

U. S. Department of Justice

(MATERIAL MUST NOT BE REMOVED FROM OR ADDED TO THIS FILE)

Do Not Destroy, Historical
Value, National Archives

FEDERAL BUREAU

ENTIRE FILE REVIEWED
of FOR HISTORICAL
DECLASSIFICATION

INVESTIGATION

Bureau File Number

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/3/03 BY [REDACTED]

DO NOT DESTROY

PRESERVE FOR

See also Non.

COMMITTEE ON ASSASSINATIONS

Do Not Destroy, Historical
Value, National Archives

RUC 6-6-77

~~Stewart 6-3-77~~

~~RUC 8-3-76~~

~~6-2-76 7-30-76~~

~~C 9-3-68~~

~~Jackson 4-8-68~~

Volume Number
761-1

Vol. 6

(Mount Clipping in Space Below)

Ray Loses Bid For New Trial

MEMPHIS, Tenn. — (UPI) — A federal judge Thursday rejected James Earl Ray's bid for a new trial in the 1968 murder of Dr. Martin Luther King Jr.

The court sustained the state's contention that Ray had voluntarily pleaded guilty in the case.

"The total circumstances (of Ray's guilty plea) do not constitute a violation of the constitutional rights applicable to one who voluntari-

ly pleaded guilty on the advice of competent counsel of his own choosing," U.S. District Judge Robert McRae Jr. said.

The judge heard eight days of testimony late last year on Ray's claim that he was coerced into admitting guilt and the state's rebuttal of that contention. Ray is serving a 99-year term in the state prison at Nashville.

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

2-A

MIAMI HERALD

MIAMI, FLA.

Date: 2/28/75

Edition:

Author:

Editor:

Title: JAMES EARL RAY

Character:

or 44-1854

Classification:

Submitting Office MIAMI, FLA.

☐ Being Investigated

44-1854-761

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 28 1975	
FBI - MIAMI	

#9- JCB

(Mount Clipping in Space Below)

Ray loses plea to get a new trial

The New York Times News Service

MEMPHIS — A federal judge has criticized James Earl Ray's attorneys and state officials involved in his case but ruled that the confessed assassin had "clearly and deliberately" elected to plead guilty to the murder and was not entitled to withdraw that plea and have a new trial.

Ray, 46, has sought a new trial since March 17, 1969, less than a week after he pleaded guilty to the April 4, 1968, murder of the Rev. Dr. Martin Luther King Jr. and accepted a 99-year prison sentence.

Federal District Judge Robert McRae said yesterday that eight days of testimony last October had not convinced him that Ray was coerced or tricked into pleading guilty by his attorneys.

Nor was he convinced, the judge said, that the opening and the photostating of Ray's mail and the installation of listening and viewing devices in his cell by jail wardens and prosecutors, while Ray was awaiting trial, had seriously prejudiced any of his rights.

Ray was not in the courtroom yesterday. He is confined in the Tennessee State Penitentiary at Nashville.

One of his attorneys, Robert Livingston of Memphis, said that Judge McRae's ruling would be appealed to the U.S. Court of Appeals for the Sixth Circuit, which ordered last October's hearing, saying that Ray was entitled to a new trial if the facts were substantially as he alleged.

Ray alleged that his attorneys were more interested in helping publish books about the case than in defending him and that he pleaded guilty to the civil rights leader's murder out of despair.

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

2-A

MIAMI NEWS

MIAMI, FLA.

Date: 2/28/75

Edition:

Author:

Editor:

Title: JAMES EARL RAY

Character:

or 44-1854

Classification:

Submitting Office: MIAMI, FLA.

☐ Being Investigated

44-1854-762

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 3 1975	
FBI - MIAMI	

#9

(Mount Clipping in Space Below)

Levi Orders Review Of King Investigation; FBI Harassment Cited

FBI Chief Criticized . . . 206
By RONALD J. OSTROW
Los Angeles Times Service

WASHINGTON — Attorney General Edward H. Levi, citing the FBI's harassment of Dr. Martin Luther King, has ordered two Justice Department divisions to study the investigation of the King slaying to determine if it should be reopened.

Levi said in an interview Wednesday that he wanted to know whether the results of the FBI harassment program "might have had any influence or effect on the assassination — and I thought that

ought to be looked at."

"I have asked not only the civil-rights division, which originally investigated the King assassination, but also as a double check I've asked the criminal division to re-investigate," Levi said.

HIS COMMENT came in response to a question about the revelation that, shortly before King's death, FBI Director J. Edgar Hoover approved a secret FBI attempt to discredit the civil-rights leader by pointing out that he stayed at a white-owned motel while leading a strike of garbage collectors, most of whom were black, in Memphis.

King subsequently moved to the black-owned Lorraine Motel in Memphis, where he was shot to death April 4, 1968, on a balcony outside his room.

Levi said disclosure of the FBI discrediting attempt, at a Senate Intelligence Committee hearing last week, was not the sole factor that prompted him to ask the two divisions to examine the case.

It was learned from other sources Wednesday that the department's civil-rights division has been investigating for several months whether the FBI attempt to discredit King actually resulted in his decision to move to the Lorraine Motel.

THE DIVISION learned of the attempt from FBI files which were being examined for another purpose, according to J. Stanley Pottinger, assistant attorney general for civil rights.

Neither the civil-rights division nor investigators for the Senate committee has been able to determine that Hoover's approval of the plan to disseminate to the press information about King's staying at the white-owned motel actually resulted in such an effort.

James B. Adams, deputy associate director of the FBI, has testified that the agent who worked on the plan, Harold (Bud) Leinbaugh, simply marked the proposal "handled." Leinbaugh, who has retired from the bureau, where he served in the agency's old crime-records division, the FBI's public relations branch, is understood to have told investigators that he cannot remember what he did on the request.

A FORMER AIDE to King, Tom Offenburger, now on the staff of Rep. Andrew Young (D., Ga.), said Wednesday that he recalled King staying at a Holiday Inn in Memphis for only one night but that he did not move because of any press report.

Offenburger said King, the head of the Southern Christian Leadership Conference, was participating in a march that was disrupted and that aides then hustled him to the Holiday Inn. The next day, Offenburger said, King returned to Atlanta. He stayed at the Lorraine when he came back to Memphis a few days later.

William Manchester, in his book, "The Glory and the Dream," wrote this about King's stay at the Lorraine: "Newspapers had taunted him for staying at a plush Holiday Inn, paying \$29 a night there, so he moved to a \$13-a-night room in the Negro-owned Lorraine Motel."

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

1-A

MIAMI, HERALD

MIAMI, FLA.

Date: 11-27-75

Edition:

Author:

Editor:

Title: MARTIN L. KING

Character:

or

44-1854

Classification:

Submitting Office MIAMI, FLA.

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 28 1975	
FBI - MIAMI	



LEVI

HOOVER

phis that Ray, who is serving a 99-year prison sentence, had "ooly and deliberately" submitted his guilty plea on the advice of competent counsel.

In the interview, Levi expressed outrage about some of the FBI's former counterintelligence tactics but said he was opposed to removing Hoover's name from the recently dedicated FBI building.

"I think we have to avoid being instant historians," a process that "is extremely unfair," Levi said.

"Just take the ingredients of the King matter," Levi said. "Who was the attorney general who authorized taps and microphones on King, who was the President?"

TESTIMONY at the Senate committee hearings showed that the FBI operated eight wiretaps and 16 hidden microphones, or bugs, on King during the Kennedy and Johnson administrations.

Three of the taps were authorized by former Attorney General Robert F. Kennedy, after the bureau said it was concerned about possible Communist influence of King. The Senate committee has not determined whether the five other taps were authorized.

Testimony indicated that the bugs were operated without advance authorization by Kennedy, but instead on a general authorization which the FBI felt it had from former Attorney General Herbert Brownell Jr.

"I don't think circumstances were such that microphones could be used without at least the subsequent approval of the attorney general," Levi said.

IN AN INTERVIEW with the Associated Press, FBI Director Clarence M. Kelley said that he probably won't publish agents involved in harassment of thousands of Americans if the Justice Department doesn't prosecute the agents.

Kelley was asked about programs against the New Left, black militants and others in addition to King.

Kelley also noted that top-level officials who ordered such campaigns must bear responsibility for them. Few of those officials are alive and none now is with the FBI, Kelley said.

Church released copies of letters from Secretary of State Henry Kissinger and CIA Director William Colby declining to appear before the committee at hearings scheduled for next Wednesday and Thursday. Both have testified in closed session about CIA operations designed to prevent Marxist Salvador Allende from becoming president of Chile.

(Mount Clipping in Space Below)

Abernathy and Gregory Demand Reopening of King Murder Probe

ATLANTA — (UPI) — Dr. Ralph Abernathy and activist comedian Dick Gregory say they will demand a reopening of the Martin Luther King murder investigation with a Thanksgiving protest in front of the White House.

Gregory and Abernathy, who succeeded King as head of the Southern Christian Leadership Conference, issued a joint statement saying that disclosures that the FBI harassed King and tapped his telephones raise questions about a con-

spiracy in his assassination.

The Senate Intelligence Committee reported last week that FBI surveillance of King included anonymous notes that King considered suggestions that he commit suicide.

"The disclosures brought out by that committee clearly indicate that violence was practiced by this agency against one of America's most distinguished citizens," Abernathy and Gregory said in their statement.

They said they will lead a march

on the White House Thursday to demand that the assassination investigation be reopened, and to protest "the harassment, illegal wire-tapping, surveillance and other intolerable actions perpetrated by the FBI against the late Dr. King."

James Earl Ray, convicted of King's 1968 assassination, confessed in 1969 that he acted alone. Later he changed his story and is now seeking a new trial, maintaining that some conspirators were not caught.

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

16-A

MIAMI HERALD

MIAMI, FLA.

Date: 11-23-75

Edition:

Author:

Editor:

Title: MARTIN KING

Character:

or

44-1854

Classification:

Submitting Office MIAMI, FLA.

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 25 1975	
FBI - MIAMI	

(Mount Clipping in Space Below)



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

15-A

MIAMI NEWS

MIAMI, FLA.

Date: 11/28/75

Edition:

Author:

Editor:

Title:

MARTIN LUTHER KING

Character: 44-1854
or

Classification:

Submitting Office: MIAMI, FLA.

☐ Being Investigated

44-1854-764

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 1 1975	
FBI - MIAMI	

(Mount Clipping in Space Below)

Kings' Widow Thinks U.S. Agents Conspired to Kill Him

NAIROBI, Kenya — (AP) — Coretta King, widow of slain civil rights leader Martin Luther King, has called for a reopening of the investigation of her husband's assassination, which she says was apparently the result of a government conspiracy.



"I don't have the facts but at this stage I say it appears there was a conspiracy in the death of my husband," she said in an interview.

Mrs. King, who is in Nairobi on a three-nation African tour, commented on the admission by the FBI that it undertook a harassment campaign to discredit King, and a subsequent order by Attorney General Edward Levi of a review of the agency's investigation of King's shooting death in 1968. James Earl Ray pleaded guilty to the killing in Memphis, Tenn., and was sentenced to 99 years in prison.

"THE WAY HE was documented and followed around by Hoover and the CIA when he was abroad, it would have to have been attached to the forces of our government that felt he was a threat to the system as it existed," Mrs. King said, referring to the U.S. Central Intelligence Agency and the late FBI chief J. Edgar Hoover.

