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Mark Lane and People's Temple: Cult's Defender Now Attacks It

By JOHN M. CREWDSON

Special to The New York Times

SAN FRANCISCO — Last September, Mark Lane was proclaiming Jonestown a socialist paradise and professing that he had found a conspiracy within the United States Government to destroy the People's Temple and its founder, the Rev. Jim Jones. By December, he was calling Jonestown a horror and Mr. Jones a paranoid murderer, insisting he had suspected as much all along.

Mr. Lane's turnaround came almost immediately after the events of Nov. 18, when Representative Leo J. Ryan, Democrat of California, and four other persons were shot to death after a visit to the commune in Guyana and when Mr. Jones and more than 800 residents of Jonestown died, many of them apparently by suicide.

The contrasting remarks by Mr. Lane,

a New York lawyer and author, are drawing special attention at the moment because of pending actions against him. But a closer examination of his involvement with the Temple illustrates his propensity, demonstrated over two decades as a public personality, for attaching himself to issues of the moment.

A formal complaint that could lead to disbarment has been filed in New York, based on allegations that Mr. Lane failed to warn Mr. Ryan and his group of dangers that awaited them in Jonestown. In recent days, the relatives of some who died there have brought civil lawsuits against Mr. Lane, charging him with contributing to the wrongful deaths of the commune residents. And a California psychiatrist who is suing the Temple said

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Mark Lane and the People's Temple: A Cause to Fight for, Then Condemn

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Mr. Lane posed as a magazine reporter while interviewing him, an action that apparently would violate the lawyers' code of professional responsibility.

The judicial inquiry in New York was based on a Washington Post reporter's article in which he said Mr. Lane had been quoted as saying he had kept to himself a warning from someone in the Temple that sandwiches to be served to the Ryan party were poisoned or treated with drugs, and had avoided eating any of them himself.

Mr. Lane has denied making such a comment, but last week the Guyana Broadcasting Service reported that Mr. Lane had made essentially the same remarks in a tape-recorded interview a few days after the Jonestown deaths. And the chief counsel for the People's Temple, Charles Garry, who left Jonestown with Mr. Lane shortly before the mass deaths, says Mr. Lane made a similar statement to him that night in the Guyana jungle.

The propriety and legality of Mr. Lane's behavior at the time he represented the Temple remain to be decided in the courts. Whatever the outcome, his involvement with the People's Temple seems likely to follow him for the rest of his career.

Involvement Began Casually

Mr. Lane's relationship with the cult began almost casually, sometime last summer, when his friend, Donald Freed, became interested in "breaking" what Mr. Jones believed was a conspiracy among Federal agencies against the Temple.

Mr. Lane gained prominence through his assertions shortly after the assassination of President Kennedy that the President was a victim of a conspiracy. Now he was apparently intrigued both by the suggestion of a plot to destroy Mr. Jones and, according to Mr. Freed, by Mr. Jones's offer of financial help in efforts to free James Earl Ray, imprisoned for killing the Rev. Dr. Martin Luther King Jr.

Jean Brown, who was in charge of the Temple's headquarters here at the time of the Jonestown deaths and became its ranking official when Mr. Jones died, said in a recent interview that two things had convinced Mr. Jones that the Federal Government was intent on his destruction.

United States customs inspectors, looking for illicit firearms, opened crates of agricultural supplies sent to Jonestown by the Temple, she said, and there were indications that the Federal Communications Commission, acting on short-wave radio operators' complaints about the Temple's San Francisco-to-Jonestown radio link, was monitoring its broadcasts.

Talk Leads to Retainer

Mr. Lane flew to Jonestown in mid-September to talk with Mr. Jones.

The lawyer's interest, Mr. Freed said, had been stimulated partly by the Temple's offer to pay his fare from Guyana to London, where he wanted to investigate a matter pertaining to Mr. Ray's case. But when Mr. Lane left Jonestown three days later, he had been retained by the Temple.

