

copy to: H. WEICBERG

PROBE

Magazine. The truth is in here.

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Fatal Justice: The Death of James Earl Ray

By Jim DiEugenio

On April 23rd, James Earl Ray, alleged assassin of Martin Luther King, died after a long bout with kidney and liver ailments. For two years, Ray had been denied the opportunity for a liver transplant by Tennessee authorities. As we note elsewhere, Ray had been recently denied an opportunity to live out his last days with his brother Jerry Ray who lives in a trailer park outside of Memphis. The day of his death, Coretta King, widow of MLK, issued a rather eloquent statement about Ray's passage:

We were deeply saddened by the death today of Mr. James Earl Ray. This is a tragedy, not only for Mr. Ray and his family, but also for the entire nation. America will never have the benefit of Mr. Ray's trial, which would have produced new revelations about the assassination of Martin Luther King Jr.

Predictably, the major media did all they could to drown out Coretta King's voice and instead, they propagandized over the not yet buried body of Ray. The *Los Angeles Times* wrote that Ray "confessed to killing civil rights leader Martin Luther King" which is something, as we shall see, he never actually did. In its May 4th issue, *Time* magazine called Ray a "convicted assassin." Both publications played to the hilt the "growing paranoia about government conspiracies" (*L. A. Times* jargon) that supposedly haunt Americans over the assassinations of the sixties. Both publications went out of their way to ridicule advocates of these theories. *Time* declared that "the King family has offered not a shred of credible evidence to support their charges of a wide-ranging conspiracy." The article went on to blast Ray's last lawyer, Bill Pepper, as "either a credulous buffoon or a con artist." In the May 4th issue of *The New Republic* a similar sermon was de-

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livered. This time the target was Attorney General Janet Reno was advised to quickly dismiss the King family plea for a new Justice Department investigation. The grounds for this quick rejection: its just another conspiracy theory.

The *San Francisco Chronicle* was a bit more fair in the wake of Ray's death. They more accurately, but not completely, explained Ray's decision to plead guilty as a way to avoid the death penalty. The *Chronicle* went on to add that Justice Department spokesman Myron Marlin said that the department's review of the King assassination, based on information sent them by the Kings, would continue in spite of Ray's death. Ray's brother Jerry was quoted as saying, "Like I told James before he died, the rest of my life I'll fight to prove he's innocent."

The *Chronicle* coverage also offered some possible insights into why Judge Joe Brown was stopped from holding further hearings on evidence that could have resulted in granting Ray a new trial. Billed as his first public comments on his forced removal from the case, Brown stated that he did not believe the ad-duced rifle in evidence was the actual murder weapon. Brown propounded on this by adding that the death slug removed from King is not from the same lot as the spent casing

found inside the rifle or from bullets recovered from the weapon. He also added that the 30-06 Remington was a pump action rifle and therefore could not have been leaning against a windowsill as the original prosecutors said it was. He then added that the telescopic sight installed on the Remington could not have been aligned correctly because the shop in which it was purchased did not have the proper equipment to perform such a technique.

Alas, the *Chronicle* does not have nearly the circulation of *Time* or the *Los Angeles Times*. Most of the public was spared pondering these difficult but relevant questions. Brown also could have enlarged on his list to include the following:

—Why would an assassin choose a public bathroom to fire a shot at his intended victim? Why risk the possibility of an unknown party waiting outside, or even knocking on the door during the shooting?

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Jackie Kennedy Replies to Seymour Hersh

From *In Search of History* by Theodore H. White

On the weekend of the assassination I had held *Life* magazine open long hours beyond its closing time at enormous expense in order to write the story as it should be written. I stayed in Washington until the funeral on Monday, then came back to New York, sleepless and sad, to await my mother, who was to join us for Thanksgiving.

I left the house the morning after Thanksgiving to visit my dentist, and was taken from the dentist's chair by a telephone call from my mother saying that Jackie Kennedy was calling and needed me.... Making a call back to Hyannisport, I found myself talking to Jacqueline Kennedy, who said there was something that she wanted *Life* magazine to say to the country, and I must do it. She would send a Secret Service car to bring me to Hyannisport....