"I think there are grounds for reopening the case," she said. "I have always felt there was more to it than came out. I also felt somehow in the long run of history it would

be revealed — just what did happen."

She said she felt that recent investigations into the FBI and CIA provided new evidence.

"I feel it requires further investigation into the death of my husband, as well as the assassinations of others from the Kennedys on."

IN WASHINGTON, meanwhile, former King aide Ralph David Abernathy and comedian Dick Gregory led 30 other persons in a brief march in front of the White House to demand that President Ford order a new "independent investigation" of the slaying.

They told reporters that two imprisoned men they identified as Robert B. Watson and C.H. Andrews, alias R.L. Warren, have new evidence.

Watson, serving a drug sentence

in the Ashland, Ky., federal prison, has told authorities he overheard several men discussing a plot to kill King. The Atlanta, Ga., public safety commissioner said he investigated Watson's allegations last summer but could not substantiate them.

Abernathy, president of the Atlanta-based Southern Christian Leadership Conference, and Gregory said Andrews is serving a term at the Mimico Correctional Institute in Toronto, Canada. They did not

say what new evidence he might offer.

However, the superintendent of the institution said Andrews was released last September. The official declined to give any further information.

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

20-A

MIAMI HERALD

MIAMI, FLA.

Date: 11/29/75

Edition:

Author:

Editor:

Title:

MARTIN L. KING

Character:

or

Classification: 44-1854

Submitting Office: MIAMI, FLA.

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 1 1975	
FBI - MIAMI	

(Mount Clipping in Space Below)

Coverup charged in FBI King probe

Reuters News Service

WASHINGTON — Newly-obtained FBI documents show that the FBI is guilty of concealing and faking evidence in the assassination of Martin Luther King, an author of a book about James Earl Ray has charged.

Harold Weisberg charged at a news conference yesterday that Ray, who pleaded guilty to murdering the civil rights leader in Memphis on April 4, 1968, could not have fired the fatal shot.

Weisberg is the author of a two-year-old book entitled "Frameup," alleging that Ray was wrongly accused.

He has also written seven books taking issue with Warren Commission findings on the John Kennedy assassination. The author, who described himself as Ray's investigator, said he had no theories on who had killed King.

He claimed that FBI documents he had obtained under the Freedom



KING

of Information Act showed that:

● It was not physically possible to have fired the death bullet from where police and FBI said the murder had been committed — the window of a hotel bathroom opposite the motel balcony where the civil rights leader was standing when he was shot.

● It was impossible to conclude from King's wounds that the bullet's trajectory led to the bathroom window.

● An autopsy report that might have shown King's fatal wound was caused by a shot fired from a lower level was changed because of the "political needs" to make an arrest.

Producing FBI photographs and documents, he said there were no telltale powder marks on the windowsill where Ray had allegedly rested the murder rifle.

He charged that FBI photographs of a bullet fragment recovered from King's body were not taken at an angle that would show grooves that would have indicated which rifle had fired it.

The autopsy report, he said, had been changed to hide the fact that the bullet had blown apart on impact — because this would have made it impossible to trace the trajectory.

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

2-A

MIAMI NEWS

MIAMI, FLA.

Date:

Edition: 12/12/75

Author:

Editor:

Title:

MARTIN L. KING

Character:

or

44-1854

Classification:

Submitting Office: MIAMI, FLA.

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 15 1975	
FBI - MIAMI	

(Mount Clipping in Space Below)

U.S. may reopen its probe into Dr. King assassination

Combined Miami News Services

WASHINGTON — Attorney General Edward Levi said today the Justice Department is considering whether to reopen the investigation into the 1968 assassination of civil rights leader Martin Luther King.

He said also that if it is reopened a special prosecutor may be named to head the investigation in order to

assure the public that the probe is thorough and unbiased.

Levi, appearing on the CBS interview program "Face the Nation," said the decisions whether to reopen the King case and the matter of a special prosecutor will be made early next year.

The Justice Department review of the King assassination to see if

the original FBI probe was deficient was prompted by new revelations that the agency under its late director J. Edgar Hoover had harassed King.

Dr. King was assassinated in Memphis. James Earl Ray, an escaped convict, pleaded guilty to the murder but now is seeking to withdraw his plea on the ground he was framed by others, unnamed, into making the confession.

Levi said he would favor passage of a law to limit the tenure of the FBI director.

He suggested a term in office of about 10 years, although, he said, the precise length of tenure was not important.

"I think that probably some limitation would be appropriate, in view of history," Levi said. He did not say what he meant by history, but presumably he was alluding to recent disclosures of apparent abuses by the FBI under Hoover's direction. Hoover died in office in 1972, after 48 years as chief of the FBI.

Levi also said a federal law was needed to prevent abuses by the FBI. He said guidelines proposed by the Justice Department could be the basis for legislating "the kind of regulations the Bureau thinks it can live with."

Asked whether he agreed with the move by some FBI critics to strip the Hoover name from the new FBI headquarters building, Levi said:

"Personally I don't think it's a very good idea. J. Edgar Hoover is a part of our history and I don't think we should be making quick judgments."

On another issue, the attorney-general said passage of a constitutional amendment to forbid massive busing for school integration would not be a "desirable path."

"I don't think the school system should be run by the courts," he said. "Busing is one remedy, an equitable remedy, to try to make up for a violation of law in state enforced discrimination."

The courts do consider other remedies, and busing is the "last remedy," but it is one that is sometimes necessary, he said.

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

2-A

MIAMI NEWS

MIAMI, FLA.

12/22/75

Date:

Edition:

Author:

Editor:

Title:

MARTIN L. KING

Character:

or

44-1854

Classification:

Submitting Office

MIAMI, FLA.

☐ Being Investigated

44-1854-767

SEARCHED INDEXED
SERIALIZED FILED

DEC 23 1975

FBI - MIAMI

Ray's Silent on

Call for King Probe

NASHVILLE, Tenn. — (AP) — James Earl Ray remained silent Saturday after another call for an independent investigation into the assassination of Dr. Martin Luther King.

Ray, serving a 99-year prison term in the Tennessee State Penitentiary for the April 4, 1968, slaying, would not even say if he viewed the CBS documentary calling for the probe.

"I'll probably be going to bed at about 8 o'clock," a prison official quoted Ray as saying before the show was aired Friday night.

But Ray did say, as on previous occasions when other calls have been made for a reopening of the King assassination case, that he would reserve all comments for possible court suits.

REACHED EARLY Saturday for his reaction to the documentary, Ray merely asked a prison guard: "You mean you woke me up to tell me that?"

"There is a need to know who slew the dreamer," said correspondent Dan Rather at the conclusion of the documentary, which examined details surrounding the killing of the Nobel Prize-winning civil rights leader.

Reaction to the call for a new probe was generally favorable in Memphis, where King was killed. At the time, King was in Memphis helping striking sanitation workers.

"The further we are from the assassination, the clearer we can see the need for an independent investigation," said the Rev. Samuel Kyles, who was standing next to King on the balcony of the Lorraine Motel when the fatal shot was fired.

COMMENTING on the documentary, Phil Canale Jr., district attorney in 1968 and the man who prosecuted Ray, said there was no evidence of a conspiracy.

"We presented all the evidence we had and if they want to have another investigation, let them go at it," Canale said after the program. "I've got nothing to hide."

Canale said the case has not been closed and could be reopened any time new facts were presented.

Henry Lux, an assistant police chief when King was murdered, said the program "certainly didn't bring out nearly all of the facts that I'm aware of in the case."

HE SAID an independent investigation would accomplish little "except perhaps to put to rest in the minds of a great many people and doubts that might linger."

King's successor as head of the Southern Christian Leadership Conference, the Rev. Ralph Abernathy — who was also with King when he was assassinated — was critical of the documentary.

Abernathy said the program was "totally incomplete" and that it "sought to entrench in the minds of individuals the fact there was no conspiracy."

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

12-A

MIAMI HERALD

MIAMI, FLA.

Date: 1/4/76
Edition:
Author:
Editor:
Title: JAMES EARL RAY

Character: 44-1854
or
Classification:
Submitting Office: MIAMI, FLA.

☐ Being Investigated

44-1854-1768

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 5 1976	
FBI - MIAMI	

(Mount Clipping in Space Below)

James Earl Ray: Caught in/ a Conspiracy?



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

1-EMIAMI HERALDMIAMI, FLA.Date: 1/4/76

Edition:

Author:

Editor:

Title:

JAMES EARL RAY

Character:

or

44-1854

Classification:

Submitting Office **MIAMI, FLA.**☐ Being Investigated

44-1854-469

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 5 1976	
FBI - MIAMI	

#9

By PAUL VALENTINE

Washington Post Service

WASHINGTON — "The killing of Martin Luther King was just like Watergate — first there was the conspiracy to commit the crime, then the conspiracy to cover it up."

The person speaking is Bernard Fensterwald, 54, Washington lawyer, assassination researcher, ex-Senate investigator and now attorney for James Earl Ray, the confessed assassin of Dr. King.

The recent Senate revelations of FBI harassment of Dr. King have not so much changed Fensterwald's central view of the assassination as confirmed certain peripheral suspicions about it.

With lawyer-like caution, he demurs at theories that the FBI, in its zeal to neutralize the civil-rights leader, went so far as to kill him, although the new disclosures do make him wonder about possible behind-the-scenes manipulations that caused Dr. King and his party to make a critical move from one hotel to another just before he was shot in Memphis, Tenn., in April, 1968.

THE KING PARTY, in Memphis to support a municipal garbage workers strike, had been staying at the plush Rivermont Holiday Inn, which stands isolated on a bluff

overlooking the Mississippi River on the edge of town. Because of its remoteness, it also offers no discreet angle or position from which a rifleman could shoot at one of its occupants. After much public comment about the King party staying at this posh businessmen's pleasure dome, the King party moved to the Lorraine Motel, a more modest, black-owned hostelry in the crowded old core of the city.

"There was a lot of flack about King staying in a white hotel," says Fensterwald, "and there's been a lot of theorizing about where that flack came from. Well, now with all these new developments, guess who everybody's thinking about?"

Perhaps more important, though, says Fensterwald, is that the Senate disclosures tend to support his long-held presumption that because of the FBI's hostility toward Martin Luther King, its investigation of his murder was at best a lukewarm effort and at worst a deliberate cover-up.

FENSTERWALD'S current efforts in court to overturn Ray's guilty plea and win him a trial hinge on a double conspiracy concept: First, the conspiracy by a group of racist ideologues to kill Dr. King and make Ray the scapegoat, and second, a separate and more

loosely defined conspiracy by various government officials and others scattered from Memphis to Washington, to suppress investigation of the first conspiracy, push a "lone assassin" story for political gain and coerce Ray into irrevocable silence by pleading guilty without trial. Ray is now serving a 99-year-sentence. His earliest parole eligibility date under Tennessee law is the year 2018, when Ray will be 90.

Fensterwald says he is especially attuned to official bureaucracy's tendency to mask and evade on sensitive issues. His years on Capitol Hill "taught me a great deal about how this government functions . . . The name of the game is cover your ass."

Within 24 hours of Dr. King's death on April 4, 1968, "Ramsey Clark (then U.S. attorney general) was saying there was only one killer," Fensterwald asserts. "That was the official line, and once they said it, no matter what new contradictory evidence came up, they had to stick to it."

