

# The Assassination of the Reverend Martin Luther King, Jr., and Possible Links With the Kennedy Murders — Part One

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## The Eggs and Sausage Man

An athletic-appearing man walked into Jim's Cafe, 411 S. Main, in downtown Memphis, Tenn., about 4:30 p.m. on April 4, 1968. He ordered eggs and sausage. His mood and manner evoked the attention of at least two persons — the black waitress who took his order, and the white owner, Lloyd Jowers. The memory of the customer's face and figure remains firmly etched in the minds of both Jowers and his waitress, more than five years after the event.

At 6:01 p.m. the same day, about an hour after the eggs and sausage man had digested his last morsel, wiped his plate clean with a biscuit, paid his bill and left the cafe, Jowers heard an exploding sound in back of his cafe.

## The Assassination of Dr. Martin Luther King

A sniper had assassinated Dr. Martin Luther King, Jr., as he stood on the balcony of the second floor of the Lorraine Motel, an establishment that catered exclusively to blacks, less than a block away from the cafe.

Wayne Chastain of Memphis, Tenn., is a veteran newspaper reporter and southern journalist with experience on several metropolitan dailies in Texas including El Paso, Houston, Dallas and San Antonio, as well as on the St. Louis Globe-Democrat and a Memphis daily. He had traveled with Dr. King's entourage on and off for two years prior to the assassination. He had spent the last two days of King's life covering his speeches in Memphis prior to the shooting. He was on the murder scene within 10 minutes after Dr. King was shot. He interviewed eyewitnesses for one of the first comprehensive news accounts to the nation of Dr. King's death. A native Texan and a graduate of the University of Texas with a bachelor's degree in history and political science, Mr. Chastain also spent several months in early 1964 investigating and researching the assassination of President Kennedy, Jack Ruby's link with Lee Harvey Oswald and a group of pro-Cuban arms runners, and other activities related to Kennedy's death. Months before The Warren Commission's report, which was published in the fall of 1964, Mr. Chastain — after exhaustive interviews with hundreds of witnesses — had reached the conclusion that President Kennedy's death was the result of a plot involving paramilitary professionals financed by a group of wealthy, right-wing Texans with strong connections with former high officials with the Central Intelligence Agency as well as lower echelon CIA personnel still assigned to the bureau. The present installment is an excerpt from a forthcoming book entitled: Who Really Killed Dr. King — And The Kennedys? A Disturbing View of Political Assassinations In America.

VERY ORIGINAL!

"The shot sounded as if it were fired in back of the cafe," Jowers said. "At the time I thought it was just a backfire from a truck."

The killer fired a single rifle shot. The bullet pierced Dr. King's lower right jaw, ripping open a wide, flap-like area extending from his lower face, upper neck and upper shoulder. The shell, however, shattered into fragments, later making it impossible for ballistic experts to ascertain the exact weapon from which it was fired. The bullet apparently traveled in an upward trajectory because witnesses maintained the impact thrust Dr. King's body in an upward motion, literally lifting him off his heels and into the air. The official version, however, disputes the upward trajectory and maintains the shot was fired from the second story rooming house above Jim's Cafe, rather than from a site in back of the cafe.

## Chauffeur Witnesses Slaying

Solomon Jones, Dr. King's chauffeur, stood on the ground floor below the balcony and was looking up in Dr. King's face as Dr. King leaned down on the balcony and asked Jones if he needed an overcoat. Jones said he was looking directly at Dr. King's face when a red splotch flashed across his chin and upper chest.

"He seemed to float up in the air and come down on his back," Jones told this writer less than 30 minutes after King was shot. "I heard the shot and turned around and saw a man with a white sheet on his face in some bushes over there." Jones pointed to a clump of bushes to the right of the back door of Jim's Cafe. Jones said he thought the gunman threw something from the bushes and then "hunkered down again" as if he were going to fire another shot. (A famous writer, however, has related a slightly different version of Jones' story.) Jones told this writer on that night that when the man "hunkered down", that he, Jones, ducked down behind Dr. King's Cadillac parked directly under the second story railing, because he thought he might be shot if the gunman was going to fire again. Seconds later, when people were rushing onto the Lorraine parking lot from all directions — including policemen, firemen and plainclothesmen — Jones rose up from behind the Cadillac and again looked over to the clump of bushes. Jones told this writer he was positive he saw the same man he saw a few minutes before — sans white sheet on his face and sans weapon — stand up from the bushes again. He walked out of the bushes at a slow pace, and casually joined a group of firemen running toward the Lorraine (a fire station was at the corner of South Main Street, less than a half block from Jim's Cafe). Jones said he kept his eye on the man and suggested to this writer that he was psychologically paralyzed for a few seconds as the man walked right onto the Lorraine property with the firemen and got within 25 feet of him.