Mr. Lane said in a recent interview that he told Mr. Jones: "I thought they should not panic, should not develop this fortress mentality." However, a few days after he returned to the United States, Mr. Lane prepared a "confidential" memorandum that bore out, and enlarged upon, Mr. Jones's suspicions.

"Even a cursory examination" of the available evidence, Mr. Lane wrote to the commune's leader, "reveals that there has been a coordinated campaign to destroy the People's Temple and to impugn the reputation of its leader."

The conspirators, the lawyer said, included not only the Bureau of Customs and the F.C.C. but also the Central Intelligence Agency, the Federal Bureau of Investigation and the Internal Revenue Service.

But several disaffected former members of the People's Temple had approached the F.B.I. with stories of the physical and mental abuse, only to be told that the bureau lacked jurisdiction and could not take any action. Nor is there evidence that the F.B.I. or the C.I.A. showed any interest in the Temple or its leader before Nov. 18.

I.R.S. Wrote Letter

Moreover, barely a month before Mr. Lane wrote his memorandum, the I.R.S. had advised the Temple in a letter that it had no plans to investigate the church's finances or its self-proclaimed tax-exempt status. And, despite the complaints, the F.C.C. never moved to shut down the Temple's San Francisco transmitter.

Asked about all this, Mr. Lane conceded that no Federal agency had ever taken formal action against the People's Temple. But he said he had believed in a conspiracy designed not to put Mr. Jones out of business or behind bars but rather to "drive Jim Jones crazy" by making him believe the Government was preparing to move against him.

Mr. Lane did not say that before the mass deaths, however.

On Oct. 3, he and Mr. Freed said at a news conference that they had found that American intelligence agencies were trying to discredit Mr. Jones and disrupt his organization and that those agencies were financed with hundreds of thousands of dollars in Federal funds laundered through a South American country.

Praise for Jonestown

Mr. Lane praised Mr. Jones and described Jonestown as an unarmed, peaceful, socialist-agrarian community whose success made it an embarrassment to the United States. Mr. Lane also said that no one was being held there against his will.

In his memo Mr. Lane recommended that the Temple retain him to conduct "a full-scale investigation," principally by filing requests for Government records under the Freedom of Information Act.

Mr. Garry, the Temple's principal attorney, had been filing requests under the Freedom of Information Act for a year, and only the Customs Bureau had found any mention of the Temple or Mr. Jones in its files. The bureau refused to release its information since its investigation of alleged gun-running was still under way.

Mr. Lane never filed any Freedom of Information requests or suits on the Temple's behalf. Miss Brown said later that all he had done was encourage the paranoia of Mr. Jones and his followers. "And really," she added, "he didn't do anything constructive to help us out of it."

Mr. Lane's proposals must have seemed attractive to Mr. Jones because a short time later the lawyer was offered, and accepted, what he subsequently referred to as a "small fee" — \$20,000 — to work full-time for the next three months to determine the origins of the "campaign against the People's Temple."

Mr. Lane received a \$10,000 cashier's check last Oct. 16. Mr. Lane acknowledges that most of that money is unspent, but he said last week that he planned to keep it and bill the Temple for the rest. He also said he might use the money on the Temple's behalf.

The initial element in Mr. Lane's intelligence-gathering campaign proved to be an unsuccessful attempt to win over Joseph A. Mazor, a San Francisco-based private investigator who became a vocal critic of Jonestown after he was hired by relatives of some Temple members to investigate conditions there.

In early October, Mr. Lane took Mr. Mazor to lunch with two reporters, Robert Levering of The San Francisco Bay Guardian and Hal Jacques of The National Enquirer, telling them he thought

Mr. Mazor would give them the story of the plot against the Temple.

Mr. Levering recalled, however, that Mr. Lane seemed to be trying to push Mr. Mazor "farther than he wanted to go," and Mr. Jacques added that, when Mr. Mazor began speaking negatively about Jim Jones, Mr. Lane quickly said Mr. Mazor was a former convict and could not be trusted entirely.