FROM THEN ON, the conspiracy grew, "lie upon lie," says Fensterwald, until now, almost eight years after the assassination, Ray sits vir-

tually mute in the Tennessee State Penitentiary, entangled in a web of manufactured evidence and official deviousness.

Fensterwald says it has been easy for American officialdom to cover up the King conspiracy — as he feels with the John and Robert Kennedy assassinations — because "the American people have been more psychologically prepared to accept a 'lone nut' theory."

"Historically," he says, "assassination has been one of the most frequent ways of changing governments. Look at the Roman emperors, the Russian czars, the Brazilian presidents . . . Two thirds of the czars were murdered and more than half of the Roman emperors.

". . . But in America, we think we're above that kind of thing. We can't accept that idea. After all, we're not a banana republic . . . In Brazil, if you want to change the government, you shoot the president. Right? But in the United States, you go to the polls.

". . . It makes an official coverup of an assassination conspiracy much easier — especially if it has

Continued from Page 1

the imprimatur of somebody like Earl Warren."

BUT THERE IS hope in the Ray case, muses Fensterwald, sitting in his law office in the Christian Science Building on 16th Street N.W., overlooking the White House and Treasury building. He and his co-workers have assembled what they view as massive evidence that Ray is innocent and that he was brainwashed by harsh prison conditions and then urged into a guilty plea by his former attorney, Percy Foreman, a noted criminal lawyer from Houston.

The U.S. Sixth Circuit Court of Appeals was sufficiently impressed to order an evidentiary hearing into the issue in 1974. The hearing judge, Robert McRae of the U.S. District Court in Memphis, rejected the arguments in early 1975, but Fensterwald and Co. have returned to the Sixth Circuit, confident of gaining reconsideration on the matter.

What drew Fensterwald into this celebrated case in the first place and what caused him to come to his conspiratorial conclusions?

Shortly after his guilty plea in 1969, Ray dumped his attorney of the moment, Foreman, and began trying without luck to overturn the plea with the help of Savannah, Ga., attorney J. B. Stoner, onetime Ku Klux Klan counsellor, and two other Tennessee lawyers.

Independently, Fensterwald and other members of an organization he heads here called the Committee to Investigate Assassinations (known fondly by its acronym CIA), were looking into the Ray-King case, deeply suspicious that there was more to it than met the eye. Harold Weisberg, a longtime assassination researcher and friend of Fensterwald, had contacted a brother of Ray, Jerry Ray, in St. Louis. Jerry Ray learned of Fensterwald through Weisberg, and in 1970 urged his convicted brother to drop Stoner and enlist Fensterwald.

"SOMETIME in the middle of 1970," recalls Fensterwald, "I received a letter from James asking if I could be of assistance. I went down and visited him in prison . . . After I talked with him, I became convinced he was not the triggerman . . . and I became his attorney of record."

Since then, it has been a tough, uphill battle from court to court as Ray sought various forms of post-conviction relief. Accumulating evidence of the conspiracy, Fenster-

Turn to Page 6

wald says, has been a slow and tedious task. It has involved not only the conventional defense processes of examining police investigative files and taking depositions of principals in the case but also the job of sifting through countless tips generated by the sensational murder.

Of the many leads and tips phoned or mailed into his office by interested citizens across the country, few were useful. "The rest were from nuts or well-intended people who just weren't plugged in right," he said. He traveled extensively, speaking to 25 or 30 contacts and potential sources in New Orleans, Los Angeles and even Mexico City, he said, but only three or four became helpful in any substantive way.

THOUGH A FEW of the tipsters insisted on using anonymous or code names and met furtively with Fensterwald in hotel rooms or air-

"The American people have been psychological-ly prepared to accept a 'lone nut' theory."

—Bernard Fensterwald

port concourses, there was little cloak-and-dagger atmosphere.

"You don't solve cases that way," said Fensterwald. "It's mostly a lot of hard work back in the office . . . like a jigsaw puzzle where you try to put bits and pieces together into some kind of a whole."

Even so, he said, when meeting out-of-town informants, "I usually tried to arrange the meeting in an attorney's office . . . There is always some risk involved. I am not willing to meet in some bar in a strange city at midnight."

He said he often traveled with Ken Smith, an investigator hired by his law firm and a former Treasury agent (he spent 15 years still-busting, says Fensterwald). "But I never had any close calls or threats" in the Ray case.

In describing how he slowly constructed evidence for his double conspiracy theory, Fensterwald is generally careful not to specify names and places. They will come later, he says.

"If we get a trial for Ray, a lot of it will come out then," he said. In the meantime, he said, "I really think Ray is in considerable danger" of being killed in prison on the instruction of collaborators if spe-

cific evidence is disclosed prematurely.

IN CAUTIOUSLY generalized terms, Fensterwald describes the origins and development of the double conspiracy this way:

Ray escaped from Missouri State Penitentiary, where he was serving a robbery sentence, in April, 1967, a year before Dr. King was shot. Some time after the escape, he joined a group of men who were engaged in smuggling narcotics into the United States from Mexico and Canada. The group was Southern-based, probably in Louisiana, and consisted of an undetermined number of men. Ray served as a driver and general errand runner with little authority and no knowledge of the group's possibly larger purposes.

He saw few of his colleagues, and his contact was limited primarily to a man code-named "Raoul." In March, 1968, Ray was given money and instructed to purchase a 30.06 Remington rifle with telescopic site in Birmingham. On April 2, 1968, two days before the assassination, he met with a contact in northern Mississippi, handed over the rifle and scope and continued on to Memphis.

On April 4 he was instructed to rent a room at 422½ South Main Street in Memphis, a dilapidated flophouse with a second floor bathroom window overlooking the Lorraine Motel. (The King party's move from the Rivermont to the Lorraine had been widely publicized on the air.)

RAY RENTED the room in mid-afternoon, purchased a pair of binoculars at a nearby sporting goods store, met "Raoul" at the room, then left about 5:50 p.m. Eleven minutes later, a single shot was fired from the rear area of the flophouse, killing Dr. King instantly as he stood on the balcony of the Lorraine Motel.

Ray was elsewhere in the city at the moment the shot was fired and has an alibi witness to prove it, says one member of the Ray defense team working with Fensterwald, but he will not specify where Ray was or identify the alibi witness. "Witnesses have a way of disappearing in these kinds of cases," he said, "and we want to keep this one for the trial we think Ray will win."

The death of Dr. King completed the first conspiracy — a conspiracy by a group of racially motivated men to eliminate the power and influence of Dr. King from the civil-

right movement. Fensterwald will not further identify the group or specify its size.

Ray was simply an unwitting participant, used by the group as a decoy (his fingerprints were all over the 30.06 rifle found abandoned near the murder scene) while the real killers fled undetected. Ray himself panicked and fled minutes after the shooting when he returned to the scene and saw unusual police activity. Later, when he learned by radio of Dr. King's death, he realized how seriously he might be implicated and decided to flee the country altogether.

THE SECOND conspiracy was then set in motion.

The physical evidence at the flophouse, including the fingerprints on the rifle, led police and FBI agents to focus on Ray. Within 24 hours, Ramsey Clark and local police officials were suggesting a lone killer.

"I'm told they put out the 'lone assassin' story to keep riots down," says Fensterwald. The nation had plunged into near social chaos after the death of the civil-rights leader, with city after city going up in flames. Police and military resources were stretched thinly across the nation. The cores of 100 municipalities were at the brink of anarchy.

Washington officialdom felt the tottering country could not tolerate the additional reality that a well-organized cabal, rather than a lone lunatic, had murdered Dr. King.

The search went on for Ray, but for six weeks he evaded police. The nation was just beginning to recover from the King riots.

Then in mid-May, Ray was spotted by Canadian and Portuguese officials in Lisbon, travelling on a phony Canadian passport. He was followed but not arrested for two more weeks as he left Portugal and flew to England.

AUTHORITIES were anxious to see if Ray would lead them to possible cohorts.

Then on June 5, 1968, Robert F. Kennedy, liberal standard bearer and Democratic presidential hopeful, was shot by an assassin in Los Angeles. He died 25 hours later.

The nation's leaders feared the country was again moving toward psychological collapse. The Rev. Ralph Abernathy, Dr. King's successor as head of the Southern Christian Leadership Conference, was demanding that the government arrest someone in the still unsolved King assassination. Something had to be done.

On June 8, the day of Robert Kennedy's funeral in New York, the word went out from Washington, and Ray was arrested in Heathrow Airport in London as he was about to board a plane for Brussels.

From that point until he officially pleaded guilty nine months later to the King murder on March 10, 1969, the official story was that Ray was the lone killer. This was the line held consistently by police, prosecutors and politicians from Memphis to Washington.

THIS LINE was buttressed by the actions of Ray's defense attorneys at the time. Arthur Hanes and later Foreman entered into lucrative contracts with author William Bradford Huie granting Huie exclusive access to details of the King murder in exchange for Ray's public silence to insure that the sales potential of Huie's magazine articles and proposed book would not be lessened.

During his imprisonment in Memphis before the guilty plea, Ray was subjected to unrelenting "harassment," 24-hours-a-day closed-circuit television surveillance, constant artificial light with no sunshine, and close censorship of his mail, including confidential correspondence with his attorneys. Weakened by this treatment and led to believe by Foreman that he might die in the Tennessee electric chair if he went to trial, Ray submitted to the guilty plea arrangement.

The conspiracy of silence, Fensterwald claims in conclusion, was thus sealed forever.

Government officials from Ramsey Clark to former Memphis Chief prosecutor Phil M. Cranale deny any conspiracy to suppress or ignore evidence pointing to more than one person in the King murder. They say simply no credible evidence suggesting someone other than Ray has come to the surface.

THEY ALSO SAY Ray's close surveillance in prison was not calculated to undermine him psychologically but was necessary in light of his substantial history as an escape artist and because of the possibility of outside groups attempting to storm his jail cell, either to free him or kill him. Besides, they say, his prison conditions were not as gruesome as he and his attorneys insisted.

Tennessee law-enforcement officials acknowledge the evidence against Ray is not of the classic textbook variety. No eyewitness can place Ray in the flophouse room from which police say the fatal shot was fired. The bullet

fragment removed from Dr. King's body cannot be matched precisely to Ray's 30.06 rifle to the exclusion of all other 30.06 rifles.

On the other hand, police say, the general pattern of evidence against Ray is convincing, including his movements around the time of the assassination. He appeared to be stalking Dr. King for several weeks prior to the murder and fled as fast and far as he could afterwards.

Hanes and Foreman likewise deny they railroaded Ray into silence and a 99-year sentence for their own financial gain. Hanes contends he believed Ray was in fact innocent and was prepared to go to trial in November, 1968, when Ray suddenly fired him and hired Foreman.

FOREMAN, on the contrary, said that after reviewing the case he found the evidence against Ray overwhelming and saw little alternative to pleading guilty. Both Hanes and Foreman acknowledge signing literary contracts with William Bradford Huie but contend it was done to raise funds for the defense and had no effect on their legal obligations to Ray.

Investigator Harold Weisberg cites several major clues that, he says, suggest Ray was with a group and not by himself:

- His finances. Police have produced little evidence of how Ray lived during the year between his escape from Missouri State Penitentiary and the assassination of Dr. King. Yet he bought a car (an \$1,800 second-hand Mustang), traveled coast-to-coast twice, vacationed in Mexico, and had comfortable amounts of living-expense money for a full year. Weisberg says this support came almost solely from the group Ray was traveling with. Justice Department officials say Ray robbed banks and had a stash available from a robbery prior to his Missouri imprisonment in 1967.