In a rented limousine, with a strange chauffeur, in a driving rainstorm, I made my way back to New England. The driver stopped now and then at gasoline stations, so I could telephone to New York, find how my mother was doing, learn she was stable. Then finally I told the chauffeur to gun the car to Hyannisport.

It was now quite late on Friday, November 29, a week after the assassination. Once more I had asked *Life* magazine to hold its presses open as it had the week before. Without hesitation, the editors had agreed to my suggestion. They would hold until I found out what Jacqueline Kennedy wanted to say to the nation.... I entered the Kennedy home in Hyannisport very briskly.

It was obvious, instantly that my brisk mood was wrong. She had been trying to escape for days.... She had performed as people rarely do, flawlessly, superbly. I know now she wanted to cry, and she could not. She had fled from Washington.... to Hyannisport, to be away from it all. But still with her, in the room when I entered, were the good-willed comforters....

She did not want anyone there when she talked to me. So they left... I sat down on a small sofa, looked at her.... and then she began to talk.

....But as she began to talk, I realized that I was going to hear more than I wanted to.... I had bought a tape recorder, but I left it unopened, and sat and listened, for she was faced with a problem, and she wanted to share it with me as both friend and reporter. She was without tears; drained, white of face.

Then, in the most lucid possible manner, she was making a plea.... What bothered her

was history.

Over the telephone, before I had undertaken to come to Hyannisport, she had angrily commented on several of the journalists who by now were writing the follow-up stories, assessing the President, just dead, by his achievements. She wanted to rescue Jack from all these "bitter people" who were going to write about him in history. She did not want Jack left to the historians....

My notes run in patches and ups—and—downs, for Jacqueline Kennedy, that night, talked first of her personal anguish, then of what she thought history might have to say of her husband, and then wandered from his childhood to Dallas, trying always to make clear to me that I should make clear to the people how much magic there had been in John F. Kennedy's time. She thought her husband was truly a man of magic....

"....Then it was over. The hunt for the priest. The priest entered to give extreme unction. Then they pulled the sheet up.... Then I pulled back the sheet. His mouth was so beautiful...his eyes were open...the ring was all bloodstained...so I put the ring on Jack's finger... and then I kissed his hand...."

Interspersed with the memories, spoken so softly, in the particular whispering intimacy of Jacqueline Kennedy's voice, was constantly this effort to make the statement—the statement she had asked me to come and hear. It would stutter out over and over again with an introductory: "History!...History...it's what those bitter old men write."

She believed, and John F. Kennedy shared the belief, that history belongs to heroes; and heroes must not be forgotten. We talked from eight-thirty until almost midnight, and it was only after she had rid herself of the blood scene that she tracked clearly what she wanted to say:.... "I kept saying to Bobby, I've got to talk to somebody, I've got to see somebody. I want to say this one thing, it's been almost an obsession with me...."

"Do you know what I think of history?...When something is written down, does that make it history? The things they say! For a while I thought history was something that bitter old men wrote. But Jack loved history so...No one'll ever know everything about Jack. But...history made Jack what he was...this lonely, little sick boy...scarlet fever...this little boy sick so much of the time, reading in bed, reading history...reading the Knights of the Round Table...."

"Then I thought, for Jack history was full of heroes. And if it made him this way, if it made him see the heroes, maybe other little boys will see. Men are such a combination of good and bad... He was such a simple man. But he was so complex, too. Jack had this hero idea of history, the idealistic view, but then he had that other side, the pragmatic side. His friends were his old friends; he loved his Irish Mafia."

"History!" And now she reverted to the assassination scene again, as she did all through the conversation, which had swung between history and death. "...Everybody kept saying to me to put a cold towel around my head and wipe the blood off...I saw myself in the mirror, my whole face splattered with blood and hair. I wiped it off with Kleenex. History! I thought, no one really wants me there. Then one second later I thought, why did I wash the blood off? I should have left it there, let them see what they've done. If I'd just had the blood and caked hair when they took the picture...."

At some point in the conversation she had said to me, "Caroline asked me what kind of prayer should I say? And I told her, 'Either Please, God, take care of Daddy, or Please, God, be nice to Daddy.'"