Asked recently about the source for his allegations of C.I.A. efforts to destroy Jonestown, Mr. Lane said: "A large part came from Joe Mazor. I don't know whether to believe him or not."

On Oct. 2, the day before the news conference, Mr. Lane traveled to Ukiah, Calif., where the People's Temple had been based before moving to San Francisco, to interview two other critics of the Temple, Kathy Hunter, a local newspaper reporter, and Dr. Steven Katsaris, a psychiatrist whose daughter, Maria, had become Mr. Jones's mistress.

Dr. Katsaris said Mr. Lane did not

identify himself as a lawyer but rather as "a journalist working on an article to be printed in Esquire magazine."

"I asked him why his name was familiar," Dr. Katsaris recalled, "and he said maybe it was from something he had written." Mr. Lane proceeded to question him not only about his daughter, Dr. Katsaris said, but also about a lawsuit he had brought against the Temple.

Clay Felker, the editor of Esquire, said his magazine had never assigned Mr. Lane to write an article on the People's Temple or anything else. The lawyer's code of professional responsibility mandates that "in his representation of a client, a lawyer shall not knowingly make a false statement of law or fact."

Offer of Help in Extortion Case

Although Mr. Lane had been retained only in connection with the Freedom of Information investigation, and although Mr. Garry was the Temple's principal attorney, Steve Ramirez, an investigator for the Los Angeles District Attorney's office, said that Mr. Lane telephoned him early last November and stated that he was "representing the People's Temple and wanted to know if there was any way he could assist us" in an extortion case involving the Temple.

Mr. Lane stated that he and Mr. Garry were co-counsel for the Temple, Mr. Ramirez said, but he checked with Mr. Garry later and found that was not true.

Mr. Lane is a member of only the New York State Bar. Mr. Ramirez said he was "under the impression" that Mr. Lane had been admitted to practice law in California but that Mr. Lane had never specifically said so.

Last year, after Mr. Lane became James Earl Ray's 10th attorney, he moved to Memphis, where Dr. King was killed, and opened a law firm with April Ferguson. Neither is a member of the Tennessee bar, but Mr. Lane said that did not matter because their firm had no cases other than Mr. Ray's.

Letter to Congressman Ryan

Despite his pledge to work full-time on the Temple's case, Mr. Lane wrote to Mr. Ryan on Nov. 8, saying he would be "engaged during the middle of November" in "representing several witnesses who were to appear in public testimony before the House Select Committee on Assassinations." Mr. Lane asked the Congressman to postpone a fact-finding trip to Jonestown because it was "entirely appropriate and proper that I should be there." Mr. Ryan declined.

Mr. Lane also proposed in his Sept. 27 memorandum to Mr. Jones to open a "public relations counteroffensive" designed "to tell the truth about the People's Temple and the charges against it," and said he would be available to "appear on numerous radio and television programs" in the Temple's behalf.

He urged Mr. Jones to begin "a massive educational campaign" directed at Congress, some of whose members, he said, were involved in the "effort to destroy the People's Temple." Mr. Lane said the Temple should open an "embassy" in Washington, and suggested renting space in a building "directly across the street from the U.S. Supreme Court." It was, he added, "a building which I own."

Finally, Mr. Lane said that Art Kevin, the news director of radio station KVI in Seattle, had "agreed to do a one-hour program on Jonestown and the People's Temple . . . to be broadcast nationally."

But Mr. Kevin said that, although Mr. Lane invited him on the trip to Guyana with Mr. Ryan, he was too busy to go and added: "I didn't promise a one-hour show; I hadn't promised to do anything."

Miss Brown said she recalled an occasion when Mr. Lane tried to prevent an unfavorable article from appearing in The National Enquirer. Asked about that, Mr. Lane said that, during his visit to Jonestown last September, Mr. Jones said he was "desperate" about the article and he became concerned that "the publication of that material would drive Jim Jones over the brink."

