wayne Chastain to petition for a grand jury investigation into the new claims. If that fails, Pepper said he will seek to challenge Ray's conviction with a writ of habeas corpus in Criminal Court. The attorney said he's also considering filing a lawsuit against Jowers.

"I'm hoping to get an open and fair hearing somewhere in Shelby County," Pepper said.

"I'm representing a man who has been falsely accused for 25 years."

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Date: 12/24/93; Pge. B1&2
Edition: COMMERCIAL APPEAL
MEMPHIS, TN

Title:

Character: 44-1987
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Classification:
Submitting Office: MEMPHIS

Indexing:

Jowers link rejected, King records show

By Marc Perrusquia
The Commercial Appeal

This month's claims linking retired businessman Loyd Jowers to a plot to assassinate Dr. Martin Luther King Jr. were first investigated in 1969, but apparently were dismissed as unfounded when a key witness said she knew nothing to support the story, public records show.

Ten months after King's April

4, 1968, assassination, the District Attorney's Office received a tip that Jowers may have been involved in the shooting, according to rarely viewed documents among the King assassination files.

Jowers, now 67 and living near Martin, Tenn., stirred controversy last week when he claimed on national television that he was paid money by another Memphis businessman to hire a gunman to kill King.

But in 1969, a tip involving Jowers was dismissed when the key witness behind the story, Betty Spates, told investigators she was offered \$5,000 from King supporters to finger Jowers as a possible gunman because they did not believe James Earl Ray shot the civil rights leader, records show. Spates also told investigators in a Feb. 12, 1969, statement that she never claimed Jowers shot King and conceded she had no "knowl-

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edge whatsoever concerning the shooting of Dr. Martin Luther King Jr.," records show.

In 1968, Spates was a waitress at Jim's Grill, a restaurant near the Lorraine Motel where King was killed. In her statement to investigators, she said she had been offered money to say she didn't believe Ray killed King. Spates told investigators she was approached by a local bail bondsman who offered her \$5,000 to name Jowers, then the

owner of Jim's Grill, as King's killer.

The bail bondsman told Spates her payment would come from King's top aide, Rev. Ralph Abernathy, who died in 1990, and another man named Joe Patterson, according to Spates's statement.

Reached this week in her South Memphis home, Spates — now reportedly a key witness behind the new conspiracy claims — said the 1969 statement was a forgery.

"You don't see a signature on the bottom, do you?" she asked a reporter.

The statement was unsigned. But the paper and a second document from February 1969 in the King assassination files may help explain why the new claims of conspiracy have surfaced now.

The latest conspiracy theory took off when researchers re-

cently uncovered one of the documents, said Kenneth Herman, a Memphis private investigator who worked with Ray's attorney during the filming of a mock trial called *Guilt or Innocence: The Trial of James Earl Ray*, which aired last spring on cable television.

Ray is serving a 99-year sentence for the assassination, but repeatedly has proclaimed his innocence since pleading guilty to the crime in 1969.

Herman said he had talked with Spates in recent years about a possible conspiracy, but said Spates finally told him the full details behind the new conspiracy allegation in November 1992 when Herman located a record in the assassination files.

What Herman found was a Feb. 10, 1969, memo from district attorney investigator John L. Carlisle, which outlined a tip im-

plicating Jowers in the assassination.

According to the memo, a bail bondsman by the name of James Alexander Wright approached authorities, claiming Spates had told him new details behind the assassination.

Wright said he met Spates while making bail for a relative of hers, the memo said.

According to the memo, Wright said Spates told him that on the day of the assassination, "her boss man at the restaurant (Jowers) was out at the backyard, no one there except him, that he was the only one that could have killed King. That her boss man was the one who found the gun."

The memo went on to say that when police questioned Jowers on the day of the assassination, "he was lying to them all at the same time."

According to the memo, Spates also had seen Ray that day walking to and from shops in the area, claiming "Mr. Ray is not

guilty, for I was there. . . . I know every move he made."

The memo also said that Wright and a "Mr. O'Neil of the State Surety Bonding Company" were interviewed, presenting authorities with a tape recording of an unspecified nature that "O'Neil had in his possession on January 30, 1969, concerning the same information."

A 1969 Memphis city directory shows the general manager of a firm called State Surety Bonding Co., 300 Poplar, was an Albert M. O'Neil. Efforts this week to locate O'Neil and Wright were unsuccessful.

Dist. Atty. Gen. John Pierotti said he first became aware of the 1969 memo last week. Pierotti said his staff has since located a three-page statement that Spates gave at the District Attorney's Office two days after the initial memo.

In her statement, Spates said Wright aggressively sought to get a statement from her and an unidentified sister of hers who

also worked at Jim's Grill.

"He wanted to ask my mother for permission for me to get on a recorder and say who I believed killed King," Spates said in the statement. At one point, Spates said: "He say, 'I will give you \$5,000 if you will say that you didn't believe that Ray killed King.' And I told him my life was worth more than \$5,000," Spates said in the statement.

"And he told me wouldn't nothing happen to me because Rev. Abernathy and them didn't believe Ray killed King and they wanted somebody that wasn't scared to get up and say so."

When pressed, Spates said she had no information on King's assassination, never claimed Jowers found a rifle and never said Jowers could have killed King.

Pierotti said he has not located any tape recordings or other information regarding the investigation of the 1969 claim. Former prosecutors James C. Beasley and Robert K. Dwyer, whose

names appear among the 1969 documents, said they don't recall the claim, saying they checked out numerous tips that never panned out.

Carlisle, the former investigator who wrote the Feb. 10, 1969, memo, declined to comment "about that bunch of garbage."

The ABC television news program *PrimeTime Live* last week named Spates as "the prospective witness who allegedly will testify she saw Jowers near the back door with a rifle moments after the killing."