- Ray's movements prior to the assassination. He was following a schedule and taking orders as he moved from city to city, claims Weisberg. For example, he bought a tailor-made suit in Montreal but then instructed the tailor to forward it to an address in Birmingham, Ala., apparently because of a sudden change in plans by Ray's bosses, requiring him to leave Canada hurriedly. The Justice Department says Weisberg's attempt at guessing Ray's reasons for leaving Montreal is pure speculation.

- Ray's search for lodgings in Memphis. Before locating the flophouse room above Jim's Grill at 422½ South Main Street in Memphis, Ray mistakenly went to another establishment called Jim's Place, about three blocks away, thinking he could find rooms there. After a slightly heated exchange, he was told he was mistaken and probably confused by the similarity in names. He then went to the correct address and rented a room. This suggests, Weisberg says, that Ray was not looking for a place from which to shoot Dr. King but was

under instructions to go to a specific address without realizing the purpose. Again, says the Justice Department, this is pure speculation.

- Ray's post-assassination disguises. After he fled to Canada, Ray resorted to an elaborate set of disguises, using as aliases the names of at least four actual Canadian citizens before continuing on to Europe with a passport in the name of one of the four, Ramon George Sneyd. "All of that took more work than one stranger in a foreign country could do by himself," says Weisberg. Justice officials say Ray learned these skills at the knee of various fraud artists during his long years in prison.

- The motive. State and federal law enforcement officials say Ray's killing of Dr. King was racially inspired. Weisberg contends there is "absolutely no evidence of racism" in Ray's history, notwithstanding his brief relationship with J. B. Stoner and his longer involvement with the group that allegedly carried out the murder. There is no evidence in Ray's past as a small-time holdup man that he was a racist demagogue or activist, Weisberg says. In fact, he says, Tennessee prison wardens reported that surveillance of mail written by black inmates incarcerated with Ray showed no negative comments and occasionally protested Ray's innocence.

Fensterwald has not been alone in his defense of Ray. Much of the legal legwork has been done by another Washington attorney, James H. Lesar, 35, a rotund, affably intense researcher who is much more at home staying up all night in a rumpled shirt preparing briefs than presenting them the next day at court in a three-piece suit. And there is Weisberg, now 62, the indefatigable investigator who for years

has pursued King's and other assassinations with the relentlessness of a rhinoceros. Finally, there is Robert I. Livingston, of Memphis, a drawling, pistol-packing lawyer who provides local assistance and is also a special deputy sheriff.

FENSTERWALD SAYS the entire defense team is working without fee and all litigation costs — paperwork, secretarial support, travel to and from Tennessee — are being borne by his law firm, Fensterwald & Ohlausen.

And Ray? He remains effectively silent. He refuses to discuss details of the case with reporters. Even with his attorneys he is reportedly vague and elliptical. Over the years, he has spoken infrequently and indirectly of his innocence. The guts of the story still remain locked with him.



The Motel Balcony Where King Was Murdered
... it is now a shrine in his honor

(Mount Clipping in Space Below)

Ray's Attorney: Plea 'Coerced'

CINCINNATI, Ohio — The attorney for James Earl Ray argued before the Sixth U.S. Circuit Court of Appeals on Tuesday that Ray did not kill civil-rights leader Dr. Martin Luther King and was "coerced" into a guilty plea.

James Lesar argued before the three-judge panel that his client pleaded guilty to the 1968 sniper sniper slaying in Memphis, Tenn., only so he could change his plea at a later time.

"It was a technical plea of guilty to get him out of town," said Lesar, who is seeking a new trial for his client. "As he saw it, he took the only alternative he had."

Lesar charged that his client had been "framed" and that he had not knowingly played a part in any conspiracy to kill King.

The appellate court took the case under advisement.

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

5-B

MIAMI HERALD

MIAMI, FLA.

2/4/76

Date:

Edition:

Author:

Editor:

Title:

JAMES EARL RAY

Character:

or

Classification: 44-1854

Submitting Office: MIAMI, FLA.

☐ Being Investigated

44-1854-710

SEARCHED	INDEXED
SERIALIZED 4	FILED 4
FEB 4 1976	
FBI - MIAMI	

Ha

(Mount Clipping in Space Below)

By Non-Government Agency

U.S. to Seek Probe Of King Assassination

By **WARREN BROWN**
Washington Post Service

WASHINGTON — The Justice Department's civil rights division next week will recommend that Attorney General Edward H. Levi appoint a committee from outside government to study the 1968 assassination of the Rev. Martin Luther King.

Informed sources said the recommendation by Assistant Attorney General J. Stanley Pottinger will argue that an independent inquiry is necessary even though a four-month Justice Department review of the King case found no evidence that the FBI or other government agencies were involved in the killing of the black civil rights leader.

Suspensions have been raised about the initial government probe of the murder because of recent revelations that the FBI subjected Dr. King to wiretapping and harassment. Questions also have been raised about whether the motives and activities of the convicted assassin, James Earl Ray, have been fully explained.

For these reasons, the sources said, Pottinger feels that an independent inquiry is necessary to resolve the questions still surrounding the April 4, 1968, shooting of Dr. King in Memphis.

THE INQUIRY would determine whether a full investigation of the assassination should be resumed. The sources said that Pottinger's report will recommend that, for reasons of credibility, the study should be conducted by persons independent of the Justice Department, which has policy control over the FBI.

According to the sources, Pot-

tinger is recommending that the committee of inquiry look into such questions as whether there was any FBI complicity in Dr. King's death, whether the FBI violated laws or policy guidelines in its dealings with Dr. King and whether any other conspiracy outside government was connected to the murder.

The sources said that the study committee, as envisioned in Pottinger's report, would have no prosecutorial function. Instead, it would review the record, hear new evidence, if any, and advise the attorney general whether it sees grounds for pursuing the King case, technically never closed.

The sources said Justice Department officials believe that such a study committee can be named under the provisions of the 1972 Advisory Commission Act.

POTTINGER'S recommendation, sources added, will be that most of the members be drawn from outside the government, and that it seemed obvious some would be persons prominent in the civil rights movement.

Questions about the King case have been growing since last November, when the Senate Intelligence Committee hearings revealed that the late FBI director, J. Edgar Hoover, had initiated a secret, six-year campaign to harass and try to discredit Dr. King.

Ray, who has told a murky and contradictory story about his involvement in the murder, is seeking to overturn his 99-year prison sentence and win a new trial.

His lawyers have said that if his appeal is granted, Ray will attempt to prove that he was coerced into pleading guilty to the killing.

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

15-A

MIAMI HERALD

MIAMI, FLA.

Date: 3/25/76

Edition:

Author:

Editor:

Title:

MARTIN LUTHER KING

Character: 44-1854

or

Classification: MIAMI, FLA.

Submitting Office

☐ Being Investigated

44-1854-771

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 25 1976	
FBI - MIAMI	

(Mount Clipping in Space Below)

Court turns down Ray on King murder appeal

Associated Press

CINCINNATI — James Earl Ray's appeal from his plea of guilty in the shooting death of civil rights leader Dr. Martin Luther King Jr. was denied today by the 6th U.S. Circuit Court of Appeals.

The unanimous decision concluded that the U.S. District Court for the western district of Tennessee was correct in refusing Ray's motion for a new trial.

The district court said Ray failed to prove that his defense attorneys, Arthur Hanes or Percy Foreman, provided Ray with ineffective assistance, improper investigation or that Ray was induced to plead guilty March 10, 1969.

The appellate court said Ray's testimony at his guilty plea hearing made it plain he understood his actions before receiving a 99-year sentence.

Ray had argued that the attorneys were more interested in profiting from books about the case than in defending him. The judges said they disapproved of the fee arrangement between Ray and the lawyers, but said it did not prove he did not receive a good defense.

King was shot to death on a motel balcony in Memphis, Tenn., on April 4, 1968. Ray was arrested in London, England, June 8, 1968. He is now in the state prison at Nashville, Tenn.

While still in England, Ray hired Hanes, of Birmingham, Ala., to defend him. Ray said that before their first interview, Hanes had made an agreement with William Bradford Huie to write a book and articles about his case before the trial. The funds were to go for legal fees and for Ray's defense.

Ray said he fired Hanes two days before his March 10, 1969, trial because he believed Hanes was more concerned about book royalties than providing a defense.

Ray then hired Texas attorney Percy Foreman, who made a similar agreement with the author, and Foreman advised Ray to plead guilty.

The appeals court said evidence indicated that Ray was provided with a case investigation by Hanes and an investigator, and that Foreman properly investigated the case as well. Both attorneys were awarded

of alleged "weaknesses" in the state's case, the courts said.

The court also rejected Ray's contention that government supervision of his mail, writing, telephone calls and personal interviews was damaging to his defense, noting that Ray had produced no proof that he had been harmed.

Robert Childress, an official of the state prison in Nashville, said today that Ray has refused requests to be interviewed. "He's had no comment as far as I know," Childress said.

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

Pg. 1

MIAMI NEWS RED STREAK
EDITION
MIAMI, FLORIDA

Date: 5/10/76

Edition:

Author:

Editor:

Title: MARTIN L. KING

Character:

or 44-1854*

Classification:

Submitting Office: MIAMI, FLA.

☐ Being Investigated

44-1854-772

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 11 1976	

ps

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, MIAMI (137-)

DATE: 6/28/76

FROM : SA DONALD E. WERTZ

SUBJECT: PROBE OF JOHN F. KENNEDY
AND MARTIN LUTHER KING
ASSASSINATIONS

On 6/25/76, GEORGE BRACKETT, friend of retired SA GAY SHAHAN, advised telephonically that he had been contacted on several occasions by DAN CHRISTENSEN, a reporter for the "Miami Magazine", 3361 S. W. 3rd Ave., Miami, Fla., who desired to question BRACKETT concerning the activities of one WILLIAM SUMMERSET, alleged FBI informant. CHRISTENSEN told BRACKETT he was investigating the assassinations of JOHN F. KENNEDY and MARTIN LUTHER KING.

BRACKETT advised he is general manager for Hecker Electric Co., Hialeah, Florida, telephone 888-3205, and located 10430 N. W. 36th Court, Miami, telephone 836-4828. He was a friend of WILLIE SUMMERSET, who has been dead for 7 or 8 years. He intends to see CHRISTENSEN, but has no knowledge of SUMMERSET's activities that he feels would bear on this matter. His purpose in calling was to notify the FBI that such an investigation was being conducted.

Indices check reflect SUMMERSET was informant, 137-363-231. SHAHAN has moved to Virginia, but his son, PHIL SHAHAN, works at Central Bank of North Dade.

DEW:ed

(2)(3)

44-1854-89-35

(1) 44-1854

(1) 157-2434

44-1854-773

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 28 1976	
FBI - MIAMI	



5010-110

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

NR0003 WA CODE SENT 1:45AM 7/31/76 MJW

PM NITEL 7-30-76 CMB

TO ALL SACS

FROM DIRECTOR (100-106670)

MARTIN LUTHER KING, JR.; BUDED AUGUST 9, 1976.

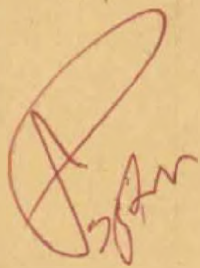
-REBUTEL TO ALL SACS JULY 28, 1976.

