

Dear Phil, *MPD*

11/15/77

Thanks for your 11/12 and the enclosed copies of clips. Helpful, as I'll try to be.

I knew what you say re Eggs and Sausage Man from Jowers in early 1971 and from Wayne later. Wayne knows that I believe there was such an incident and also believe it did not involve Youngblood. I have known since early 1971 that Youngblood was in Memphis at about that time.

I am not trying to talk you or Wayne out of anything and I have no book to compete with his. It will be some time before I can get back to writing one. I'm much too busy in court and out with FOIA matters. And I recognize that if as I believe I am correct then he has no book, although it is written. On the other hand he'd better recognize now that if a publisher does go for the book then maybe with a publisher from whom to collect Youngblood might file suit. Knowing these things and liking Wayne it is not easy for me to tell you or him but I feel I must.

My recollection was incorrect with Campbell. It came back to me later that it was Crawford. Except for the later ID of Youngblood it was as Jowers said insofar as Jowers knew. I have no reason to believe there was an actual arrest so none to believe that there is a written record. What I believe is that Crawford was interviewed by the police. His story was checked out and it did check out. When he was seen with the police I think it was assumed that he was arrested.

I know something about the files Crumby burned. There really was a massive domestic intelligence operation down there. Tell Wayne please that all I asked him about preparatory to turning it over to Les Payne and afterward when we both saw Wayne is correct on this. I believe that the vet's suit was merely the needed excuse for unloading all of that stuff. It was really dreadful stuff over which I believe the city could have been sued successfully. Any opening of the dam would have been a flood. So they took no chances and destroyed all. I doubt that any reporter can get anyone involved to talk. There is a better chance of what Wayne knows about, the electronic and other surveillances. I have a best-possible but must-be-protected source on the inside.

Particularly glad to get the "blockbuster" story because it has since been denied by the committee. I knew of it from radio broadcasts first and then a couple of pieces generally of less than a stick. I believe but do not know that Blakey got after Stokes, who is neither very responsible nor very bright from what reporters tell me. He is unwise with them, asking to get clobbered and acting and speaking foolishly.

On Lane, and I have no objection to telling Kay as long as it being my idea is not disclosed, there is more than these stories report and as usual Lane is less than truthful. Jerry told me a long time ago that Lane represented the entire family. On a New York City broadcast with Lifton and Jeff Cohen after their New Times piece on Jerry was out Lane did say that he represented Jerry and that he would sue them all for libel. If I have not given the tape away I have it. It was sent to me by someone in New York. Station WJGA, I think the show of Lane's old pal Jerry Williams.

Neither the language nor the ideas in Kay's story about Jerry's suit can be Jerry's. He may not even know what some of the words mean. Not from anything Jimmy ever told me but merely from what has been attributed to him and his subsequent lawyers in the papers all those interrogatories are what Jimmy is hung up on and clearly intends using the phoney Jerry civil suit as a means of trying to obtain. If it is irrational Jimmy still believes that he can get legal help from the operations against King. Nonsense. Lane has conned him into believing the junk he has in that very bad book. And Jimmy's major trouble for some years has been that he thinks he is Perry Mason. Jerry does, too. Jerry is a mark, what he calls a Hoosier. But he thinks he is bright and a master of p.r. The stories, old, place him in Georgia. Last I heard he was in St. Louis. Best to you all,

# King Probers Told to Expect 'Blockbusters'

By TIM WYNGAARD  
Scripps-Howard Staff Writer

WASHINGTON — Chairman Louis Stokes, D-Ohio, of the House Assassinations Committee has informed panel members to expect "blockbuster" developments in the investigation of the killing of the Rev. Martin Luther King Jr.

Committee members said Stokes told them the committee's investigating staff has developed "startling" information about the slaying of the civil rights leader in 1968. They said Stokes promised them a full briefing by the middle of next month.

The committee's investigation of the assassination of President John F. Kennedy has been scaled down and the panel's professional staff apparently has been spending virtually all its time exploring new leads in the King case.

Sources said Stokes has moved the headquarters for that investigation to St. Louis from Washington to lessen national media attention and to allow the staff to spend all the time it needs in Memphis.

In addition, the sources said, Stokes has told them the King investigators turned up "more than 100" witnesses who never have been interviewed by police officials. The probe has taken congressional investigators to Canada to pursue possible leads there as well, the sources said.

Word that new information is forthcoming, based on partial briefings of committee members by Stokes in recent days, is the first indication of any progress in the investigations.

Last August, after the committee was wracked by feuds between members and staff aides, Stokes slammed a tight secrecy seal on its work and hired Cornell University Law School Prof. G. Robert Blakey as new staff director.

To prevent leaks, only Stokes is being fully briefed by Blakey's staff on progress of the investigation, and Stokes is passing along part of the information to committee members. But Stokes promised the committee a full staff report by mid-November.

Some work is continuing in the Kennedy case, primarily on possible links between Lee Harvey Oswald, Jack Ruby and right-wing Cubans, according to the sources.