But Spates this week declined to discuss the new allegations.

Abernathy's widow, Juanita, said this week that her husband always contended others were involved in King's assassination. But she said her husband never had specific names of others and would not have paid money for such information.

"That's a blatant lie," Mrs. Abernathy said of the 1969 statement. "I have never heard of such an idiotic thing."

Prosecutor says 'same old dog and pony show'

By Lawrence Buser
The Commercial Appeal

The county's top prosecutor said Tuesday a London attorney's claims that new evidence would clear James Earl Ray in the murder of Dr. Martin Luther King Jr. is "the same old dog and pony show from Picadilly Circus."

Nevertheless, Dist. Atty. Gen. John Pierotti said his office is taking another look at the case and probably will talk to witnesses who defense attorneys claim have new information.

His remarks were made after Criminal Court Judge Joe B. Brown Jr. indicated to Ray's attorneys that at least some issues they were raising had been ruled on in the past.

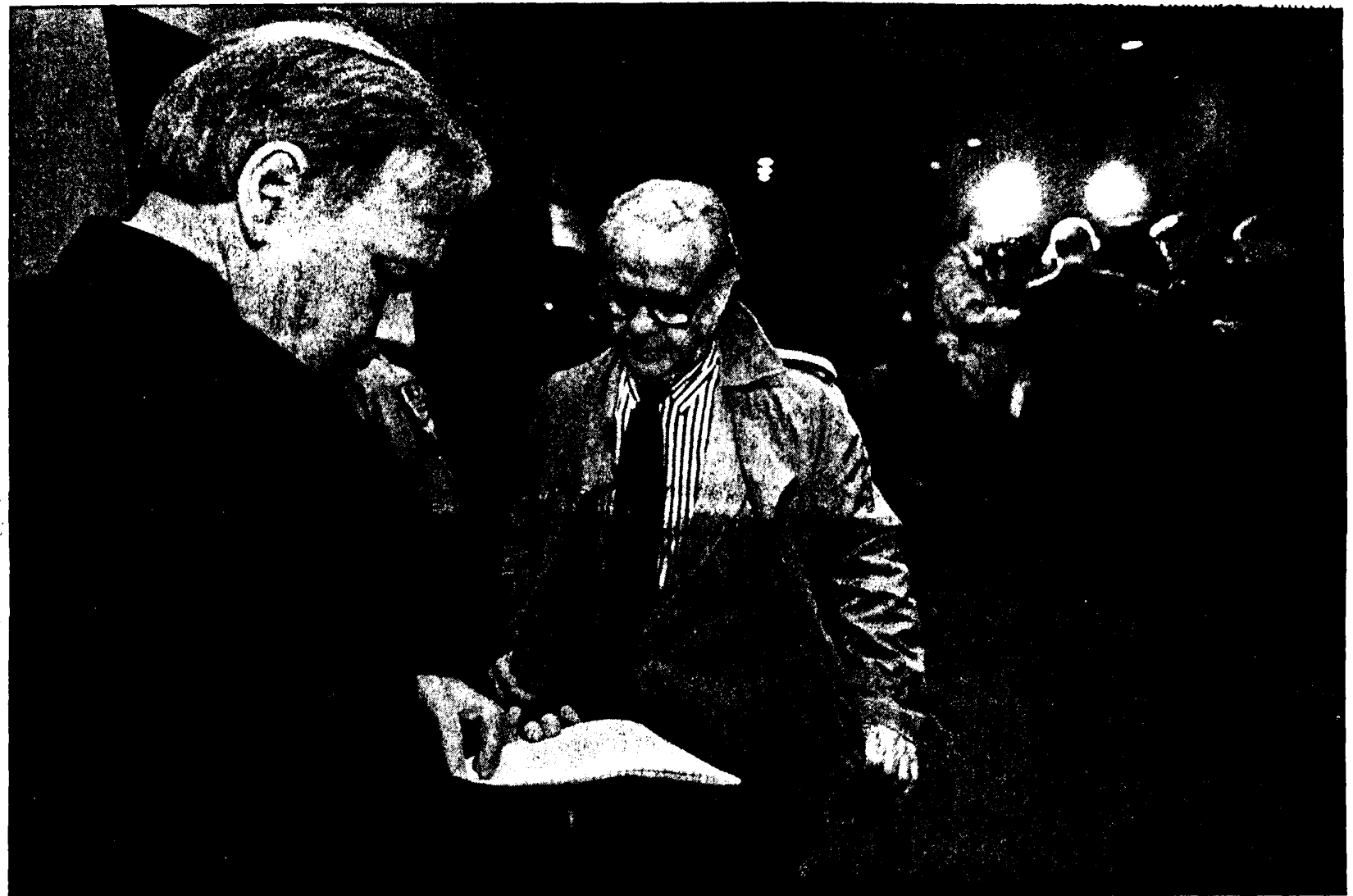
Brown said once a guilty plea is entered voluntarily and knowingly, a defendant — even if not guilty — cannot change his mind and withdraw his plea.

The judge said the first issue to address is whether Ray pleaded guilty "in his own best interest" before defense attorneys can present what they say is new evidence that will prove his innocence.

Ray has had at least four state post-conviction hearings and a federal habeas corpus petition in which he sought to have his plea withdrawn.

"At this point, it seems those issues have been resolved by the State of Tennessee and then numerous appellate courts," Brown said.

Defense attorneys Monday filed motions seeking to free Ray



By Michael McMullan

Dr. William Pepper (left) and Wayne Chastain, attorneys for James Earl Ray, huddle as Dist. Atty. Gen. John Pierotti talks to the press after Tuesday's hearing on the assassination of Dr. Martin Luther King Jr.

from the 99-year sentence he received in 1969 after pleading guilty to the assassination of King on April 4, 1968, on the balcony of the Lorraine Motel. They said Ray has been imprisoned illegally for the past 25 years.