What she was saying to me now was: Please, History, be kind to John F. Kennedy. Or, as she said over and over again, don't leave him to the bitter old men to write about.

Life was waiting, and at 2 A. M. I tried to dictate the story from the wall-hung telephone in the Kennedy kitchen. She came in while I was dictating the story to two of my favorite editors...who as good editors...were nonetheless trying to edit and change phrases as I dictated. [David] Maness observed that maybe I had too much of "Camelot" in the dispatch. Mrs. Kennedy had come in at that moment, having penciled over her copy of the story with her changes; she overheard the editor trying to edit me, who had already so heavily edited her. She shook her head, She wanted Camelot to top the story.... Catching my stress, he said, "Hey, is she listening to this now with you?" I muffled the phone from her, went on dictating, and Maness let the story run.

So the epitaph on the Kennedy administration became Camelot.... Which, of course is a misreading of history. The magic Camelot of John F. Kennedy never existed. Instead, there began in Kennedy's time an effort of government to bring reason to bear on facts

which were becoming almost too complicated for human minds to grasp....Kennedy was the toughest, the most intelligent, the most attractive—and inside, the least romantic. He was a realistic dealer in men, a master of games who understood the importance of ideas. He assumed his responsibilities fully. He advanced the cause of America at home and abroad. But he also posed for the first time the great question of the sixties and seven-

ties: What kind of people are we Americans? What do we want to become?

For twenty-five years, from the day of my graduation...I had been fascinated by the relationship of the Leader to Power, of the State to Force, of the Concept to Politics—and most recently of the Hero to his Circumstances. I had given unquestioning loyalties to all too many men, as one does when one is young, and I would give guarded affection to several

more in years to come. But I would never again, after Kennedy, see any man as a hero. A passage of my own life had closed with a passage in American politics. †

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...And So Does Bobby

United States Government

Memorandum

Date: 8/20/62

To: Mr. Belmont

From: C. A. Evans

Subject: MEYER LANSKY
ANTI-RACKETEERING

The Attorney General was contacted and advised of the information we had received alleging he was having an affair with a girl in El Paso. He said he had never been to El Paso, Texas, and there was no basis in fact whatever for the allegation.

He said he appreciated our informing him of it; that being in public life the gossip mongers just had to talk. He said he was aware there had been several allegations concerning his possibly being involved with Marilyn Monroe. He said he had at least met Marilyn Monroe since she was a good friend of his sister, Pat Lawford, but these allegations just had a way of growing beyond any semblance of the truth.

CAE: maw
(4)

Ed. Note: What is interesting about Courtney Evans' memo above is that it confirms what William Sullivan wrote about J. Edgar Hoover in his book *The Bureau*. Hoover evidently would pass every rumor, every smear, every piece of gossip

about the Kennedys over to RFK through his FBI liaison there, Evans. This particular memo is also interesting because of the date. It is only a bit over two weeks past Monroe's death. Bobby is evidently referring to the material that Walter

Winchell and Dorothy Kilgallen are using in their newspaper columns right after her death. The probable source for Winchell's material is the Los Angeles Police Department and the FBI-friendly Frank Capell.

The King Case: The Ball Bounces to Reno

By Jim DiEugenio

In late January, Tennessee state authorities attempted to do what they had been hinting at for months: remove Judge Joe Brown from overseeing hearings into the reopening of the Martin Luther King murder case. After a four month hiatus, Brown attempted to return to the case on January 16th. Brown announced he was rejecting the DA's motion to remove him from the proceedings due to bias. He then ordered another round of test firings of the alleged murder weapon to determine if the fatal bullet could be traced to it (previous tests had proved inconclusive). On that day, state attorneys Bill Gibbons and John Campbell announced they would now appeal Brown's decision. The appeal was filed on January 30th. It was based on two grounds: first, that Brown had overstepped his original mandate in ordering a new round of rifle tests; and second, that Brown had shown personal antagonism toward the state attorneys.