But primary attention is being devoted to the King matter "because the trail is a lot fresher there" and because early investigative work apparently has been more productive, according to the committee members.

Of the new witnesses in the King probe, about 60 are considered to be of little use, the sources quote Stokes as reporting. But the remaining 40 or more have turned over some "significant" information, according to those reports.

The Canadian end of the investigation centers on convicted King assassin James Earl Ray's claim that he was recruited there by a mysterious man whom he knew only as "Raoui" to take part in a gun and drug-smuggling plan. Instead he was framed for the King killing, Ray claims.

MEMPHIS PRESS-SCIMITAR, FRIDAY, OCTOBER 28, 1977

## James Earl Ray's Brother Queries FBI

By KAY PITTMAN BLACK  
Press-Scimitar Staff Writer

Jerry Ray, brother of James Earl Ray, the man serving a 99-year prison sentence for the slaying of civil rights leader Dr. Martin Luther King Jr., has filed briefs in federal court seeking to find out details about the Federal Bureau of Investigation's alleged electronic surveillance of King.

Filing a set of interrogatories (legal questions in writing which seek written answers from defendants), Jerry Ray's questions to the FBI deal chiefly with its investigations of King before and after his death.

Now living in Marietta, Ga., Jerry Ray in August filed a civil suit naming numerous defendants, including book writers and a publishing company as well as the FBI. He contended that he believes the FBI was furnishing material to writers and said he had been libeled by published accounts saying lately "that I knew my brother James killed Dr. King, that I was told by him he was going to do it and all sorts of other lies."

Ray wants the FBI to tell him if they have ever opened his mail or searched his residences after King's death.

Ray also wants to know if the FBI has any "knowledge or credible information that plaintiff (himself) was culpable in the murder of Dr. King."

He also asked if any members of the Southern Christian Leadership Conference, which Dr. King headed, were under electronic surveillance by the FBI between March 28 and April 2, 1968, and if so, a list of their names. Ray wants to know on what date did the FBI first use an electronic device to record conversations between King and other parties he communicated with and what date "did the FBI terminate permanently the electronic surveillance of Dr. King."

Other questions include:

- Who initiated any alleged King surveillance?
- Who in government authorized it?
- How many times was such surveillance done without any authorization?

Ray also wants to know if the FBI has delivered to the U.S. District Court for the District of Columbia and U.S. Dist. Judge John Lewis Smith Jr. any material resulting "from the bureau's electronic surveillance of Dr. King" which Ray claims Smith ordered placed in the National Archives.

## Jerry Ray Poses Queries To FBI

Jerry Ray yesterday presented questions to the Federal Bureau of Investigation in connection with a libel suit filed last month over a book about his brother, James Earl Ray, and the assassination of Dr. Martin Luther King Jr.

Jerry Ray listed 53 questions for the FBI, many concerning the agency's alleged surveillance of both Ray brothers and King, whose slaying James Earl Ray admitted.

The inquiries also deal with Jerry Ray's allegations that the FBI cooperated with George McMillan, author of "The Making of an Assassin," in providing information on the King case.

FBI officials have 30 days to respond. A similar suit filed by James Earl Ray last year was dismissed by U.S. Dist. Judge Harry W. Wellford as frivolous. This suit has also been assigned to Wellford.

Eighteen questions were also filed yesterday for responses from Little Brown & Co., publisher of the McMillan book, which was also named as a defendant. Time, Inc., the parent firm, was a defendant in the earlier suit.

10/29/77

### Ray's Escape Trial Opens With Rebuff To Defense Lawyer

WARTBURG, Tenn., Oct. 27 (AP)—A Criminal Court judge today rebuffed James Earl Ray's initial attempt to open the convicted assassin's escape trial into a forum to discuss the murder of the Rev. Dr. Martin Luther King Jr.

But Mr. Ray's attorneys said they still hoped to present testimony on their client's 1969 guilty plea to the Memphis slaying, and thus make the murder charge an issue in the current trial, in which Mr. Ray is charged with escaping from Brushy Mountain Penitentiary last June 10.

At the court session, a nine-man, three-woman jury was selected.

Before the trial began, Mr. Ray's attorney, Mark Lane, said he would argue that his client was illegally confined and therefore not guilty of illegal escape.

The trial is being conducted at the Morgan County Vocational School because the country courthouse is being remodeled. Security was tight around the building, which is about 10 miles from the penitentiary.

Mr. Lane had hoped to show that Mr. Ray was deprived of a fair trial in Memphis in 1969 when he pleaded guilty in a court in Shelby County to the slaying of Dr. King in Memphis on April 4, 1968, and was sentenced to 99 years in prison.

"I have no intention to provide a forum for Mr. Ray to issue his complaints against the system, the Shelby County authorities or anybody else," Judge Lee Ashbury said. "I believe that the law is very narrow in this case."

Chicago, Tenn.