Dr. William Pepper, Ray's attorney of London, said Ray entered his guilty plea without knowing facts that would have

exonerated him. He said new evidence will show Ray's "actual innocence."

Prosecutors and Ray's attorneys will argue the matters before Brown on Feb. 10.

Pepper said new evidence indicates former Memphis businessman Loyd Jowers was part of a broad conspiracy responsible for King's death, not Ray.

Jowers, 67, now living in Martin, Tenn., said on national television last month that he was paid by another Memphis businessman to hire a gunman to kill the civil rights leader.

On Monday, a small group of church and civil rights leaders called for a special prosecutor to re-examine the case.

Pierotti said Tuesday that is

not likely to happen.

He said allegations of a broad conspiracy and Jowers's involvement in the King murder were looked into and dismissed in the state's investigation more than two dozen years ago. "All of this has been litigated and I don't see anything new in this," Pierotti said. "I don't have any question that Ray was guilty."

Inmate cuts

Pentecostals will end racial split

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Commercial Appeal
1/12/74 Page B1

Inmate cuts

Pentecostals w

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Ray's lawyers talk of test-firing gun

Lawyers seeking freedom for James Earl Ray met with state prosecutors Monday to determine when they can test-fire the alleged murder weapon and ana-



James Earl Ray

lyze the slug that killed Dr. Martin Luther King Jr.

Defense attorney Wayne Chastain showed up with an American studies teacher and a watch repairman to begin tests, but prosecutors got court approval to delay the tests until Tennessee Bureau of Investigation officials can be present to observe.

Asst. Dist. Atty. Gen. David Shapiro, who said the state wants to protect the condition of the evidence, said a testing date has not yet been set.

Criminal Court Judge Joe Brown last month approved the tests in a broad ruling that allows Ray's lawyers to build a case for giving the confessed killer a trial.

Ray, 66, who is serving a 99-year prison sentence, has been trying to withdraw his 1969 guilty plea, claiming he was framed and coerced. His request for parole was denied last month.

King was shot to death April 4, 1968, on the balcony of the Lorraine Motel, now the National Civil Rights Museum.

—Lawrence Buser

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

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FBI - MEMPHIS	

FBI/DOJ

Ray attorney may ask Reno to probe 'coverup'

By Lawrence Buser
The Commercial Appeal

A defense attorney for James Earl Ray said Thursday he may call on U.S. Atty. Gen. Janet Reno to investigate the 1968 assassination of Dr. Martin Luther King Jr. in Memphis.

Dr. William Pepper of London said that could expose what he called a 26-year coverup. The county's top prosecutor John Pierotti called Pepper's coverup and conspiracy theories "hogwash."

Ray's defense was stung Wednesday by a state appeals court order that halted their plans to conduct tests on the rifle and death slug in the case.

The Tennessee Court of Criminal Appeals also ordered Crimi-

nal Court Judge Joe Brown to explain his earlier ruling allowing Ray's attorneys to build a court case aimed at Ray's exoneration.

Pepper and Pierotti held separate press conferences Thursday.

Pepper implied that the appellate court's ruling shows that it also is part of a coverup of the King assassination.

"Knowingly or unknowingly, great numbers of people have become involved in covering up the truth," Pepper said. "Keeping an innocent man in prison ... borders on obstruction of justice and this is a matter for the U.S. attorney general to look into."

Ray, 66, pleaded guilty in 1969 to King's murder and is serving

Please see **RAY**, Page B8

CIAL APPEAL

MEMPHIS, FRIDAY, JUNE 17, 1994

From Page B1

Ray

a 99-year prison sentence. He has since said his plea was coerced and that he was used by a network of unknown conspirators.

Pepper said he is "not overly optimistic" that the state appellate court will uphold Brown's decision to let the defense present testimony and conduct tests

on evidence on Ray's behalf.

Pepper said he then plans to contact Reno and ask that she convene a federal grand jury to look into the matter.

Pierotti said the case has been thoroughly investigated and litigated and that Pepper has produced no new credible evidence.

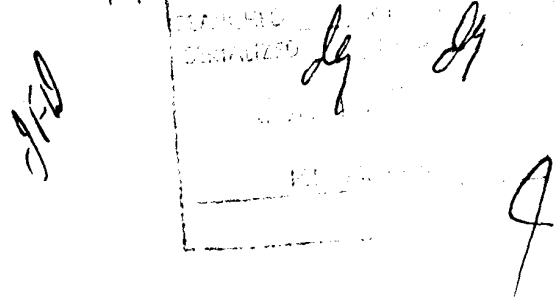
"According to Pepper and conspiracy buffs, everybody in government sits around and conspires against somebody," Pierotti said. "We don't have time for

all that. There's no conspiracy."

He said Memphis businessman Loyd Jowers' claim last winter to being involved in a plot to kill King has been contradicted by witnesses he has relied on to support his story.

Pierotti said he has reviewed parts of the Ray case at the recent request of Reno's office and that he has offered to let her office or local federal prosecutors review the case file.

44-1987 Sub C-692



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Kings want Ray to have his trial.

By Marc Perrusquia
The Commercial Appeal

The family of Dr. Martin Luther King Jr. ended a 29-year silence Thursday and asked for a trial for the slain civil rights leader's convicted assassin, James Earl Ray.

The emotional announcement in Atlanta followed news reports last week that the family supported a trial for Ray. The impact remains to be seen, but it's certain to bring scads of reporters to Memphis next week for a court hearing.

The Feb. 20 hearing is set to review a motion by Ray's attorneys to test the murder rifle, but a prosecutor said he's been told that defense attorney William Pepper of London may use it as a stage for one or more of his conspiracy theories.