James Earl Ray, the alleged assassin, consented to be interviewed by state investigators regarding a new investigation by Gibbons on February 26th. Campbell told the press that Ray spoke with two investigators for over two hours. This was part of the new state investigation that Gibbons announced when the proceedings in Brown's court ground to a halt late last year. Ray's medical condition had deteriorated so badly that he had applied for a medical furlough late last year in order to spend his final few months with his brother Jerry who lives outside of Memphis. The request was denied. In early March, Ray went into a coma and was sent to a Nashville hospital where his liver problem landed him on the critical list. While in the hospital, attorney Bill Pepper once again applied for a medical furlough. At this time, Campbell stated that a quid pro quo could be in order. He told the *Memphis Commercial Appeal* that the state would look at Ray's case a little differently if he "just came clean" and admitted to the King murder. Campbell added, "That might be the only option he's got" (3/19/98).

Campbell could make such a pronouncement because on March 6th, the appeals court had voted to remove Brown from the case. The panel agreed with the state that Brown had "demonstrated the appearance of bias." They ordered the case to be reassigned to another court. The court also added that when the case

is reassigned the prosecution "is to be afforded a hearing regarding retesting of the rifle." The decision cited instances when Brown had said publicly that the DA's office was involved in a political power play to get rid of him. The decision did not cite the extraordinary events chronicled by *Probe* to obstruct Brown's court (Vol. 5#2).

Once Brown was removed, the *Commercial Appeal* ran a lead editorial asking for closure on the case (3/14/98). The editorial stated that "claims of a broad conspiracy to murder King merit skepticism, they still deserve to be proven or debunked, once and for all." The editorial mentioned the upcoming 30th anniversary of the murder, and upcoming local events planned in tribute to King. It ended with:

Finally closing the book on the King assassination, with reasonable confidence that all questions have been answered, could be the most important tribute of all.

In a fortnight, a form of closure came. State attorney Bill Gibbons ended his seven month probe into the King case. The *Commercial Appeal* got an early look at the report and published a story on it the day it was released to the public, March 27th. Gibbons' twelve page report stated that Ray was the assassin and there was no broad conspiracy. If there was a conspiracy at all, it consisted of Ray with help from his brothers John and Jerry. In a cover letter issued with the report, Gibbons wrote:

The District Attorney's office remains absolutely convinced of James Earl Ray's guilt in the murder of Dr. King. The evidence against him is overwhelming....There is simply no credible evidence to support a new trial for Mr. Ray.

Tossing a bone to the skeptics of this verdict, Gibbons' letter urged Congress to unseal the records of the House Select Committee on Assassinations which conducted a much wider, longer inquest and came to similar conclusions in 1979. Gibbons told the *Commercial Appeal* that, "Barring further credible information which could lead to the indictment of someone in addition to Mr. Ray, the District Attorney's Office considers the investigation closed."

To their credit, King's family and former colleagues did not take this passively. In March, in Memphis, Jesse Jackson made some

of his strongest remarks yet about King's murder:

There has been too little focus on the [King] assassination, on the forces that set the climate, the conspiratorial forces that did the killing, the forces that set loose the killer....We do know the government set the climate with character assassination....The government had come to see Dr. King and his efforts as a threat to national security. He was put on a hated enemies list by the FBI. The government was a factor in the assassination. To what extent we do not know. END QUOTE

On April 2nd, Andrew Young continued to appeal for a Truth and Reconciliation Commission based on the South African model chaired by Desmond Tutu. Young told the *Atlanta Constitution*:

We are interested in extending the mercy of the family and the movement to people like James Earl Ray, who regardless of his role was an innocent victim of the racism and what was going on at the time....Let's not continue this cover-up. Let's try to open it up. END QUOTE

Young added that he was not at all certain that there was a conspiracy to kill MLK until the state of Tennessee made such a large commotion out of Judge Brown's attempts to continue the rifle tests. Young stated that, "When they refused to test the rifle, that raised some suspicions."

Later on that same day, Coretta Scott King, widow of MLK, added her voice to the effort:

No one has been brought to trial to answer for the assassination of my husband. This has been a source of immense frustration and pain for me personally and for our family. I had hoped that the emergence of new evidence over time would lead to a trial for Mr. Ray without my family's intervention or involvement. As new evidence accumulated, we became increasingly convinced that he was, in fact, innocent of killing my husband.