FURTHER DISCUSSIONS WITH THE DEPARTMENT OF JUSTICE TASK FORCE HAS RESULTED IN THE FOLLOWING CHANGE REGARDING REPRODUCTION OF FIELD OFFICE SERIALS IN THE MURKIN INVESTIGATION, AS OUTLINED IN REFERENCED TELETYPE.

IT WILL BE NECESSARY ONLY TO XEROX THE FIRST PAGE OF ANY DOCUMENT IN YOUR MURKIN FILE IF A COPY OF THAT DOCUMENT HAS BEEN SUBMITTED TO FBIHQ. THIS WILL INCLUDE BOTH DOCUMENTS ORIGINATING IN YOUR OFFICE AND THOSE RECEIVED FROM OTHER FIELD DIVISIONS. ANY DOCUMENTS IN YOUR MURKIN FILE, COPIES OF WHICH HAVE NOT BEEN SUBMITTED TO FBIHQ MUST BE REPRODUCED IN THEIR ENTIRETY AND FORWARDED TO FBIHQ.

IT IS NOTED THAT THIS FIRST PAGE SHOULD CONTAIN THE FIELD OFFICE SERIAL NUMBER IN ORDER THAT THE DEPARTMENT CAN MAKE A COMPLETE CHRONOLOGICAL ACCOUNTING OF EACH FIELD OFFICE SERIAL.

END



44-1854-774

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 31 1976	
FBI-MIAM	

[Handwritten signature]

NR0002 WA CODE SENT 3:55AM 7/30/76 MJW

PM NITEL 07/29/76 MDP

TO ALL SACS

FROM DIRECTOR (100-106670)

num. minus + refs.

*✓ 100-15079**

MARTIN LUTHER KING, JR. BUDED AUGUST 9, 1976

FOR INFORMATION OF RECIPIENTS THE ATTORNEY GENERAL (AG) HAS ORDERED A REVIEW OF THE FBI'S INVESTIGATION OF MARTIN LUTHER KING. ASSIGNED TO CONDUCT THIS REVIEW IS A TASK FORCE WORKING UNDER DIRECTION OF THE OFFICE OF PROFESSIONAL RESPONSIBILITY (OPR) OF THE DEPARTMENT OF JUSTICE. THE ATTORNEY GENERAL HAS INDICATED THE REVIEW IS TO RESOLVE THE FOLLOWING FOUR QUESTIONS: (1) WAS THE FBI INVESTIGATION OF KING'S ASSASSINATION THOROUGH AND HONEST? (2) IS THERE ANY EVIDENCE THE FBI WAS INVOLVED IN THE ASSASSINATION? (3) IS THERE ANY NEW EVIDENCE WHICH HAS COME TO THE ATTENTION OF THE DEPARTMENT CONCERNING THE ASSASSINATION? (4) DOES THE RELATIONSHIP BETWEEN THE BUREAU AND KING CALL FOR CRIMINAL PROSECUTIONS, DISCIPLINARY PROCEEDINGS OR OTHER APPROPRIATE ACTION?

THIS REVIEW IS A CONTINUATION OF A "PARTIAL REVIEW" RECENTLY

del
cc in:
100-15079

7/30
9:00

#9 00:00

44-1854-775

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 30 1976	
FBI-MIAMI	

O'Leary

7/30/76
HR

PAGE TWO

CONDUCTED BY THE CIVIL RIGHTS DIVISION OF THE DEPARTMENT UNDER DIRECTION OF ASSISTANT AG J. STANLEY POTTINGER. ALL PERSONNEL ON THE TASK FORCE ARE AUTHORIZED TOTAL ACCESS TO OUR FILES PERTAINING TO KING'S ASSASSINATION, OUR INTELLIGENCE INVESTIGATION OF KING AND ANY FILES RELATING TO BASIS FOR THESE INVESTIGATIONS. THIS WILL INCLUDE COVER PAGES OF COMMUNICATIONS CONTAINING IDENTITIES OF SOME FBI SOURCES AND INFORMANTS WHO WERE NOT AFFORDED SYMBOL NUMBERS AT THAT TIME AND INDIVIDUALS WHO EXPRESSED OR IMPLIED CONFIDENTIALITY.

TO DATE THE TASK FORCE HAS REVIEWED FBIHQ AND WFO FILES CONCERNING THE ASSASSINATION OF KING CAPTIONED "MURKIN, BUREAU FILE 44-33861. TASK FORCE MEMBERS HAVE TRAVELED TO MEMPHIS, MILWAUKEE, KANSAS CITY, OMAHA, SAN FRANCISCO AND LOS ANGELES AND REVIEWED MURKIN AND INTELLIGENCE INVESTIGATION FILES OF THOSE OFFICES. FUTURE TRAVEL BY THE TASK FORCE IS PLANNED FOR ATLANTA, BIRMINGHAM, CHARLOTTE, CHICAGO, NEW ORLEANS, NEW YORK, SPRINGFIELD AND ST. LOUIS.

AFTER ABOVE TRAVEL IS COMPLETED AND KING RELATED SECURITY FILES AT FBIHQ ARE REVIEWED, THE TASK FORCE WILL HAVE SEEN THE MAJORITY OF SERIALS IN OUR FILES RELATING TO THE KING INVESTIGATIONS. HOWEVER, SINCE IT IS THE GOAL OF THE TASK FORCE TO REVIEW KING RELATED FILES IN EVERY FIELD OFFICE, IT WILL BE

PAGE THREE

NECESSARY TO FORWARD XEROX COPIES OF FILES FROM THE REMAINING OFFICES TO FBIHQ FOR REVIEW.

THEREFORE, ALL RECIPIENTS WITH EXCEPTION OF THOSE OFFICES NAMED ABOVE, FURNISH FBIHQ ONE XEROX COPY OF EACH SERIAL CONTAINED IN YOUR KING ASSASSINATION FILE CAPTIONED "MURKIN." IT IS REQUESTED THIS MATERIAL BE PROCESSED AND MAILED TO REACH FBIHQ PRIOR TO AUGUST 9, 1976. THIS MATERIAL SHOULD BE SENT BY REGISTERED MAIL, ATTENTION DEPUTY ASSISTANT DIRECTOR INGRAM, INTELLIGENCE DIVISION.

IF MURKIN FILES CONTAIN ANY PHOTOGRAPHS, EXHIBITS OR OTHER ITEMS WHICH CANNOT BE XEROXED A BRIEF DESCRIPTION OF EACH ITEM AND ITS LOCATION SHOULD BE SET FORTH IN YOUR COMMUNICATIONS TRANSMITTING THE DOCUMENTS TO FBIHQ.

SUBSEQUENT INSTRUCTIONS WILL BE ISSUED CONCERNING SUBMISSION OF COPIES OF OUR INTELLIGENCE INVESTIGATION OF KING AND RELATED SECURITY FILES. OFFICES TO BE VISITED IN THE FUTURE BY TASK FORCE PERSONNEL WILL ALSO BE FURNISHED APPROPRIATE INSTRUCTIONS BY SEPARATE COMMUNICATION.

END

8/3/76

AIRTEL

TO: DIRECTOR, FBI (44-38861)
ATTENTION: DEPUTY ASSISTANT DIRECTOR INGRAM
INTELLIGENCE DIVISION

FROM: SAC, MIAMI (44-1854) (RUC)

SUBJECT: MURKIN
CIVIL RIGHTS

Re Bureau teletype to all SACs dated 7/30/76, and captioned MARTIN LUTHER KING, JR.

Pursuant to instructions contained in retel, the Bureau is being furnished herewith one xerox copy each of each serial contained in the Miami Office file, captioned MURKIN, CIVIL RIGHTS (44-1854), as well as the Assassination of MARTIN LUTHER KING, JR., Racial Matters file (157-2434), as indicated below:

44-1854	Volume I	Serial 1 - 149
"	II	" 150 - 299
"	III	" 300 - 499
"	IV	" 500 - 617
"	V	" 618 - 760
"	VI	" 761 - 773

157-2434 Volume I Serials 1 - 12

In addition, a review of the exhibits contained in the MURKIN file disclosed the following 1A exhibits:

2-Bureau (Enc. 27) (RM)
(1-100-106670)

2-Miami
(1-100-15079)

JTO/kr
(4)

RUC

Searched _____
Indexed _____
Serialized _____
Filed SW

44-1854-776

MM 44-1854

- 1A 1 Thermoseal tapes from Prather's Laundry, Naples, Fla., on 4/10/68....(Sent to Bureau 4/16/68).
- 2 Garber Co. Shipping slip #52360 (enclosed).
- 3 Artist conception photos of GALT.
- 4. Photos of T-shirt and shorts bearing laundry marks.
- 5 Anonymous letter received by Indianapolis Office (enclosed).
- 6 Xerox copies of "foreign trade vessels entering Miami" 4/4 - 10/68. (enclosed)
- 7 Xerox copies of list re foreign commerce vessels departing Miami 4/4 - 10/68 (enclosed).
- 8 Xerox copies of list of arriving pleasure craft at Miami, 4/4 - 10/68 (Enclosed).
- 9 Mimeograph copy of foreign destination flights (enclosed).
- 10 Photo of JAMES EARL RAY.
- 11 Photo of JAMES EARL RAY
- 12 Photo of WALTER T. RIFE
- 13 Photos of WALTER R. RIFE and JAMES EARL RAY
- 14 Photo of JAMES EARL RAY
- 15 Eight yellow laundry marking tapes, code 20 R-3 (sent to Lab, 4/23/68.)
- 16 Counter check of Liggetts Drug Store handled by man who resembles JAMES EARL RAY (enclosed).

MM 44-1854

- 1A 17 Wanted Flyer (JAMES EARL RAY) (Enclosed).
- 18 Photo of JAMES EARL RAY.
- 19 Photos of JAMES EARL RAY in Mexico.
- 20 Photos of JAMES EARL RAY in Mexico.
- 21 Rental agreement between Crafts, Ltd. and MICHEL ST. PIERRE (enclosed).
- 22 Rental agreement between Crafts, Ltd. and MICHEL ST. PIERRE (enclosed).
- 23 Credit card invoices of MICHEL ST. PIERRE on Gulf Credit Card #555,047 067 (enclosed).
- 24 Interview log, JAMES HARVEY WHITE (enclosed).
- 25 Unexecuted Warning and Waiver form for JAMES HARVEY WHITE (enclosed).
- 26 Photos of JAMES EARL RAY.
- 27 Photos of JAMES EARL RAY.
- 28 Notes of phone conversation between DONALD CARPENTER and HAZEL V. PEACOCK, 4/4/68 (enclosed).
- 29 Photos of laundry markings on bed linen for JAMES EARL RAY in the Los Angeles area.
- 30 Photos of laundry markings on bed linen for JAMES EARL RAY in the Los Angeles area.

MM 44-1854

- 1A 31 Application for Florida Drivers License (blank)
(enclosed).
 - 32 Photo of JAMES EARL RAY (with beard).
 - 33 Photo of JAMES EARL RAY.
 - 34 Photos of JAMES EARL RAY.
 - 35 Photos of JAMES EARL RAY in sunglasses.
 - 36 Photo of JAMES EARL RAY.
 - 37 Copy of letter to Shelby County Sheriff,
Memphis (enclosed).
 - 38 Signed statement of DONALD LEE MITCHELL (enclosed).
 - 39 Waiver of rights form (DONALD LEE MITCHELL)
(enclosed).
 - 40 Palm prints of KATHRYN HOBSON (enclosed).
 - 41 Fingerprints of KATHRYN HOBSON (enclosed).
- Total of 20 Enclosures.