"Pepper's really stirring the pot," said John Campbell, as-

sistant district attorney general, who said he's been inundated with media calls from as far away as Germany.

Media interest has heightened since Ray, 68, fell ill with a liver disease in December. Serving a 99-year sentence for King's 1968 murder in Memphis, Ray may have only months to live and his family is trying to arrange a liver transplant.

That set the stage for a press conference Thursday attended by King's four children and his widow, Coretta Scott King.

"The lack of a satisfactory resolution to questions surrounding the assassination of Martin Luther King Jr. has been a source of continuing pain and hardship to our family," said Dexter King, a son of the civil rights leader.

"It was time to come forward, make a statement about this, which has haunted us for years," said King. "If Mr. Ray

does not pull through, this will die with him."

Dist. Atty. Gen. Bill Gibbons said he would be happy to meet with the King family and would cooperate in investigating any new lead, but said the state stands firm in its position on Ray's guilt.

"James Earl Ray was convicted for the murder of Dr. King. That conviction has been upheld seven times," Gibbons said. "It's the state's position that Mr. Ray is exactly where he needs to be — namely in prison for the murder of Dr. King."

Ray pleaded guilty in 1969, agreeing he alone killed King. Days later, Ray recanted and has sought a trial ever since.

A number of King's associates in the civil rights movement have come forward in recent years to ask for a re-examination of the assassination. Their opinions on Ray's involvement range from that of a

dupe who was set up to a participant who knows more than he's telling.

A congressional inquiry in the 1970s concluded there might have been a conspiracy involving a couple of St. Louis businessmen but that Ray — an ex-con and a purported racist — killed King.

Jack McNeil, local co-counsel for Ray's defense, said the King family's support would aid Ray. Ray's attorneys plan to ask Criminal Court Judge Joe Brown next week for permission to test the 30.06 Remington murder rifle with an X-ray technology to determine if the bullet found in King's body was fired from the gun.

McNeil did not rule out other possibilities, including possibly unmasking the mysterious Raoul, whom Ray says framed him but who has never been located.

"Stay tuned," McNeil said.

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Ray's lawyer says order clears way to pursue test on rifle

Criminal Court Judge Joe Brown issued a written order Thursday backing up his bench ruling that new technology might prove whether a rifle linked to James Earl Ray was used to kill Dr. Martin Luther King Jr. in 1968.

The ruling and order sends the issue of whether to test the 30.06 Remington rifle to the state Court of Criminal Appeals for further consideration.

In 1994, the appeals court halted Ray's latest appeal and prohibited Brown from taking further action in the case.

State prosecutor John Campbell said Brown's order was expected to favor testing of the rifle.

"All it does is put what he (Brown) said in court in writing," Campbell said. "He made findings of fact (in the order), but he didn't order the rifle tested."

Ray attorney Jack McNeil said he looks at the order as a "green light" to proceed with the issue of testing the weapon.

If Ray's attorneys eventually win the right to test the weapon, they likely would face numerous other legal hurdles that would include convincing a court that the results warrant giving Ray the trial he has sought for almost 29 years.

The case has taken on new interest since the 68-year-old Ray learned he has life-threatening medical problems caused by cirrhosis of the liver.

—John Semien

MEDIA REP. 

Date: 3/7/97; Page B2
Edition: COMMERCIAL APPEAL
MEMPHIS, TN

Title:

RAY'S LAWYER SAYS ORDER CLEARS
WAY TO PURSUE TEST ON RIFLE

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FBI - MEMPHIS	

FBI/DOJ

(Mount Clipping in Space Below)

Frail Ray clings to King story

Picks photo of 'Raoul' who he says framed him

By Marc Perrusquia
The Commercial Appeal

NASHVILLE — Once he was simply Jimmy Ray, small-time crook and stickup man.

In the flash of a rifle muzzle 29 years ago, he became James Earl Ray, assassin of America's greatest civil rights leader, Dr. Martin Luther King Jr.

Seeing him Monday — the white hair, bony hands and that shy smile that curls with a visitor's every word — he seems as puzzling as ever.

Here is James Earl Ray, the resourceful criminal who es-

caped from a Missouri prison and underwent plastic surgery in Los Angeles in the months before King's 1968 murder in Memphis, eventually leading authorities on a two-month manhunt through four countries.

Here, too, is Jimmy Ray, the bungling bandit who once got shot in the arm during a botched robbery, the drifter who fled his youth in the hard-luck river towns north of St. Louis only to spend more of his adult life in jail than out.

As Ray, 69, sat slumped and droopy-eyed in a prison wheelchair with advanced cirrhosis

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

Date: 3/25/97; Page A1 & 5

Edition: COMMERCIAL APPEAL
MEMPHIS, TN

Title: FRAIL RAY CLINGS TO KING STORY

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MAR 25 1997	
FBI - MEMPHIS	

■ The unusual alliance between James Earl Ray's brother Jerry and the King family is troubling to those who remember Jerry Ray's past.

A4

of the liver, those old questions about King's murder and how a petty criminal could pull it off clouded around him like an unshakable apparition.

But if the world is hoping for a deathbed confession, it may be in for a long wait.

In a 20-minute interview Monday with The Commercial Appeal, Ray once again denied that he shot King, a claim he has made since confessing to the civil rights leader's murder in 1969 and then recanting on his way to prison.

"No," Ray said. "But don't listen to what I say. What you have to do is not pay any attention to what I say, or listen to the prosecution."

The answers lie in government records sealed for 50 years by the U.S. House Select Committee on Assassinations in 1979, he said.

"I like to talk about the re-

cords. Don't ask me what I think."