In an affidavit, Miss Brown said she flew to Los Angeles and was met by Mr. Lane, who asserted that the article "had to be stopped" and told her to return to San Francisco and seek permission from Jonestown to give him an additional \$10,000 "so that he might acquire and respond to the impending article."

Permission was granted, and the next day Miss Brown again met Mr. Lane in the Los Angeles airport. "He asked for the money," Miss Brown said in her affidavit. "I handed him \$10,000 cash and asked him to please try to get the price down if he could."

She said Mr. Lane indicated someone from the Enquirer was at the airport and took the money and disappeared, returning more than an hour later with a sheaf of typewritten pages. She said Mr. Lane gave her \$2,500, explaining that "the guy had wanted \$10,000, but that he had talked him down to \$7,500."

"The article was extremely negative about the People's Temple," she said. When she expressed alarm, she said, Mr. Lane suggested, "Well, a hundred thousand might stop it" from being published.

Miss Brown said she dismissed the suggestion out of hand.

Lawyer's Account Differs

Mr. Lane has acknowledged that he obtained a copy of the article but would not say from whom. He said he had the article in a locker at the airport and that he returned to Miss Brown with it in a matter of minutes. He added that he had obtained the article for free and had told Miss Brown he needed the \$10,000 to finance an investigation of the article's charges. "I said, 'Funds are required to immediately check out every allegation,'" Mr. Lane said.

Mr. Lane said Mr. Jones had told him in Guyana "that he would pay \$100,000 to have it suppressed" but he had told Mr. Jones he was "not in that business." Mr. Lane also said he never made such a suggestion to Miss Brown. However, Mr. Lane said he was "not prepared" to accuse Miss Brown of having perjured herself in her affidavit, which he characterized as "her impression" of events.

Mr. Lane said he still had the \$7,500, which he believes was taken from Mr. Jones's personal funds, and, "I'm not sure what should happen to it."

The Enquirer article was never published. Mr. Levering, the Bay Guardian reporter, recalled that at the Oct. 5 lunch Mr. Lane expressed interest in the article and Mr. Jacques told him the newspaper "had canned it, or words to that effect."

Denials From Two

Both Mr. Jacques and Mr. Lane denied that such a remark was made. Gordon Lindsay, the article's author, said he learned in December that the article had been killed in early October.

Mr. Lindsay, who was in Guyana with Mr. Ryan's party, said Mr. Lane called the article a "horror story" before Nov. 18 and suggested the Enquirer might be sued for libel if it appeared. Shortly after Mr. Ryan was murdered, he said, Mr. Lane assured him, "The article you wrote was absolutely, 100 percent true."

Mr. Lane was to say later that he began to learn some of the darker truths about Jonestown three weeks before Mr. Ryan's trip, when Teri Buford left the San Francisco Temple, telling Mr. Jones in a letter that she was going "underground" to infiltrate the Temple's opposition, and met the lawyer in New York.

Miss Buford subsequently said she had actually quit the cult and the letter was a ruse to give her time to escape. The first indication of her whereabouts to anyone in the Temple came 11 days after her departure, when Mr. Lane asked Mr. Jones for permission to act as her lawyer without involving himself in a conflict of interests.

Miss Buford said she sought refuge with Mr. Lane, publicly one of Mr. Jones's staunchest supporters, because she knew him to have some private "criticisms of the Temple."

Almost as soon as Miss Buford met Mr. Lane, they say, she began to tell him that Mr. Jones had gone mad, that the settlement was an armed camp, that people were being drugged and held there against their wills, that the Temple held suicide drills and that it had plans to murder defectors and unfriendly public officials.

But when Mr. Lane wrote to Mr. Ryan on Nov. 6 to request that he delay his trip, the lawyer made no mention of impending danger, assuring Mr. Ryan that "the people of Jonestown have expressed a willingness to care for your needs and the needs of your staff and associates."

Mr. Garry recalled his conversation with Mr. Lane after they left Jonestown for the surrounding jungle. "Right away," Mr. Garry said, "Lane was afraid he was going to be tagged as Ryan's murderer."