Coretta King also added that she wanted to meet with President Clinton to ask him to reopen the case: "I have asked President Clinton to meet with my family and me so we can discuss new evidence and recent developments in this case. I will appeal to the president to initiate a full investigation of this evidence." At a press conference with Mrs. King and Young, Dexter King, the most outspoken of King's children on this matter added, "The state of Tennessee is trying not

to get the truth."

As a result of this, President Clinton asked the Justice Department to consider the King family request to reopen the case. Both Clinton and Reno phoned Coretta King on April 6th and attempted to set up a meeting to discuss the matter. At around this same time period, a former FBI agent, Donald Wilson, emerged from the shadows to announce something startling. Wilson stated that he was one of the agents who impounded Ray's white Mustang in Atlanta on April 10, 1968, just a few days after King was killed. Wilson said that one of the things he found was a log with names, locations, and figures which appeared to be dollar amounts. At the bottom, Wilson said, is the figure \$450,000 along with a date and a word that looks like the name Raul. Wilson said that he kept the log and that it is now in his safe in at his home in Chicago. He said he did not turn the papers over to his superiors because he did not think that the Bureau was really interested in doing a serious investigation. The FBI answered Wilson's charge by saying it was a "total fabrication" (*Los Angeles Times* 3/26/98). After a look at the record, the Bureau determined that Wilson was not among the five agents who searched the car. Pepper answered this by saying that although Wilson was not part of the search team who went through the car after it was impounded, he did have access to the vehicle when it was originally discovered. To culminate an eventful two week period in the MLK case, Coretta King met with Janet Reno on April 8th for a two hour meeting and presented what she felt were new developments in the case. After the meeting, Reno said, "We will carefully review the questions and information they presented, and I will be in touch with them as soon as the review is complete" (*Los Angeles Times* 4/9/98).

Needless to say, all of these interesting developments could not go uncontested by the media. Four days after the King/Young press conference in Atlanta, Universal Press Syndicate columnist Cynthia Tucker wrote a piece that appeared in the *Commercial Appeal* (4/6/98). Tucker's column had two themes to it. First, James Earl Ray was guilty beyond a reasonable doubt. If you don't believe that "you've obviously seen some Oliver Stone movies." Second, by not agreeing with the official verdict about MLK's death, the King family does "him only discredit." The *Los Angeles Times* answer was even more immediate. They printed editorials appearing on April 3rd and 4th, the succeeding two days after the press conference. The first, by author Earl Ofari Hutchinson also stated that Ray was guilty and even claimed that Robert Blakey's HSCA investigation was an impartial one. The next day

the newspaper ran a lead editorial whose tone was captured by its title and subtitle: "Some Cases never close: Doubts Linger in Killings of King, the Kennedys and Lincoln." In other words, these kind of tragedies always maintain their doubters because they present such a shock to the system. The *Times*, in typical dime store Freud fashion, attributed these continuing doubts to the fact that "Americans come from a long tradition of questioning authority. It is part of our history, and the nature of democracy." Apparently, without reading the autopsy report, or Lisa Pease's milestone article in the last *Probe*, they label the RFK murder an "open-and-shut" case. Incredibly, the *Times* tried to insinuate that only fringe characters are still looking for conspirators in the Lincoln case. This ignores the recorded facts that another conspirator, George Atzerodt was assigned to kill Vice-President Andrew Johnson, another, Lewis Paine, attempted to kill Secretary of State William Seward, rewards were offered for named accomplices, eight people were arrested with four being hanged, the rest getting jail terms, and former confederate soldier Paine commented that the authorities didn't round up half of those involved (*Album of the Lincoln Murder* pp. 50-60).

The city of Memphis meanwhile staged a week long series of events to commemorate the 30th anniversary of King's death. On April 4th over 4,000 marchers joined in completing the route that King was to have taken days after his murder. There was also a procession on April 3rd at the Mason Temple, the place where King gave his great and final "Been to the Mountaintop" speech on the evening before he was cut down. That same day, several African-American luminaries met at the AME Church to both commemorate his legacy and to lament the current state of the investigation into his murder. These included Los Angeles minister and King colleague Jim Lawson, Jessie Jackson, Rev. Al Sharpton of New York, and Washington mayor Marion Barry. The *Commercial Appeal* also ran a week long series of articles on King's work entitled "State of the Dream". The city's celebration was called "Pilgrimage to Memphis."