Although largely confined to a bed here at the Department of Correction's Lois DeBerry Special Needs Facility where he is serving a 99-year sentence, Ray remains optimistic.

"I hope to get a liver transplant," he said with a nod, although no inmate in Tennessee has ever received a transplant and Ray still needs to get on a waiting list.

And he is looking forward to a historic meeting planned later this month with King's

Please see RAY, Page A5

From Page A1

Ray

son, Dexter.

Dexter King, 36, who heads the Martin Luther King Jr. Center for Nonviolent Social Change in Atlanta, has called for a trial for Ray. He has said he is troubled by recent accounts that others may have been involved in his father's murder.

"I'd answer any question he has," Ray said.

Would the meeting help Ray's case?

"It's not going to do anything but help, is it?" Ray said. "It's not going to hurt anything."

As he has done since virtually the day he pleaded guilty, Ray claimed again that he was framed by a mysterious man he knew only as Raoul. Taking his story a step further, Ray also pointed to a picture of a New York man he recently sued in a sealed Shelby County Circuit Court case, saying that person is the shadowy Raoul.

But Ray's declarations of innocence and the recent affiliation of the Ray and King families in the call for a new trial have angered some who have long been convinced of Ray's guilt.

The FBI unearthed a large body of evidence against Ray — including his fingerprints on the murder rifle found near the Lorraine Motel where King was shot — evidence that led to his guilty plea in 1969. Subsequent nationally televised hearings when Congress re-examined King's murder in the 1970s left many Americans with the image of Ray as a self-serving liar.

The House Select Committee on Assassinations (HSCA), which heard witnesses in 1978, concluded in 1979 that Ray indeed shot King, calling his alibi and Raoul story "unworthy of belief."

G. Robert Blakey, who served as HSCA's chief counsel, says the push for a new trial is "a waste of time" because Ray is guilty. Even if ballistics tests requested recently by Ray's attorneys point to someone else as the shooter, Blakey said, that won't erase Ray's involvement, which includes evidence that Ray stalked King throughout the South.

"It is a detail of history whether Ray was a co-conspirator or a shooter," Blakey said. "And he's not (exonerated) in either role. An aider and abettor of a homicide goes down for homicide."

The path to prison

James Earl Ray shuffled across the concrete floor of his cell, his movements painfully slow.

The cramped room has a single bed, a shower, a stainless steel commode and television set.

"There's no remote," Ray told a visitor without looking up.

Now and then he patted his bloated abdomen, which hung noticeably from an otherwise rail-thin frame. With his liver malfunctioning, Ray said his stomach often fills with fluids.

He's not sure how his liver went bad. He claims he does not have a history of heavy drinking or drug use.

"The doctor, he's not sure how it happened," he said, sitting back in his wheelchair. Ray paused several moments as if collecting his thoughts, which he does frequently.

"My health is not real good," he said, the strange smile swelling on his face. "Other than that, I don't have any problems."

Over the course of the interview, Ray at times rambled almost incoherently. At other times he appeared sharp and lucid.

Ray has been moved in and out of a local hospital at least four times in recent months. Once, he was critical and in a coma. He's not sure how much time he has left. He said he hopes it's "years."

More certain is how Ray got here. It is a story of a career criminal.

The first of seven children, James Earl Ray was born [redacted] in Alton, Ill., a hardscrabble town of foundries, mills and working-class neighborhoods along the Mississippi River, some 20 miles upstream from St. Louis.

School did not interest him. Before dropping out of the ninth grade, he had earned a long string of "I's" - Inferior - across the river at Ewing School in Ewing, Mo.

Ray went to work at 16 in a shoe factory in Alton before joining the Army and serving an undistinguished stint with a military police unit in Germany. Records show he was treated for gonorrhea and syphilis before his discharge in 1948 for lack of adaptability to the service.

In the Army, Ray launched a lengthy criminal career. He served three months in a stockade for drunkenness and skipping duty.

Over the next 20 years Ray would be arrested at least nine times as he drifted in and out of the St. Louis area. His FBI rap-sheet shows arrests for suspicion of burglary in California, vagrancy in Iowa, robbery in Illinois and forgery in Missouri.

By 1967 he had served three prison terms totaling 14 years behind bars.

He was serving a 20-year sentence for robbery when he escaped in 1967 from the Missouri State Penitentiary in Jefferson City.

On the lam, he ventured to Canada, then to Mexico, Los Angeles and New Orleans before spending the last few weeks before King's death in Atlanta and other Southern cities.

When King was shot April 4, 1968, while standing on the balcony of the Lorraine Motel in Memphis, Ray was in a rented room in a boarding house

across the street.

When he was finally arrested two months later in London, Ray had led authorities on one of the largest manhunts in history.

He made it all the way to Atlanta in a white Ford Mustang that was seen fleeing Memphis and, obtaining a forged passport in Canada, flew to Portugal and back to England before he was caught.

He was caught because the FBI found his fingerprints on a Remington .30-06 rifle, beer cans and other items wrapped in a bundle that was dropped outside the rooming house. Prosecutors theorized that Ray dropped the bundle in a panic when he saw a police cruiser coming toward him.

Ray didn't have any lengthy explanations Monday when asked how he got away.

"It's not really all difficult," he said with a shrug.

Plot theories

Through the years, theories have been floated that others were responsible for King's death.

Suspicious were fueled by revelations after King's death that the FBI had harassed him through wiretaps and a covert campaign to destroy his credibility. But the House Select Committee on Assassinations found in 1979 that the FBI and other government agencies were not involved in King's murder.

The two-year, \$2.5 million investigation reaffirmed the FBI and Memphis Police investigations of a decade earlier, concluding that Ray had shot King by firing a rifle through a rooming house window. The evidence against him included a map of Atlanta with Ray's prints and a circle around the vicinity of King's home, evidence of stalking.