Mr. Lane chastised him for having eaten a cheese sandwich at lunch in the commune, Mr. Garry said. When he asked why, Mr. Lane replied that he was warned that the sandwiches "had been poisoned or doped." Mr. Garry said that he asked why Mr. Lane had not said so

earlier and that Mr. Lane replied, "Because we weren't speaking."

Miss Ferguson said Mr. Lane "never had any notion that the cheese sandwiches were poisoned." And at a news conference here, Mr. Lane insisted he had eaten everything offered to him at Jonestown and had not seen any cheese sandwiches.

Mr. Lane was quoted as having assured reporters on Nov. 17 that none of the thousand or so residents at Jonestown was being held against his will. A day or so after the mass deaths, he was saying that, in the commune's last desperate hours, he repeatedly urged Mr. Jones to let any disaffected residents leave quietly but Mr. Jones refused.

"I went down there fearing there would be a tragedy," Mr. Lane said. "I wanted to get as many people out of Jonestown as possible." He also insisted that he had warned Mr. Ryan of the dangers Miss Buford had communicated to him. No one on Mr. Ryan's staff knows of any warnings.

After the killings and suicides, Mr. Lane had no contact with Temple officials, they say.

But if he had put one client aside, he clung fast to another, producing Miss Buford at news conferences and for "exclusive" interviews in which she told a tale of a man's madness and a commune's illegal and violent activities. And Mr. Lane has signed a contract for a book about his and Miss Buford's experiences with the Temple.

...to destroy the People's Temple, Mr. Lane discovered a conspiracy within the Temple. The plot, he said, was code-named the "Last Stand Plan," was financed with a \$10 million "secret fund" and was to be carried out

by Temple survivors sworn to avenge Mr. Jones's death by killing defectors and public officials. The F.B.I. says it has found no evidence of such a plan.

Since returning to the United States, Mr. Lane has been criss-crossing the country for speaking engagements and radio and television appearances.

One such appearance, at a church in Long Beach, Calif., was billed as "your chance to hear about the Jonestown massacre from an eyewitness" for free. Mr. Lane spoke for five hours to an enthusiastic audience of 250, then a collection was taken up for Mr. Lane's Citizens Commission of Inquiry, volunteers looking into the King and Kennedy assassinations.

Mr. Lane portrayed Jonestown as a failed dream built on soil in which nothing would grow and he said he had seen in the eyes of Jim Jones a "death warrant."

"I'm the only person who tried to prevent the murders and tried to keep Leo Ryan from going to Guyana," Mr. Lane declared.

He did not elaborate. Nor did he mention that as of Nov. 18, when Mr. Ryan and four others were slain on the airstrip at Port Kaituma, a few miles from Jonestown, he had not canceled his commitment to be the guest speaker at a dinner here Dec. 2 to raise funds for Jonestown. The dinner was canceled three days after the mass deaths.

Not long after Mr. Lane began his speaking tour, the San Francisco Temple was somewhat surprised to receive a letter from him.

Not knowing quite what to expect, staff members opened the envelope. Out fell a bill for \$2,800 — for expenses incurred by Mark Lane during Congressman Ryan's visit to Jonestown.

PICTURES USED W STORY



©The Chicago Tribune

The Rev. Jim Jones, left, conferred with lawyers Mark Lane, center, and Charles Garry in Jonestown last Nov. 17, the day before the ambush in which a Congressman died and the mass deaths in the colony.



Holly Bower

In 1966, Mr. Lane went on a speaking tour to attack the Warren Commission report on the assassination of President Kennedy.

Looking Behind Lawyer's Image Turns Up Some Contradictions

Special to The New York Times

SAN FRANCISCO, Jan. 23 — The credentials presented by Mark Lane to his client, the People's Temple, were impressive, judging from a biography that rested in the Temple's files.