(Mount Clipping in Space Below)

House votes to investigate Kennedy and King murders

Associated Press

WASHINGTON — The House today voted to launch an investigation into the assassinations of President John Kennedy and civil rights leader Martin Luther King.

By a 280 to 65 vote, the House adopted a resolution to establish a special 12-member investigating committee specifically charged with inquiring into the circumstances of the assassinations of Kennedy and King. The panel would have discretion to look into other cases as well.

Speaker Carl Albert told reporters he will designate Rep. Thomas Downing (D-Va.) as chairman, and Rep. Henry Gonzalez (D-Tex.) as next in line. Downing is retiring at the end of this year and Gonzalez presumably would succeed him if, as expected, the special committee is continued in the next Congress.

Downing told the House before the vote that "in the case of President Kennedy I am convinced there was a conspiracy involved. I do not know the identity of the conspirators or their motives. That should

be investigated in depth."

The Warren Commission, which investigated Kennedy's death, concluded that Lee Harvey Oswald was the sole assassin of the President.

The investigation of King's death is based on information that includes allegations involving the removal of a black policeman and two firemen from their posts in Memphis shortly before the assassination of the civil rights leader.

The information, first aired in 1968, was presented last month to

King's widow and to members of the Congressional Black Caucus by Academy Award winning screenwriter Abby Mann and by assassination critic Mark Lane.

Walter Fauntroy (D-D.C.) confirmed that Lane and Mann were the source of the "new" information.

Downing was quoted Wednesday as saying that it was a push by Black Caucus members because of "new information" they say they have received which persuaded the powerful Rules Committee to clear the resolution for floor action.

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

1-P

MIAMI NEWS

MIAMI, FLA.

Date: 9/17/76

Edition:

Author:

Editor:

Title:

KING ASSASSINATION

Character:

or 44-1854

Classification:

Submitting Office: MIAMI, FLA.

☐ Being Investigated44-1854-777
SEARCHED INDEXED
SERIALIZED FILED

SEP 21 1976

FBI - MIAMI

(Mount Clipping in Space Below)

Thorough Probe Vowed By New Investigator in King, JFK Assassinations

By MARY RUSSELL
Washington Post Service

WASHINGTON — Richard Sprague, sworn in Thursday as the acting counsel and director of the House committee investigating the assassinations of John Kennedy and Martin Luther King Jr., promised that "no document" or "no witness" would be beyond the reach of his investigation into the murders.

Sprague said the committee had given him virtually carte blanche to look into the Kennedy and King deaths.

Committee Chairman Thomas Downing (D., Va.) confirmed that panel would only retain the right to "veto" Sprague's actions, but would not interfere with his investigation and was giving him total control of his staff.

SPRAGUE, 51, built a reputation as an almost real-life Kojak when he served as assistant district attorney in Philadelphia from 1958 to district attorney in Philadelphia from 1958 to 1974. As a prosecutor he won convictions in more than 60 first-degree murder cases, losing only one. He is best known for the conviction of United Mine Workers President W. A. (Tony) Boyle for the murder of Joseph Yablonski.

Sprague said Thursday that "no document would be beyond the confines of this investigation. No label or classification of any document would put it beyond the confines of this investigation and no witness would be considered beyond the reach of this investigation."

He said he was asking immediately that a meeting be set up between himself and officials of the Justice Department, the FBI and the CIA.

HE SAID IF the CIA or FBI attempted to withhold material he hoped the Congress would be asked to back up the committee with contempt citations and "then we could go to the courts."

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

11-A

MIAMI HERALD

MIAMI, FLA.

Date: 10/8/76

Edition:

Author:

Editor:

Title:

KENNEDY & KING DEATHS

Character:

or

Classification: MIAMI, FLA.

Submitting Office

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
OCT - 8 1976	
FBI - MIAMI	

#9-44-1854-778

(Mount Clipping in Space Below)

Head of Kennedy- King probe will ask for giant taskforce

Newhouse News Service

WASHINGTON — The veteran prosecutor hired by the House Select Committee on Assassinations to re-investigate the murders of President Kennedy and the Rev. Martin Luther King Jr. is seeking permission to form the biggest probe team ever assembled by Congress.

A month after he was appointed to head congressional investigations of both the 1963 Kennedy slaying and the 1968 King killing, Chief Counsel Richard Sprague has sized up the unusual task and has concluded that a major effort — "thorough, orderly and definitive" — will require greater money and manpower than Congress devoted to any of its recent full-scale investigations, including the Nixon impeachment inquiry, the Senate Watergate hearings, or the probe of abuses by U.S. intelligence agencies.

The 51-year-old Sprague, who prosecuted hundreds of murder cases in the course of a colorful career as an assistant district attorney in Philadelphia, also said he is seeking authority to use the most advanced polygraph (lie detector) and voice stress evaluation technology in conducting the twin probes.

"If there is to be an investigation it ought to be done thoroughly and adequately — or don't do it at all," Sprague said.

On the day he was interviewed, Sprague and a handful of aides had been cloistered in a darkened room on the third floor of a congressional office building annex watching



JOHN KENNEDY

sequences in the film made by bystander Abraham Zapruder showing the final seconds in the life of President Kennedy as the bullets penetrated his neck and head in Dallas on Nov. 22, 1963.

Sprague has said he will investigate both the Kennedy and King murders from "ground zero," just as he used to do as a prosecutor in Philadelphia, when police authorities were under orders to notify him at the same time the homicide squad was called in cases of murder.

"Of course, being in at ground zero then meant the bodies were still on the scene, not 13 years later," Sprague said, acknowledging the most obvious handicap facing the belated congressional inquiry. But Sprague said his probe will

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

2-A

MIAMI NEWS

MIAMI, FLA.

Date: 11/12/76

Edition:

Author:

Editor:

Title:

KENNEDY-KING PROBE

Character:

or 104-8342 &

Classification: 44-1854

Submitting Office: MIAMI, FLA.

☐ Being Investigated

44-1854-779

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 15 1976	
FBI - MIAMI	

#9-



MARTIN LUTHER KING

review the initial investigations, re-examining testimony and evidence, in depth and as if for the first time.

The two murders, Sprague said, will be investigated simultaneously by separate staffs.

"To do a professional job, I'm talking about 170 people, and these are just minimum figures," Sprague said. "You need a minimum of 15 lawyers and 25 investigators on each case — that's 80 right there. Then there should be a polygraph team and a stress-evaluation unit to work in collaboration with both teams."

The impeachment inquiry of ex-President Nixon in 1973 and 1974 was manned, at its peak, by a 160-member staff, the Senate Water-gate committee needed 100, and the recent Senate committee on in-

telligence activities required 120 staffers.

"But a murder investigation — and these are not one but two murders here — requires a willingness to spend time and go down blind alleys and check everything," Sprague said. "That's what you have to do if the investigation is going to be definitive, if people are going to have any confidence in it."

"Look," he said, holding a sheaf of 38 typed pages of questions he called "just the threshold questions" that arose from his review of the transcript of the proceedings in the Memphis courtroom where James Earl Ray, 41, pleaded guilty March 10, 1969, to the assassination of civil rights leader Martin Luther King.

Whether Sprague will be able to make the kind of painstakingly complete investigation of the Kennedy and King killings that would shed new light on those tragedies, or at least satisfy the critics of earlier, official inquiries, depends on the the House of Representatives and the new administration of Jimmy Carter.

It was on this past Sept. 17 that the House, preparing to adjourn, voted 280 to 65 to create the 12-member Select Committee on Assassinations to examine the Kennedy and King deaths, and provided \$150,000 in initial funds.

Sprague was hired by Chairman Thomas Downing (D-Va.) but his title will remain "Acting" Chief Counsel until he is approved by the full committee, which is scheduled to hold its first organizational meeting Monday.

(Mount Clipping in Space Below)

New Probe of Assassinations Gets Started

WASHINGTON — (AP) — The House Committee on Assassinations will subpoena an FBI memorandum indicating Lee Harvey Oswald told Cuban officials he planned to kill President John F. Kennedy, Chairman Thomas Downing (D. Va.) said Monday.



Meanwhile, the 12-member committee made plans to hire one of the largest congressional staffs ever, to conduct simultaneous investigations into the Kennedy assassination and the slaying of Dr. Martin Luther King, Jr. Chief counsel Richard A. Sprague said he would hire 170 staff members.

Downing said he was aware of the memo only through news reports.

THOSE REPORTS quoted informed sources as saying the information about Oswald's statements to Cuban officials in Mexico City was reported to the late FBI Director J. Edgar Hoover by a reliable informant who claimed he spoke directly with Cuban Premier Fidel Castro.

An informed source who claimed he had seen the memo said it had been provided to a Senate intelligence subcommittee earlier this year. He said its significance had been discounted.

A Justice Department source doubted that the memo was turned over to a Senate subcommittee.

KENNEDY WAS fatally shot Nov. 22, 1963 in Dallas. The Warren Commission concluded that Oswald, acting alone, killed him.

The source who claimed to have seen the memo also said he was virtually certain it had been provided to the Warren Commission in 1964. However, members of the Warren Commission staff questioned by reporters said they had no recollection of such a memo.

Oswald visited the Cuban embassy in Mexico City on Sept. 27, 1963, two months before the Kennedy slaying, in an apparent effort to obtain a visa to travel to Cuba.

THE HOUSE committee Monday held a brief public session, confirming Sprague as chief counsel. He is a former government prosecutor who obtained a murder conviction of former United Mine Workers president, Tony Boyle, in the slaying of a rival.

The panel also agreed to form two subcommittees, one headed by Rep. Richardson Preyer (D., N.C.) to investigate the Kennedy slaying, and the other headed by Delegate Walter Fauntroy (D., D.C.) to probe the 1968 King slaying.

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

19-A

MIAMI HERALD

MIAMI, FLA.

Date: 11/16/76

Edition:

Author:

Editor:

Title:

KENNEDY & KING

Character: ASSASSINATIONS

or 105-8342 &

Classification: 44-1854

Submitting Office MIAMI, FLA.

☐ Being Investigated

44-1854-780

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 16 1976	
FBI - MIAMI	

#9

(Mount Clipping in Space Below)

King-Death Documents Destroyed?

WASHINGTON — (AP) — The House Assassination Committee is investigating an unconfirmed report that documents relating to the murder of Dr. Martin Luther King have been destroyed, Chief Counsel Richard Sprague said Tuesday.

And knowledgeable sources confirmed that the Warren Commission and Senate investigators had seen an FBI memo indicating that Lee Harvey Oswald told Cuban officials he planned to kill President John F. Kennedy.

Meanwhile, the 12-member panel investigating the deaths of King and President Kennedy authorized the issuance of what Sprague called "quite a few" subpoenas. He refused to disclose to whom the subpoenas would be directed or what they would request.

SPEAKING WITH reporters after a closed meeting of the committee, Sprague said the information about the missing documents was uncovered by staff investigators in Memphis, where King was killed in 1968.

Sprague cautioned that the information was "completely unverified." He said he had not yet determined that the documents had, in fact, been destroyed or that they related to the King murder.

Sprague's comment appeared considerably more cautious than his earlier statement about the missing documents.