Denying he'd stalked King, Ray told the committee at one point that if anyone could prove he had been in Atlanta days before the murder, he'd take credit for the assassination.

The committee then produced a laundry receipt showing Ray had laundered clothes in Atlanta on April 1, 1968.

"This is like the Bruno Magli shoes" in the O. J. Simpson case, Blakey said. "I mean the guy lies."

The House investigation also unveiled evidence suggesting a conspiracy involving two St. Louis businessmen and members of Ray's family.

A witness, George Byers, testified that stockbroker and convicted drug dealer John Kauffman approached him in late 1967 or early 1968. Kauffman then took Byers to patent attorney John Sutherland who, Byers said, offered \$50,000 from a "secret Southern organization" to kill King.

Kauffman and Sutherland both died prior to the House investigation. In 1968, they supported former segregation-

ist George Wallace's presidential campaign.

House investigators also theorized that Ray's brothers, Jerry and John, may have been involved. Investigators learned that John Ray, who owned a tavern frequented by American Independent Party workers had visited his brother in prison the day before his escape.

The committee determined that John or Jerry also may have helped finance James Ray's travels through an unsolved July 1967 bank robbery in Alton, Ill., that netted \$27,000. John Ray, now 64, was later convicted for a similar bank robbery.

James Ray said Monday he and his brothers were not involved in such a plot.

"No," he said, shaking his head with that faint smile.

'Raoul' revealed?

With defense attorney William Pepper of London by his side Monday, Ray was asked again about Raoul.

Ray's attorneys filed a lawsuit two years ago against a 62-year-old New York man they believe is the person who set up Ray starting with a meeting in Montreal in 1967. A judge dismissed the suit last year, ruling that Ray's guilty plea barred him from such a civil action.

The man, whose identity remains concealed under a court order, has denied any involvement. Former Shelby County Dist. Atty. Gen. John Pierotti, who investigated the allegation, called it a "cruel" hoax.

Still, Pepper believes it is a serious lead because Ray picked the man's photo out from among six men and named him as Raoul. Ray did it again Monday, albeit a bit tentatively.

"This one here looks just almost like him," Ray said, pointing at the picture. Ray said he picked out a similar photo in 1978, but his memory seemed hazy Monday.

"Initially when he identified the photograph for me, he said that's the same one I saw in 1978," Pepper said after the interview. "His memory gets spotty" due to his liver disease, Pepper said.

Pepper has floated several conspiracy theories since 1993, including one alleging former Memphis businessman Loyd Jowers was involved in the assassination. Jowers, who ran a cafe below the rooming house in 1968, told a national television audience four years ago that he was paid money to have King killed.

That story concerns Dexter King, who cited it recently when he was asked why he supports reopening the case.

Others think less of the development.

"One thing one can say on Mr. Pepper's behalf is creativity is his strong suit," said King biographer David J. Garrow. "Once one theory gets knocked down, there's no delay in him coming up with a new one."

Still, the case has puzzled many through the years, including the judge who sentenced Ray to prison, the late W. Preston Battle.

"Most puzzling of all is his escape from Memphis," Battle told the Associated Press days after Ray pleaded guilty. "To me it's miraculous that he was able to flee to Atlanta, despite the all-points bulletins, without his white Mustang being spotted on a highway."

But many doubt any new answers will be uncovered.

"Ray hasn't chosen to tell the truth for 29 years," Garrow said. "I think the chances that he's going to choose to do so in the future that remains are zero."

Ray didn't seem perplexed by the puzzles on Monday. Asked how he would like the world to remember him, he replied:

"I don't give that a thought."

To reach reporter Marc Perusquia, call 529-2545.

Did Ray act alone?

Authorities generally agree that James Earl Ray killed Dr. Martin Luther King Jr. by firing a rifle through a rooming house window in Memphis. The question of whether he got help from others — at some level — remains debatable.



David J. Garrow

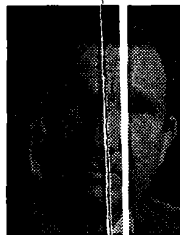
Author of The FBI and Martin Luther King Jr. and the Pulitzer Prize-winning King biography Bearing the Cross.

Says Ray definitely killed King.

"I am 100 percent persuaded that a) Ray was the gunman and b) that he had some sort of expectation that he would be financially rewarded. Now was that expectation something that was conveyed to him first hand? Or second hand? Or third hand? That's what we don't know."

Garrow also said there is no evidence of a government conspiracy, but said he is open to some discussion of a plot.

"Any conspiracy theory that accepts Ray as the gunman, I'm willing to consider. Any conspiracy theory that doesn't accept Ray as the gunman, I don't believe is worth talking about."



Ramsey Clark

U.S. Attorney General in 1968, overseeing the FBI investigation of King's murder.

Favors another official inquiry into the assassination, but said he saw no evidence of a conspiracy when he headed up the Department of Justice.

"From all that I saw officially through the morning of Jan. 20, 1969 — and that's a pretty limited statement when you think about it — my guess was that it was an act of an individual. (But) you never know."

Clark said a congressional inquiry in late 1970s did not add much to conspiracy claims.

"I didn't see anything there that impressed me very much except how people's torment can make reasoning difficult, suspicions high. I think it's very important to keep on inquiring. We don't know. We may never know... But if there's anything to find out, let's find it out."



Joseph Lowery

Co-founder and president of King's Southern Christian Leadership Conference and close friend of King.

Believes Ray was involved in King's murder. Supports a trial for Ray to get at the truth.

"I am not here to attest to the innocence of James Earl Ray," Lowery told a press gathering after a recent court hearing. "But I am here to support his right to a day in court. And I believe with all my heart that justice will be served...."