The biography quoted Fred J. Nichol, a Federal judge from South Dakota, as describing Mr. Lane as "the finest investigator in the country." It went on to note that Mr. Lane had been a member of the New York State Legislature, had managed John F. Kennedy's 1960 Presidential campaign in the New York City area and had been a professor of law at Catholic University in Washington, D.C.

Judge Nichol, who presided in 1975 over the Wounded Knee trial at which Mr. Lane served as a defense counsel, said in a telephone interview that he was "not sure" he had made such a statement but "I might've been carried away."

However, the Kennedy Library in Cambridge, Mass., said it had no record indicating Mr. Lane was involved in the 1960 Presidential campaign. And Sue Nelson, an information officer at Catholic University, said Mr. Lane was never employed there as a professor of law, although he was retained a few years ago as an untenured lecturer for an evening class of about 20 law students.

Known as Defender of the Poor

According to the best available sources of information, Mark Lane was born in New York City Feb. 24, 1927. He graduated from Brooklyn Law School in 1951 and shortly afterward set up practice in East Harlem, where he acquired a reputation as a defender of the poor and the oppressed.

Seymour Ostrow, his law partner then, said recently that Mr. Lane's reputation was largely an illusion. Their small firm, Mr. Ostrow said, drew its clients mostly from the impoverished neighborhood. But he said Mr. Lane seemed to be "motivated more by his ambition and quest for publicity than any dedication to a cause or concern for the interests of his clients."

He said Mr. Lane made much of his role in helping found a narcotics clinic that purported to have a cure for drug addiction, a cure that Mr. Ostrow said did not exist. "I don't think they did terribly much except publicize themselves," he said of the clinic's operators.

When the shaky law partnership broke up in the late 1950's, Mr. Lane began to associate with the fledgling civil rights movement, and he was arrested with some Freedom Riders in Mississippi.

Mr. Lane had political ambitions. In 1960 he was elected to the state Assembly from Manhattan's 10th District, which

embraced East Harlem and Yorkville, where Mr. Lane lived.

His two years in Albany were stormy. He accused the Speaker, Joseph F. Carlino, of a conflict of interests in having promoted the construction of fallout shelters while holding a financial interest in a company that produced them. The Assembly sided with Mr. Carlino, endorsing, 143 to 1, a committee report that cleared the Speaker. Mr. Lane cast the dissenting vote.

Bentley Kassal, one of Mr. Lane's fellow Assemblymen and now a State Supreme Court Justice, said that Mr. Lane "seemed dedicated to publicity" during his two years in Albany and that, aside from the Carlino fight and a few instances in which Mr. Lane would "take old bills and retread them," the Assembly "didn't see much" of him.

Near the end of his term, Mr. Lane announced that he would seek the Democratic nomination for Congress from the 19th District, but Mr. Kassal beat Mr. Lane in pre-primary voting by the reform Democrats and Mr. Lane never ran for elective office again, returning instead to the civil rights movement, which was in full flower.

In a recent interview with The Memphis Commercial Appeal, Mr. Lane recalled being arrested with the Rev. Dr. Martin Luther King while trying to desegregate a Baltimore amusement park. But D'Army Bailey, a Memphis lawyer who, with Mr. Lane, was among the 200 or so protesters arrested at the demonstration on July 4, 1963, said he had no recollection of Dr. King's being present.

Several Books Plus One

Mr. Lane is currently engaged in attempting to free James Earl Ray, Dr. King's confessed killer, who now says he did not commit the crime but was coerced into confessing.

A few months after the Baltimore demonstration, President Kennedy was assassinated, and it was Mr. Lane's early, loud criticism of the Warren Commission's investigation — especially in his book "Rush to Judgment" — that propelled him to national prominence.

In the intervening years Mr. Lane has written other books about controversial events with which he has become involved, and soon there is to be one about his involvement with the People's Temple in Jonestown, Guyana.

In a recent interview, Mr. Lane said he planned at least one book after that, an autobiography or a memoir. He had decided on a title, he said: "Fly in the Ointment."