We can't note the rather bitter irony of these invocations of King's legacy. When one considers the Jonesboro shootings, the rise of the rabid right, the state of race relations in America today, the worsening maldistribution of wealth, and, generally, what happened to America after 1968, the irony takes a sharp turn toward nostalgia. As *Probe* subscriber Dick Lee of Seattle sharply noted about all the festivities and commemorative events, "What's there to commemorate. We lost." ✦

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E. Martin Schotz

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James Earl Ray

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—Why would Ray buy an original weapon a few days earlier and then bring it back to the same gun shop to buy the supposed final murder weapon? Just so the clerk could get two looks at him and be sure to recall his face?

—Why would Ray enter the low class rooming house from which he would fire the weapon dressed in a shirt, tie, and jacket? To distinguish himself from the poor alcoholics who frequented the place?

—If the case against Ray was so strong a.) Why could the prosecutors never match the fatal bullet to the weapon, or b.) Find no credible witness to link him to the alleged "sniper's lair"?

—Why was the prosecution so desperate in this last aspect that they used a witness, Charlie Stephens, who was stone drunk at the time of the shooting?

—Why did the prosecution then place one of the witnesses who could testify to Stephens' condition, his wife Grace, in a mental hospital so she could not reveal that fact?

—Why was the path of the bullet (or bullets) that hit King never tracked through his body?

—Why was the medical evidence presented at Ray's court hearing (I hesitate to call it a trial) so nonspecific as to measurements on the body and locations within the body?

—Why would an assassin leave the murder weapon on a public street with witnesses around and his fingerprints on the weapon? As Mark Lane has stated, "If Ray did that, he should be found not guilty by reason of insanity."

—How could a small time hood have access to four different aliases all living within a five mile radius in Toronto, the city he would eventually flee to after the murder? With all four men resembling Ray in height, weight, and coloring. The capper being that Ray had never been to Toronto prior to the assassination.

—If Ray shot King from the bathroom of that rooming house he would have had to be standing in a bathtub. When *Paris—Match* tried to simulate Ray's position, they had to pose their model on the rim of the tub toward the back, and then contort him into a position to lift the rifle to the window.

—If Ray was the assassin, why would an amateur marksman like himself use no clip in the rifle? Was the amateur positive he could hit King with one shot through foliage from 208 feet away?

—Why were Ray's prints found only on the rifle, yet not in the rooming house or in

his white Mustang, supposedly found in Atlanta the day after the murder?

—If Ray used no clip, why were his prints not found on the shell casing which had housed the fatal bullet in the rifle?

—If there was no conspiracy, why did a man meet Ray in Toronto after the murder and give him an envelope? That same day, Ray paid his rent and bought a plane ticket to London. When Phil Melanson tracked the courier down, he said, "Why go to Memphis and get a bullet in my head?"

Why would an assassin choose a public bathroom to fire a shot at his intended victim? Why risk the possibility of an unknown party waiting outside, or even knocking on the door during the shooting?

—If there was no conspiracy, who shifted King's room at the Lorraine Motel so it would be facing Ray's rooming house?

—If there was no conspiracy, why were there two white Mustangs seen outside the rooming house before the murder?

—If there was no conspiracy, who broadcast the phoney and distracting "Mustang chase" on the police radio right after the assassination allowing both white Mustangs to get out of Memphis?

—If there was no conspiracy, why are there no records of Ray's trip to Lisbon, reportedly done after he had escaped to London?

—If there was no conspiracy, why were the registers from both the Memphis rooming house and the Pax Hotel in London not produced into evidence at Ray's hearing?

—Could this have anything to do with the fact that Ray was arrested at 6:15 A.M. at Heathrow Airport in London yet he did not check out of his hotel room until 9:30 A.M.?

You will likely not see any of these questions asked, much less satisfactorily answered, by any of our media pundits now that the last hope for a resolution to the MLK assassination is gone. You certainly won't find them in the aforementioned *New Republic* article which chooses "not to be party to paranoia". No, the editors would rather bury their heads in the sand. This, of course, has been quite typical in the King case since the media's attitude has consistently resembled the government's, namely let the public be damned.