"Who are the forces that don't want a trial and why? What does the city of Memphis — do they have something to hide? The state of Tennessee, do they have something to hide? Do the Justice Department and the FBI have something to hide? I think that those are the questions that need to be explored."



G. Robert Blakey

Chief counsel to the U.S. House of Representatives Select Committee on Assassinations, which explored King's murder in 1977 and 1978.

Says the push for a trial and publicity surrounding it are "a waste of time" because

Ray is guilty. Believes the House committee was probably correct in determining that Ray may have expected to collect a \$50,000 bounty placed on King's head by two now deceased St. Louis businessmen.

"I think that's probably — probably — what happened. Ray heard about it and decided to take up the offer of 50 grand." Blakey said it's all but impossible to uncover any conspiracy now because many witnesses are dead and Ray continues to lie, likely to protect family members who may have been involved.



James Lawson

Memphis minister in 1968 who invited King to Memphis to support the sanitation workers' strike and currently is a pastor in Los Angeles.

Says Ray is an innocent patsy who was set up by someone — probably the government — to take blame for the assassination.

"To put someone in jail for 30 years for a murder that they did not do is in itself an atrocity.... Political decisions were made that King could be killed and that James Earl Ray could be set up."

Yet Lawson, who performed a 1978 prison marriage between Ray and his ex-wife, Anna, also has hinted Ray may know more but is prevented from talking by his criminal's "ethic" or code of silence.

Lawson also has been active in trying to arrange a liver transplant for Ray: "We need him to stay alive until he gets his day in court."



Harold Ford

Former Democratic congressman from Memphis who sat on the House Select Committee on Assassinations that reviewed King's murder.

Says Ray is guilty, but the possible involvement of others is still up in the air.

"The assassinations committee — we never concluded that James Earl Ray acted alone. But what we did conclude is that James Earl Ray killed Martin Luther King Jr."

Ford said he doesn't oppose a trial for Ray or new testing of the Remington hunting rifle that prosecutors say Ray used to shoot King.

"If there's another angle to it, I'm not in opposition to looking at the ballistics and looking at the rifle itself," he said.

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1	OVERCOAT	
1	TIE	2.50
1	JACKET	
	DRESSES	1.55
	BELTS	
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	SUITS	
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No. 383 Date April 1 1968

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1	Drawers	
1	Underwear	
1	Pajamas	
1	Union Suits	
1	Box P.	
1	Handkerchiefs	
1	Polo Shirts	
1	Shirts	
1	Pants	
1	Coat	
1	Jacket	
1	Overalls	
1	Boat Shoes	
1	Boat Towels	
1	Wash	
1	Laundry	
1	Hand	
1	Shoes	
1	Pillow Case	

STARCH

Stalking Dr. King

Prosecutors say Ray stalked Dr. Martin Luther King Jr. in Atlanta, Selma, Ala., and Memphis. Ray denied that, claiming during a 1978 congressional hearing that if anyone could prove he was in Atlanta during the last few days before King was killed in Memphis he would take credit for the assassination. Authorities then produced this receipt showing Ray — under the alias Eric Galt — had a tie, trousers, coat and other articles laundered in Atlanta on April 1, 1968. G. Robert Blakey, a Notre Dame law professor who served as general counsel to the House Select Committee on Assassinations, likened the development "the Bruno Magli shoes" in the O.J. Simpson case.

