PRESS RELEASE

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Confiscation of all court records of the extradition trial of James Earl Ray, accused killer of Dr. Martin Luther King, Jr., and suppression of all other meaningful evidence are charged against the federal government in a suit filed in the U.S. District Court here today by Harold Weisberg, Frederick, Md., author of a series of books on the assassination of President John F. Kennedy.

The suit, filed under the "Freedom of Information" Law, alleges the Justice and State Departments contrived to remove "all copies of transcripts" and "all affidavits presented by the American government" in the Bow Street Magistrate's court in London where Ray was ordered returned to Memphis for trial.

Weisberg charges this is the first time in history that an American citizen has been tried and all copies of all evidence have been removed from the court. In a press conference here today, he read from a letter confirming this; the letter was written by the clerk of that court, at the direction of its Chief Magistrate, Frank Milton. He added that Milton is the judge brought here to testify before Congress on the alleged benefits of the so-called "preventive detention" law.

No copies remain in the court or the British Home Office, this letter says, after the official copies were given to the Home Office for delivery to the U.S. State Department.

Weisberg tried for a year to obtain these official records for a book he has written. When he could not get them from the London court and got no response from the Department of Justice after six months, he engaged a former counsel of the Senate Administrative Practices Subcommittee, which reported this law to the Senate. The lawyer's efforts,

beginning last August, also were unsuccessful. Deputy Attorney General Richard Kleindienst claims "no copies" of any of the records are in Justice Department files.

"This is impossible unless the records have been deliberately destroyed," Weisberg says. "The Justice Department actually prepared many of these affidavits - the only pretense of real evidence against Ray in Britain. The State Department forwarded them. It is inconceivable that both departments kept no copies of these affidavits which were produced in a public proceeding in open court.

"I expect to prove in court that the statements by the Justice Department are purposely false and deceptive, and that the objective is suppression of the unquestionable fact that the evidence was misrepresented in Memphis.

"The evidence does not prove Ray was the assassin. Therefore, the government dares not permit comparison of the affidavits it produced in the London court, where it had to anticipate cross-examination (although there was none), and the falsehoods and distortions presented in lieu of a trial in Memphis, where it knew there would be no cross-examination. This comparison would prove misrepresentation in Memphis."

In Memphis, Ray was represented by famed Texas criminal lawyer Percy Foreman, who arranged a plea of guilty, thus obviating a trial. Weisberg says the purpose was to avoid a trial, where the deficiencies of the case against Ray as the murderer would be exposed. He believes there was a conspiracy, of which Ray may have been a part, but that the evidence proves he was not the shooter. This means, he charges, that the actual murderer is still free, and that the government arranged a frame-up.

He quotes Kleindienst as saying that "even if" the Justice Department had these affidavits, they would be privileged as "investigative files." Weisberg says even if these ever were "investigative files,"

and he denies it, they lost this status when they were produced in open court and became the basis of the decision to extradict Ray back to the United States.

He charges the denial to a writer of the public records of a public trial is "unparalleled in our history, a dangerous precedent, and is particularly inappropriate for an Administration that has belabored the press as biased and failing in its responsibilities to report all the news and to report it impartially."

Aside from what he describes as "the raw abuse of raw power," Weisberg charges this denial of public court records is both "the adoption of the methods and practices of totalitarianism" and "the most severe limiting of the legal rights and capabilities of the accused, meaning all Americans."