It began almost immediately after King's

murder. Attorney General Ramsey Clark announced at that time that the assassination was the work of one man. The day Ray was arrested, J. Edgar Hoover stated about the case, "No conspiracy. None whatsoever."

Picking up the cue, *Life* magazine put Ray on the cover of their June 21, 1968 issue along with Sirhan B. Sirhan. The stark black and white cover was emblazoned in capital letters, "THE TWO ACCUSED." The lower case sub-heading was "The Psycho-Biology of Violence." The latter was the title of an article about how sudden violent urges could be purged through institutional care and treatment at certain hospitals. The giveaway line in the piece was this: "The roots of violence may be psychiatric—the result, for instance, of upbringing or social environment." Needless to say, as it had done four years earlier with Oswald, *Life* was greasing the skids for a rerun of the socially maladjusted, lone nut phenomenon.

Life's main article on the murders immediately dropped any pretense of the shibboleth "innocent until proven guilty." It was entitled "Ray, Sirhan—What Possessed Them?" A representative sample:

Sirhan and Ray seemed important now only as devices by which other men might gauge the meaning of their senseless violence....Both Sirhan and Ray were products of families which were hard put to cope with the most basic problems of life. Both seemed governed by a curious, even touching unreality.

The propaganda blitz is accompanied by praise for J. Edgar Hoover's massive manhunt—which had almost nothing to do with Ray's capture in London.

With the media endorsing it all the way, the authorities began the railroading of James Earl Ray, a performance that would eventually devolve into a shabby sideshow of justice. At his extradition hearing in London, Ray was not allowed to have his chosen attorney represent him, even though Arthur Hanes flew to England twice. When author Harold Weisberg tried to get the official transcript of that hearing, he could not access it through his professional contacts in London. His reporter acquaintance told him it was "not available."

Upon Ray's return to Tennessee, that wealthy, FBI friendly author William Bradford Huie entered the scene. He agreed to finance Ray's defense team, Hanes Sr. and Jr., if he could get exclusive rights to Ray's story. With no other funding available, Ray agreed to this arrangement. Then two things happened to make things even worse. Ray grew suspicious that Huie was passing information to the Bureau, and renown southern lawyer Percy Fore-

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James Earl Ray

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man paid a visit to Ray.

Whatever the faults of the Hanes team—their association with Huie, their racist backgrounds—they were preparing for trial and planned a vigorous defense. When Foreman came in unannounced in November of 1968, he confidently told Ray he would have no problem helping him beat the rap. Foreman added that he had read the contracts Ray had signed with Hanes and Huie and all those two were interested in was money. (How Foreman got hold of the contracts is not evident.) He also told Ray that if he stuck with that pair he would likely get the chair. Foreman said he could get Ray out of the previous contracts, hire a lawyer familiar with Tennessee law (Foreman was a Texan), and he would then deal with a writer only *after* the trial thereby not compromising the defense in advance.

Unfortunately, Ray bought into Foreman. He hired him and fired Hanes. Foreman then proceeded to break almost every promise he had made to Ray. But not before fleecing him. Foreman had Ray sign over his white Mustang to Foreman as a retainer. Ray also signed over the rifle which was in evidence. Foreman never hired a local attorney yet pleaded with the Memphis judge for professional aid. Judge Preston Battle furnished Foreman with Public Defender Hugh Stanton. So instead of Foreman paying for his help, the state of Tennessee, which was prosecuting Ray, was also now on his defense team.

Once furnished with Stanton, Foreman promptly ordered him to negotiate a deal with local DA Phil Canale. This appears to have been done before Foreman even investigated the case or found out what Canale had on his client. Arthur Hanes, commenting on Foreman's review of his files on the case, said the following:

We offered him our files. He could have taken the originals. The whole thing. He was welcome to. If he had wanted photocopies we would have made them. He didn't want anything.

When asked how long Foreman even *looked* at the files, Hanes responded, "About ten minutes." Hanes concluded that Foreman "never even considered trying the case." There is neither any evidence that Foreman ever initiated his own investigation. Incredibly, Ray has said that Foreman never asked him if he fired the fatal shot at King or if he had been part of a conspiracy. Foreman admitted the same to Jerry Lipsom of the *Chicago Daily News*. After Ray's conviction, Foreman reportedly told the press, "I don't care about no conspiracy."