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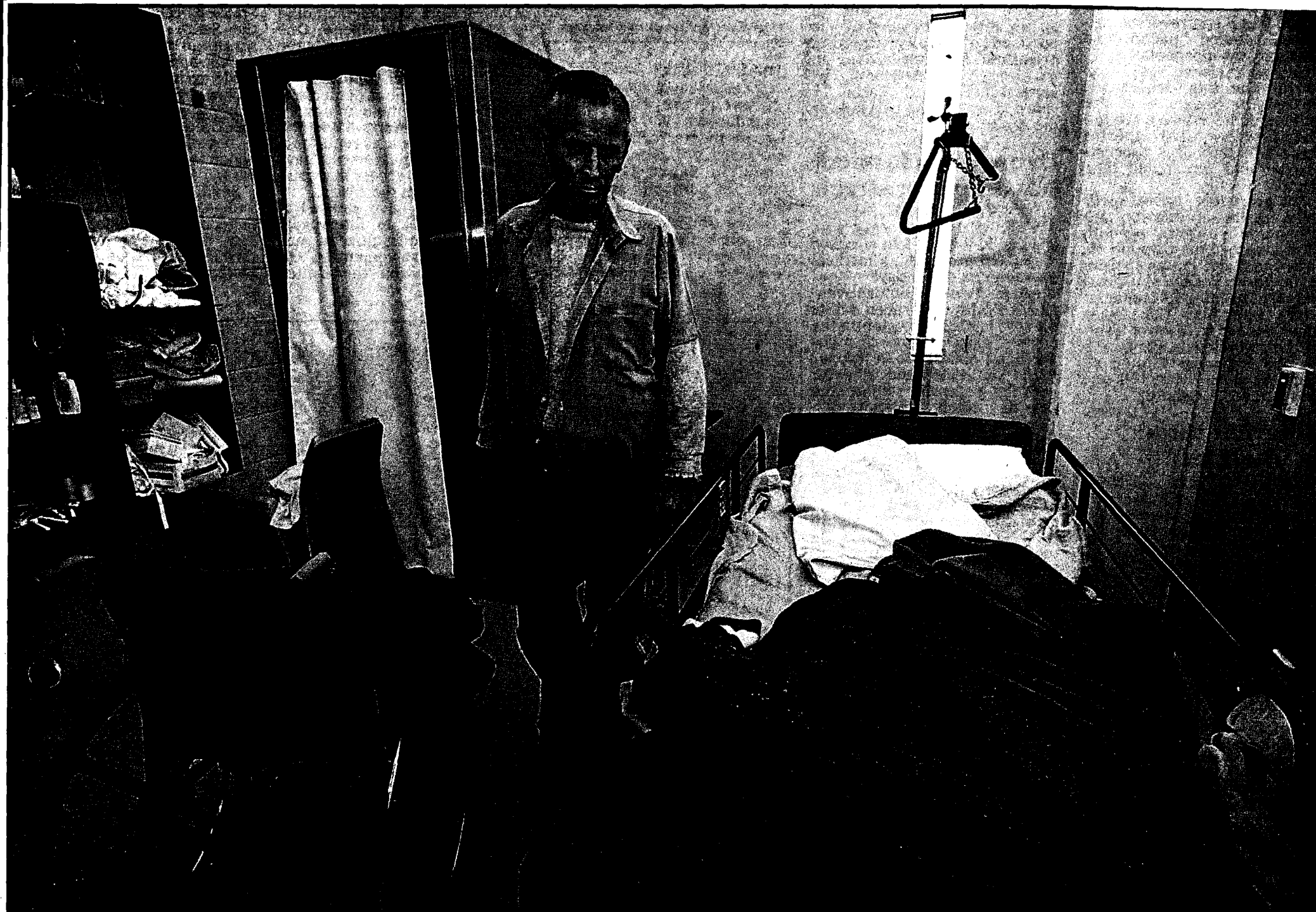
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1	PUMP ACTION	RIFLE, CAL.			
1	243 Win.	S.N. 2227-29	461.47	134.95	
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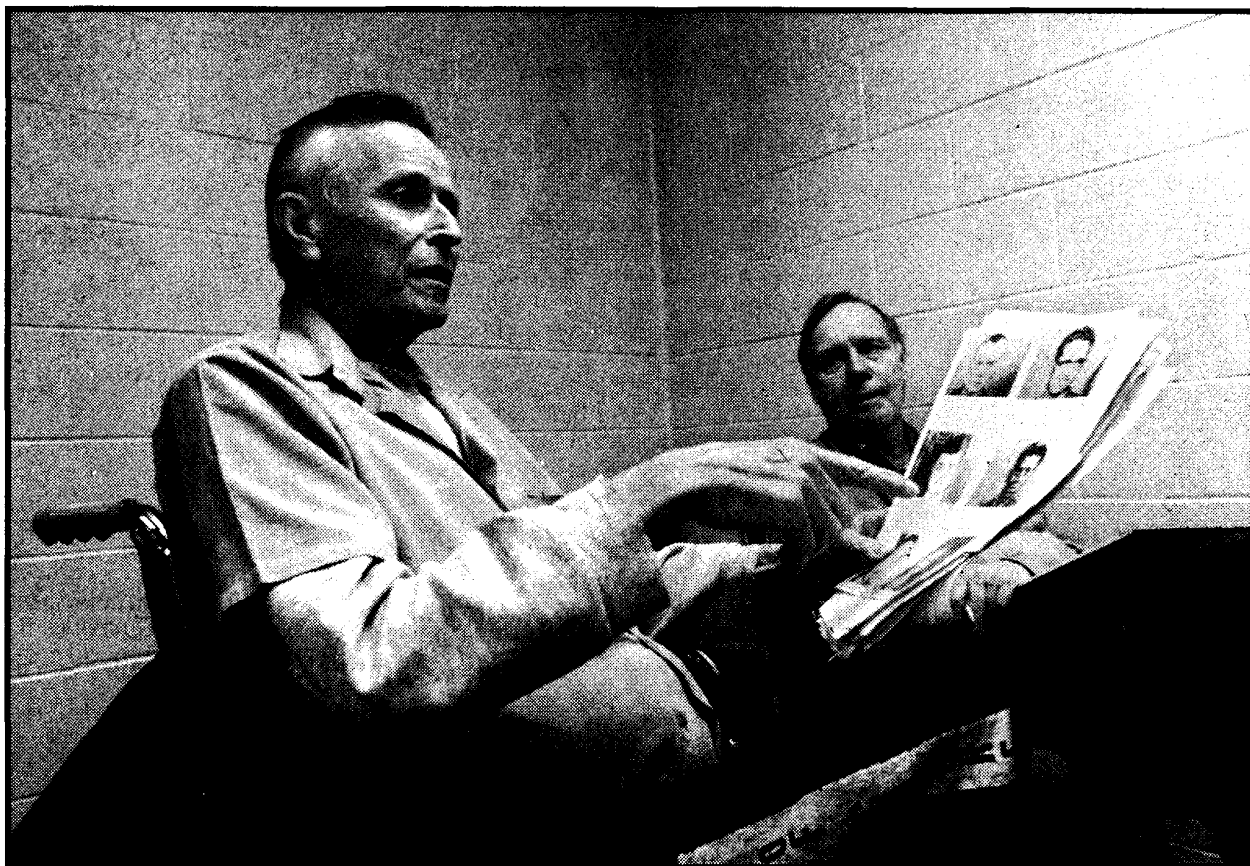
Rifle sales slip

The sales slip evidencing James Earl Ray's purchase of a Remington hunting rifle in Birmingham days before King's murder. Using the alias Harvey Lowmeyer, Ray first bought a .243 Winchester but returned it, telling a clerk his "brother" advised him to get another gun.



By Michael McMullan

James Earl Ray, who hopes for a liver transplant, is largely confined to the Lois DeBerry Special Needs Facility in Nashville, a prison for ill convicts.



By Michael McMullan

Ray, with attorney William Pepper, points to a photo of a New York man whom Ray has sued, identifying him as the "Raoul" who framed him for the murder of Dr. Martin Luther King Jr.

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