After a morning session, Sprague told reporters that the documents were "relevant to our investigation" and that "I have been advised that the destruction has been since it was announced (in September) that this committee would be investigating" the King and Kennedy slayings.

ADMINISTRATION and congressional sources made the disclosure concerning the FBI memo on Oswald in reaction to news reports that the memo had only recently been discovered in Justice Department files.

In contrast to those news accounts, an Associated Press report quoted an informed source Saturday as saying the memo had been provided to the Senate intelligence subcommittee which earlier this year investigated certain aspects of the Kennedy slaying.

The information volunteered by the sources, who declined to be identified, did not explain why the Warren Commission had not attached more significance to the memo, which was described as a June 17, 1964, letter from then-FBI director J. Edgar Hoover to Lee J. Rankin, head of the Warren Commission staff.

The Hoover letter quoted a reliable informant as saying Oswald told Cuban embassy officials in Mexico City he planned to kill Kennedy. The informant claimed to have learned this directly from Cuban Premier Fidel Castro.

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

10-A

MIAMI HERALD

MIAMI, FLA.

Date: 11-17-76

Edition:

Author:

Editor:

Title: MARTIN LUTHER KING

Character:

or 44-1854*

Classification:

Submitting Office MIAMI, FLA.

☐ Being Investigated

44-1854-781
SEARCHED INDEXED
SERIALIZED FILED

NOV 18 1976

FBI - MIAMI

#9

HQ00014 331 2000

RR AFD

DE HQ

R 261715Z NOV 76

FM DIRECTOR

TO ALL SACS ROUTINE

BT

C L E A R

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

FOR INFORMATION OF RECIPIENTS, AT THE CLOSE OF THE 94TH CONGRESS, THE HOUSE OF REPRESENTATIVES CREATED A SELECT COMMITTEE ON ASSASSINATIONS TO INVESTIGATE THE DEATHS OF JOHN F. KENNEDY AND MARTIN LUTHER KING, JR. THIS COMMITTEE AND THE OFFICE OF LEGISLATIVE AFFAIRS, DEPARTMENT OF JUSTICE, HAVE REACHED AN AGREEMENT STIPULATING THAT ALL COMMITTEE REQUESTS FOR ACCESS TO FBI FILES AND PERSONNEL WILL BE MADE IN WRITING TO THE OFFICE OF LEGISLATIVE AFFAIRS.

IT IS NOTED, HOWEVER, THAT SOME MEMBERS OF THE COMMITTEE STAFF HAVE SOUGHT ON THEIR OWN TO INTERVIEW DEPARTMENTAL EMPLOYEES KNOWLEDGEABLE REGARDING THE KENNEDY AND KING INVESTIGATIONS. UIMILAR EFFORTS MAY BE DIRECTED TOWARD FBI FIELD OFFICES

original in 89-35

CC: 105-8342 (Kennedy Assassination - have article)

100-15079 (MARTIN LUTHER KING)

44-1854 (MURKIN)

44-1854-782

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 23 1976	

O'Kelly *RPO*
Stevens *W*

PAGE TWO CLEAR

AND HEADQUARTERS PERSONNEL. IF SUCH CONTACTS OCCUR, YOU ARE INSTRUCTED TO REFER THE CONTACTING HOUSE COMMITTEE OFFICIAL TO THE OFFICE OF LEGISLATIVE AFFAIRS OF THE DEPARTMENT OR TO FBIHQ. ATTEMPTS BY THE COMMITTEE TO OBTAIN INFORMATION THROUGH YOUR PERSONNEL OR ANY OTHER MATTERS PERTAINING TO THE HOUSE SELECT COMMITTEE SHOULD BE FURNISHED PROMPTLY TO FBIHQ, ATTENTION CONGRESSIONAL INQUIRY UNIT, GENERAL INVESTIGATIVE DIVISION.

FOR YOUR FURTHER INFORMATION, IN THE EVENT PERSONNEL ARE CONTACTED FOR PURPOSE OF INTERVIEW OR TESTIMONY, REFER TO MY LETTER, CUMBER 1-75, DATED MAY 28, 1975, CAPTIONED "MEMORANDUM TO ALL EMPLOYEES; RE: INTERVIEWS OF FBI EMPLOYEES." THIS MEMORANDUM DETAILS EMPLOYEE RESPONSIBILITY REGARDING DISCLOSURE OF INFORMATION AS OUTLINED IN THE CODE OF FEDERAL REGULATIONS, AND THE FBI EMPLOYEE AGREEMENT, WHICH REQUIRE APPROPRIATE AUTHORITY BEFORE FURNISHING INFORMATION, TESTIMONY OR RECORD MATERIAL.

RECIPIENTS ARE ALSO REMINDED THAT, IN ACCORDANCE WITH OUR DESTRUCTION OF FILES AND RECORDS PROGRAM, RECORDS POSSESSING EVIDENTIARY, INTELLIGENCE OR HISTORICAL VALUE, SUCH AS THE KENNEDY AND KING ASSASSINATION INVESTIGATIONS ARE

PAGE THREE CLEAR

EXCLUDED FROM THE FILE DESTRUCTION PROGRAM AND CANNOT BE
DESTROYED.

ALL LEGATS ADVISED SEPARATELY.

BT

EFMZE 8.6.-

(Mount Clipping in Space Below)

Kennedy-King counsel advises against FBI, CIA

Newhouse News Service

WASHINGTON — Congress would be foolish to use FBI and CIA agents to reinvestigate the murders of President John F. Kennedy and Dr. Martin Luther King Jr., says Richard Sprague, chief counsel of the House Select Committee on Assassinations. He is seeking a \$6.5-million "first-year" budget to hire his own men for the job.

The FBI and CIA activities in connection with the original investigations of both assassinations will themselves be under investigation in the new House probe, Sprague told the committee.

The panel voted unanimously yesterday to approve Sprague's budget, which calls for a 170-member staff — the biggest investigative staff ever assembled by a congressional committee — and then asked the veteran prosecutor to repeat his justifications to the full House Democratic Caucus. Members will vote on the budget appropriation sometime in January or February.

Sprague, hired after the House voted to reinvestigate the assassinations, said he has received "the fullest cooperation" thus far from all federal agencies. But, he said, the money-saving custom of borrowing investigative personnel from these agencies to help Congress make an investigation ~~would not be appropriate~~ in these cases.

"This investigation comes into being in part because of a feeling that the investigations that have existed heretofore have perhaps not been as thorough or as complete or as definitive as they might have been," Sprague said. "Questions have arisen with regard to whether or not certain agencies in the executive branch of government involved in the previous investigations had their own interests to some extent involved in the investigation and therefore did not quite disclose fully what perhaps should have been previously disclosed."

Sprague said he had in mind such things as the CIA assassination plot to get Cuban Premier Fidel Castro, the destruction of at least a document (concerning Oswald) by an FBI agent, and the animosity of the former director of the FBI (the late J. Edgar Hoover) toward Dr. King.

"If you do not want to do it thoroughly, then back off," Sprague warned the House Democrats. He repeated his insistence that \$6.5 million is a "bare-bones" figure that cannot be reduced without making the investigation less than adequate.

"Give us that much and we can do it," he said. "Don't cut us."

"The previous investigative efforts, without regard to whether the conclusions were right or wrong, appear in some instances not to have been as thorough as they perhaps ought to have been."

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

2-A

MIAMI NEWS

MIAMI, FLA.

Date: 12-10-76

Edition:

Author:

Editor:

Title: MARTIN LUTHER KING

JOHN F. KENNEDY

Character:

or 44-1854*

Classification: 105-8342*

Submitting Office: MIAMI, FLA.

☐ Being Investigated

44-1854-783

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 13 1976	
FBI - MIAMI	

#9

"The cost of the investigation is high," Sprague agreed. But he pointed out that the FBI spent more than \$2 million during the first three months of the investigation of the kidnaping of Patricia Hearst. He said he noticed that the Navy recently dropped a \$14-million airplane off the deck of a carrier into the ocean and spent more than \$2 million to fish it out.

An important area of the budget, Sprague emphasized, is the \$155,000 for "consultant services."

"There is a need in these investigations that we obtain our own independent experts which include the medical and ballistics experts, fingerprinting, handwriting, document analysis, the people who examine fiber, hair, clothing; neutron activation analysts, voice print experts, electronics experts and experts to examine photographs and negatives."

(Mount Clipping in Space Below)

Ray Is Turned Down in Effort To Withdraw His Guilty Plea

From Herald Wire Services

WASHINGTON — The Supreme Court Monday rejected efforts by James Earl Ray to withdraw his guilty plea in the 1968 assassination of Martin Luther King Jr. in Memphis.

After holding Ray's appeal for an unusually long time on its docket, the justices turned it down without comment.

Ray, who is serving a 99-year sentence for the King murder, has been saying that two lawyers influenced him to plead guilty because they had a financial interest in a book planned by author William Bradford Huie.

Ray now says he is innocent.

In February 1975, U.S. District Judge Robert M. McRae ruled that Ray failed to establish that the lawyers and their investigators failed to properly investigate and present Ray's case, or that the case was prejudiced by possible conflict of interest.

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

20-A

MIAMI HERALD

MIAMI, FLA.

12/14/76

Date:

Edition:

Author:

Editor:

Title:

JAMES EARL RAY

Character:

or 44-1854

Classification:

Submitting Office MIAMI, FLA.

☐ Being Investigated

44-1854-784

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 15 1976	
FBI - Miami	

#9

(Mount Clipping in Space Below)

Few Believe Kennedy, King Were Killed by Lone Assassins

As the House Select Committee on Assassinations begins its investigations, the overwhelming majority of Americans believes that others besides Lee Harvey Oswald were involved in the assassination of President John Kennedy in Dallas on Nov. 22, 1963.

In the latest survey, 80 per cent think others were involved, while only 11 per cent think Oswald acted alone. Nine per cent do not express an opinion.

Persons with a college background, while overwhelmingly of the opinion that some form of conspiracy was involved, are less inclined to hold this view than are persons with less than a college background.

APPROXIMATELY one-half of the survey respondents who believe others were involved did not name a specific group. Among those who did, however, Cuba or Castro were mentioned most often. Other responses frequently given are "the Mafia," "Communists," and the CIA.

The same survey also shows that few Americans believe that James Earl Ray acted on his own in the assassination of Dr. Martin Luther King Jr. in Memphis on April 4, 1968. Only 18 per cent hold this view, while 69 per cent think others were involved and 13 per cent do not express an opinion.

An investigation into the assassinations recently was launched by the newly established House Select Committee on Assassinations — the sixth to be conducted on a large scale by government officials since Kennedy was assassinated.

Richard A. Sprague, chief counsel of the House committee, recently told Congress that the re-investigation of the deaths of Kennedy and King would cost more than \$13 million.

ONE WEEK after the Kennedy assassination, a large majority of Americans expressed doubts that Oswald had acted alone. A survey taken three years later (in January 1967) indicated that these doubts had not been resolved. It was, therefore, evident that the report of the Warren Commission had failed to convince many Americans that Oswald alone was responsible.

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

22-A

MIAMI HERALD

MIAMI, FLA.

Date: 12-26-76

Edition:

Author:

Editor:

Title: MARTIN LUTHER KING
JOHN F. KENNEDYCharacter: 44-1854*
or 105-8342*
Classification:

Submitting Office: MIAMI, FLA.