But Foreman *did* renegotiate a deal with Huie. Foreman was now to share in all funds accrued to Huie by sale of all rights to Ray's story, including motion picture sales. In all, Foreman made over one hundred thousand dollars from his "defense" of Ray. Whatever work he did on Ray's behalf to earn this money has yet to be detected.

After virtually promising to get Ray acquit-

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ted, Foreman began to change his tune in about January of 1969. He now told Ray that his case was hopeless. The media was against him, the city of Memphis was opposed to him, the DA's office had a very strong case. When Ray asked Judge Battle if he could replace Foreman, the judge replied that it was too late. Foreman was now his lawyer of record and that was it.

With Ray hesitating, Foreman went for the kill. He told Ray that, unless he pleaded guilty, he would sabotage his defense by getting Benjamin Hooks to be his co-counsel. Hooks, a black man, was then part of the SCLC, King's civil rights organization. With this clear psychological ploy, Ray finally capitulated. He agreed to plead guilty.

On March 10, 1969 Ray showed up at an entirely stipulated and pre-scripted plea bargained "trial". Canale put on a handful of witnesses. An assistant then recited a "narration" of other evidence against Ray. Foreman cross-examined no one. Foreman accepted all of the narration. He did ask the jurors if they would be willing to send Ray to jail for 99 years. In all, he said about 700 words.

The only man to speak up for Ray was himself.

Ray: Your honor. I would like to say something too, if I may.

The Court: All right.

Ray: I don't want to change anything that I have said. I don't want to add anything onto it either. The only thing I have to say is, I don't exactly accept the theories of Mr. Clark. In other words, I am not bound to accept the theories of Mr. Clark.

Mr. Foreman: Who is Mr. Clark.

Ray: Ramsey Clark.

Mr. Foreman: Oh.

Ray: And Mr. Hoover.

Mr. Foreman: Mr. who?

Ray: Mr. J. Edgar Hoover. The only thing, I say I am not—I agree to all these stipulations. I am not trying to change anything. I just want to add something onto it.

The Court: You don't agree with whose theories?

Ray: I meant Mr. Canale, Mr. Foreman, Mr. Ramsey Clark. I mean on the conspiracy thing.

This is as close as the entire proceeding ever got to a real defense. About this sham, Robert Blakey once said, "He had a competent counsel. He had a trial. He's guilty." These comments tell us all we need to know about the Blakey-led HSCA investigation of the King case.

As dispiriting as the above was for Ray, it was equally sad for King's memory, his survivors, and the public. Why was King killed? Did Hoover have a role in the crime or the cover-up? Why did Tennessee resist, at every turn, a new trial for Ray? Why does the King family have to be pilloried for insisting on a new investigation? Why do the American people not even have access to all the files accumulated on this 30 year old case? Why does the media continue to propagandize about its facts? With Ray's death, it appears that few, if any, of these questions will ever be answered.

In 1993, Jesse Jackson hosted a talk show on CNN in which he and former representative Walter Fauntroy of the HSCA discussed the King case. Almost inadvertently, Fauntroy stumbled onto a probable answer to the above questions. Fauntroy said that in 1979, at the time the HSCA delivered its verdict, he agreed that Ray had fired the fatal shot. He didn't believe that anymore. And he tried to explain why:

Do you remember the excitement about the New Frontier? We had a great decade—the decade of the sixties...but they changed the political landscape of our country in eight years. And what concerns me is that, if in fact there were an apparatus that functioned in this fashion, that apparatus—remnants of it—must be signaled that you're not going to be able to pull off that kind of thing and have people believing that one lone assassin in Dallas shot President Kennedy, and that's that; a lone two-bit robber who got arrested almost every time within hours after he was—he committed a crime did it in Memphis; and that somebody in a kitchen got an idea of how to take Bobby Kennedy out.

Five years later this is the line that the Establishment persists in. There is no "apparatus". Just lone nuts. The last 30 years of James Earl Ray's life was the latest sacrifice on the altar of that myth. ☛