TUESDAY, OCTOBER 25, 1977

### James Earl Ray Wants Lawyer To Be Replaced by Mark Lane

WARTBURG, Tenn., Oct. 23 (UPI)—James Earl Ray, the convicted killer of the Rev. Dr. Martin Luther King Jr., asked today that his attorney, Jack Kershaw of Nashville, be replaced by Mark Lane, the New York lawyer who wrote a book on King assassination.

Mr. Ray said Mr. Kershaw was "deeply involved in a conflict of interest" because of a recent interview with Playboy magazine that included results of polygraph tests indicating that Mr. Ray lied when he denied killing Dr. King at Memphis in 1968.

Mr. Kershaw, the latest of 10 attorneys Mr. Ray has had since his arrest in 1968, responded to the request by asserting that his client was incompetent and required a psychiatric examination before his coming trial on escape charges.

Mr. Ray made his request in preliminary motions filed with Criminal Court Judge Lee Ashbury in connection with his trial on charges of escaping from Brushy Mountain State Prison June 10. The trial is scheduled for Thursday. Judge Ashbury took the request under advisement.

### Ray's Lawyer Plans to File For New Trial

NASHVILLE (UPI)—An attorney says he will file a motion for a new trial for James Earl Ray, convicted assassin of Dr. Martin Luther King Jr.

Ray is entitled to the action because the trial judge, W. Preston Battle, died before acting on Ray's request for a new trial, lawyer Mark Lane said in a telephone interview with The Tennessean Tuesday.

Ray originally pleaded guilty to the 1968 slaying but later claimed he was tricked into doing so by his former lawyer and he sought a new trial.

Lane said the motion for a new trial would be filed within six weeks to two months.

"We're going to file a motion with the criminal court clerk in Memphis using what is stated in section 17-117 of the Tennessee Code Annotated as the reason Ray should get a new trial," Lane said.

That section of the code says:

"Whenever a vacancy in the office of trial judge shall exist by reason of death of the incumbent thereof . . . after the verdict but prior to the hearing of the motion for a new trial, a new trial shall be granted the losing party if motion therefore shall have been filed within the time provided by rule of the court and be undisposed of at the time of such death . . ."

Battle accepted Ray's guilty plea March 10, 1969, and sentenced him to 99 years in prison. Battle died in his chambers of an apparent heart attack three weeks later.

The day after Ray was transferred to the penitentiary, he wrote a letter to Battle asking for a new trial, Lane said. "Battle died before acting on Ray's request well within the 30-day time limit."

Jack Kershaw of Nashville, Ray's lawyer until last Tuesday, said he feels if Lane "does it correctly, he will get Ray a new trial based on what is said in the code about a new trial after death or insanity."

Lane and Kershaw were interviewed after Jerry Ray, brother of the convicted assassin, called the newspaper to claim that Kershaw had pocketed \$11,500 from Playboy magazine for arranging an interview with Ray and a lie detector test. He also said Kershaw kept \$2,000 paid by a French television crew filming a documentary.

10/29/77

### Ray's Lawyer Sees 'Blockbuster' Coming in Inquiry on King Slaying

PETROS, Tenn., Oct. 28 (AP)—Investigators from the House Assassinations Committee will question James Earl Ray at Brushy Mountain State Penitentiary again next month, Mr. Ray's attorney said today.

The attorney, Mark Lane, said, "I understand the committee has some new evidence, and I think you'll see some blockbuster developments on the King assassination coming out of its investigation."

Mr. Ray, who is serving a 99-year prison term after pleading guilty to killing the Rev. Dr. Martin Luther King Jr., was convicted yesterday for his June 10 escape from the rural East Tennessee prison.

#### Ray's 14th Attorney

He was sentenced to an additional one to two years in prison, which extends the date that he is first eligible for parole from July 1998 to July 1999. The sentence was the minimum the jury could impose under the state's escape law.

Mr. Lane, the author of books saying that conspiracies were involved in the assassinations of Dr. King and President Kennedy, became Mr. Ray's 14th attorney on Tuesday, two days before the trial.

He said that he was told today by Robert Lehner, head of the House assassination panel's inquiry into the King murder, that investigators would return to Tennessee to question Mr. Ray on Nov. 14. The committee's staff met with Mr. Ray at least four times before his escape and once since his recapture on June 13.

Mr. Lane's statement that he expected some "blockbuster" developments in the King case coincided with a report today by the Scripps-Howard News Service that the chairman of the committee, Representative Louis Stokes, Democrat of Ohio, had told other members of the panel to expect the same.

Mr. Ray, who pleaded guilty in March 1969 to murdering Dr. King in Memphis, testified yesterday that he had escaped hoping to make a deal with Attorney General Griffin B. Bell for a new murder trial.

"It was my intention after I was out a couple of months to make some arrangements with the Attorney General, General Bell, for a new trial in the King case," he said.

Three days after pleading guilty to Dr. King's death, Mr. Ray tried to withdraw the plea. He has been trying to win a new trial ever since.