☐ Being Investigated

44-1854-785

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 27 1976	
FBI - MIAMI	

#9

HQ0075 0060049

RR AFD

DE HQ

R 060003Z JAN 77

FM DIRECTOR (62-117298)

TO ALL SACS ROUTINE

CLEAR

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

REFERENCE BUREAU TELETYPE NOVEMBER 24, 1976.

REFERENCED BUREAU TELETYPE SET FORTH THE FACT THAT THE HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSC) HAS BEEN CREATED BY THE NINETY-FOURTH CONGRESS TO INVESTIGATE THE DEATHS OF JOHN F. KENNEDY AND MARTIN LUTHER KING, JR.

IN CONNECTION WITH THE HSC INVESTIGATION THE UNITED STATES DEPARTMENT OF JUSTICE HAS INSTRUCTED THE BUREAU TO MAKE AVAILABLE, FOR REVIEW BY THE HSC STAFF INVESTIGATORS, ALL MATERIAL REGARDING THE JOHN F. KENNEDY ASSASSINATION AND MARTIN LUTHER KING, JR., ASSASSINATION AS WELL AS CLOSELY RELATED CASES.

IN ORDER TO PREPARE FOR THE HSC REVIEW, YOU ARE REQUESTED

only in 99-35

#8 SQUAD WILL HANDLE RE PRES. KENNEDY ASSASSINATION

#9 SQUAD " " " KING

#8 SQUAD WILL BE HANDLED BY SA CANTLEY

J #9
#8

44-1854-786

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 5 1977	
FBI - MIAMI	

D'Kelly RSO

Please handle for #9 Squad

PAGE TWO (62-117290) CLEAR

TO PREPARE AN INVENTORY OF ALL MATERIALS AVAILABLE IN YOUR OFFICE REGARDING THE CASES SET FORTH BELOW. IT IS NOTED THAT BUREAU TELETYPE DATED DECEMBER 9, 1975, TITLED "MARTIN LUTHER KING, JR.," BUREAU FILE 100-106670, YOU WERE REQUESTED TO INVENTORY ALL PERTINENT MATERIAL RELATIVE TO THE MARTIN LUTHER KING, JR., ASSASSINATION. 3, 58, THEREFORE NOT NECESSARY FOR FIELD OFFICER AND LEGATS TO REINVENTORY THAT MATERIAL AT THIS TIME.

FILES TO BE INCLUDED IN YOUR CURRENT INVENTORY ARE:

(1) THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

#8
NOVEMBER 22, 1963

OO: DALLAS

BUREAU FILE 62-109060

(2) LEE HARVEY OSWALD

#9
IS - R - CUBA

OO: DALLAS

BUREAU FILE 105-82555

(3) MARINA N. OSWALD

#9
IS - R

SOBIR

BUREAU FILE 100-126032

(4) JACK RUBY

#8
LEE HARVEY OSWALD - VICTIM

CIVIL RIGHTS

BUREAU FILE 44-24016

*No main file
in main
Oswald.*

PAGE THREE (62-117290) CLEAR

#8
(5) PRESIDENT'S COMMISSION ON THE ASSASSINATION OF
PRESIDENT KENNEDY (WARREN COMMISSION)

BUREAU FILE 62-109290

IN PREPARING FIELD OFFICE INVENTORIES FOR ALL MAIN
FILES RELATING TO ABOVE, THE FOLLOWING SPECIFIC ITEMS MUST
BE INCLUDED: (A) FIELD OFFICE FILE NUMBER, INCLUDING OFFICE
PREFIX; (B) TITLE AND CHARACTER OF FILE; (C) VERY BRIEF
DESCRIPTION OF FILE CONTENTS, INCLUDING WHETHER IT CONTAINS
ANY TAPED, ELECTRONIC SURVEILLANCE LOGS AND/OR TRANSCRIPTS,
PHOTOGRAPHS, BULKY EXHIBITS AND ANY OTHER SIMILAR MATERIAL
WHICH IS IN ADDITION TO ROUTINE CORRESPONDENCE. IF ANY OF
THE ABOVE (TAPES, ETC.) IS NOTED, VERY BRIEFLY DESCRIBE.
INCLUDE STATEMENT DESCRIBING ALL SUBFILES RELATING TO THE
MAIN FILE; (D) ACCOUNT FOR SIZE/SCOPE OF FILE AND RELATED
MATTERS. FOR EXAMPLE, INDICATE NUMBERS OF SECTIONS AND
SERIALS IN FILE; VOLUME OF LOGS/TRANSCRIPTS AND BULKY
EXHIBITS; ETC.

// IT IS FURTHER NOTED THAT IN REFERENCED BUREAU TELETYPE
OF NOVEMBER 24, 1976, YOU WERE REMINDED OF THE FACT THAT
RECORDS POSSESSING EVIDENTIARY, INTELLIGENCE OR HISTORICAL V

PAGE FOURN(62-117290) CLEAR

VALUE SUCH AS THE KENNEDY AND KING ASSASSINATION INVESTIGATIONS
ARE EXCLUDED FROM OUR DESTRUCTION OF FILES AND RECORDS
PROGRAM AND SHOULD NOT BE DESTROYED.

YOU ARE, THEREFORE, INSTRUCTED TO REPLY BY TELETYPE
SETTING FORTH YOUR INVENTORY REGARDING THE ABOVE LISTED JOHN F.
KENNEDY ASSASSINATION FILES. IN ADDITION, YOU ARE REQUESTED
TO ADVISE WHETHER ANY MATERIAL RELATIVE TO THE MARTIN LUTHER
KING, JR MN ASSASSINATION (MURKIN) AND THE ABOVE LISTED FILES
RELATED TO THE JOHN F. KENNEDY ASSASSINATION MAY HAVE BEEN
DESTROYED UNDER THE DESTRUCTION OF FILES AND RECORDS PROGRAM.
IF SO, INCLUDE A LISTING OF SAID FILES. THE HANDLING OF THIS
MATTER MUST BE UNDERTAKEN IMMEDIATELY AND GIVEN THE HIGHEST
PRIORITY. SUTEL YOUR RESULTS ATTENTION GENERAL INVESTIGATIVE
DIVISION, CIVIL RIGHTS SECTION, CONGRESSIONAL INQUIRY UNIT.

ALL LEGATS ADVISED SEPARATELY.

BT

C

JANUARY 7, 1977

FM MIAMI (62-6603) P
TO DIRECTOR IMMEDIATE
BT

CLEAR

ATTENTION GENERAL INVESTIGATIVE DIVISION, CIVIL RIGHTS SECTION,
CONGRESSIONAL INQUIRY UNIT

HOUSE SELECT COMMITTEE ON ASSASSINATIONS, BUFILE: 62-117290.

RE BUREAU TELETYPE DATED JANUARY 6, 1977.

(1) (A) MIAMI FILE 89-35 (B) ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY, NOVEMBER 23, 1963, DALLAS, TEXAS (C) FILE
CONSISTS OF MEMORANDA, TELETYPES, AND AIRTELS, REPORTING
RESULTS OF INVESTIGATION BY THE MIAMI OFFICE. ALL PERTINENT
INFORMATION IN THIS FILE HAS BEEN FURNISHED TO THE BUREAU
AND DALLAS. FILE CONTAINS NO TAPES, ELECTRONIC SURVEILLANCE
LOGS, OR TRANSCRIPTS. FILE CONTAINS NO PERTINENT PHOTOGRAPHS
OR OTHER EXHIBITS NOT DESCRIBED IN COMMUNICATIONS TO DALLAS
OR THE BUREAU.

5 - Miami (1 - 62-6603)
(1 - 44-1854)
(1 - 89-35)
(1 - 105-8342)
(1 - 62-5234)
BOC:mah
(5) *math*

JH

Searched *sw*
Serialized *sw*
Indexed *sw*
Filed *sw*

44-1854-787

PAGE TWO MM 62-6603 CLEAR

(2) (A) MIAMI FILE 105-8342 (B) LEE HARVEY OSWALD, INTERNAL SECURITY - RUSSIA - CUBA (C) THIS FILE HAS 17 VOLUMES CONTAINING A TOTAL OF 2,406 SERIALS. IN ADDITION VOLUME ONE HAS AN EXHIBIT SECTION CONTAINING 26 SERIALS, NAMELY PHOTOGRAPHS. THE CASE FILES CONTAIN TELETYPES, AIRTELS, LETTERS, REPORTS, FD-302S AND NEWSPAPER ARTICLES. IT IS ESTIMATED THE NEWSPAPER ARTICLES MAKE UP AT LEAST ONE THIRD OF THE TOTAL SERIALS. ALSO THERE ARE NUMEROUS SERIALS CONTAINING RESULTS OF INVESTIGATION UNDER THE CAPTION OF THE ASSASSINATION OF PRESIDENT KENNEDY. FILE CONTAINS NO TAPES, ELECTRONIC SURVEILLANCE LOGS, AND/OR TRANSCRIPTS.

(3) MIAMI HAS NO MAIN FILE ON MARINA N. OSWALD.

(4) (A) MIAMI FILE 44-1412 (B) JACK RUBY; LEE HARVEY OSWALD - VICTIM, CIVIL RIGHTS. (C) THIS FILE HAS BEEN DESTROYED UNDER THE DESTRUCTION OF FILES AND RECORDS PROGRAM.

(5) (A) MIAMI FILE 62-5234 (B) THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY (C) THIS FILE CONSISTS OF THREE AIRTELS FROM THE BUREAU AND SEVERAL NON-

PAGE THREE MM 62-6603 CLEAR
PERTINENT NEWSPAPER CLIPPINGS REGARDING THE WARREN COMMISSION.
THE FILE CONTAINS NO TAPES, LOGS, OR TRANSCRIPTS AND HAS NO
EXHIBIT SECTION.

NO MATERIAL RELATIVE TO ANY OF THE ABOVE FILES HAVE
BEEN DESTROYED WITH THE EXCEPTION OF NUMBER FOUR (4) ABOVE.
BT

CE0005 0281944 Z

PP HI ME MM

P 281931Z JAN 77

FM CHARLOTTE (44-1365) (P)
TO DIRECTOR (44-38861) PRIORITY
MEMPHIS (44-1987) PRIORITY
MIAMI PRIORITY
SAN JUAN PRIORITY

BT

LEAR

(4/68) (4/68)
MURKIN. 44-1854* 157-2434* XREF

RE CHARLOTTE TELEPHONE CALL TO BUREAU, JANUARY 28, 1977.

FOR INFORMATION OF BUREAU AND RECEIVING OFFICES, ON
JANUARY 28, 1977, DR. EUGENE V. GRACE, EYE SURGEON, 911
NORTH BROAD STREET, DURHAM, N. C., WHO ALSO OPERATES MOORE
PUBLISHING COMPANY, 907 NORTH BROAD ST., REPORTED RECEIPT OF
TELEPHONE CONTACT JANUARY 27, 1977, FROM OTIS MOORE, LOMAS
VERDES NUMBER 40, SAN JUAN, PUERTO RICO, TELEPHONE NUMBER
780-4533, OFFERING BOOKS BY MOORE FOR PUBLICATION. MOORE
IDENTIFIED SELF AS RETIRED U. S. MASTER SERGEANT AND STATED

(91-3460-X-469
NM 67-10-51
Destroyed
WJ

44-1854-788

SEARCHED PM INDEXED PM
SERIALIZED PM FILED PM

JAN 28 1977

FBI-MIAMI

(Info)