"Things were happening so fast," Jones said. "I believe he got within 25 feet of me, but he didn't have any sort of weapon. There was so much confusion at that point. People were running over to the motel in every direction it seemed. The man wore a jacket and I believe a plaid shirt. Suddenly, he just seemed to vanish in the crowd."

#### Chauffeur's Story Not Believed

Jones said he broke himself from the frozen stance and jumped into the Cadillac (the motor had been running at the time King was shot) and attempted to drive off the motel property to see if the man had fled down adjoining streets. But Jones was hemmed in by incoming police cars and an ambulance. At that point, Jones said he began concentrating on getting Dr. King into an ambulance and received permission from police to drive the Cadillac behind the ambulance to the hospital.

Jones said the police never believed his story. This writer wrote a byline article that appeared in the afternoon daily the next day, relating Jones' story. Neither Jones nor this writer were subpoenaed as witnesses at the trial of James Earl Ray, although other reporters were.

#### Motel Owner's Wife Dies of Heart Attack

Walter Bailey, a black man who had been employed 20 years by The Holiday Inns of America Inc., owned the Lorraine Motel. This motel was named after his wife, who managed the motel during the day when he was at work. Bailey and his wife had invested their life savings in the Lorraine Property and had made the Lorraine a going concern.

Less than 30 minutes after the shooting of Dr. King, Mrs. Bailey dropped dead of a heart attack.

The attack came after she had learned of Dr. King's death on the second floor. Before the attack and seconds after she had been informed of the shooting, an employe told this writer Mrs. Bailey groaned: "My God, what have I done?"

A very religious woman, Mrs. Bailey had been an ardent admirer of Dr. King. The employe told this writer that Mrs. Bailey became as excited as a "school girl" when her husband told her a few days before that Dr. King was going to stay at The Lorraine on his next visit to Memphis.

#### Dr. King's Earlier Visit to Memphis

Dr. King had been in Memphis two weeks before to lead a march of black sanitation workers, who were on strike against the City of Memphis. The event had spawned national headlines because young, black militants turned the intended peaceful demonstration into a massive riot and caused the governor to declare martial law in Memphis and call out the Na-

tional Guard. Time magazine described the event as the "beginning of the long, hot — and bloody — summer of 1968" in the following week's issue.

Dr. King left Memphis after the riot and vowed he would return to the city and lead a peaceful demonstration. The week before, he had completed plans to lead the Poor People's March from Mississippi to Washington, D.C., and now he not only would lead a peaceful march through the city of Memphis in April, but that Memphis would probably be the first major stop on his summer march to Washington.

In order to make the next march a peaceful one, however, Dr. King realized he had to make certain concessions to the young, black militants who had sparked the riot, violence, and destruction, so that he could contain them.

These black militants had bitterly criticized Dr. King for staying at the posh Holiday Inn — Rivermont, a symbol of white affluence in Memphis, a dazzling edifice that towered 15 stories above the bluffs of The Mississippi River near the Memphis & Arkansas Bridge. King had also used the hotel as his press headquarters.

Thus, one of the concessions Dr. King made to the militants was to move out of the hotel and into a black motel. "When Mrs. Bailey learned this fact from her husband, she quickly prepared her best suite on the first floor, according to the employee."

#### Fraudulent Advance Security

Then, on April 2, a day before King was supposed to arrive in Memphis, Mrs. Bailey received a visit by a man she presumed to be black, but whom an employe later warned her was a white man pretending to be black. He identified himself as an advance security man for Dr. King's Southern Christian Leadership Conference. The employe sensed the visitor was a "white man imitating a black". Mrs. Bailey later laughed off the employe's suspicions, pooch-pooching the idea that a white man would imitate a Negro.

The employe described the visitor as about six feet tall, with a "physique like a football player". He had strong facial features and "penetrating black eyes", and "looked more Indian than he did Negro", the employe said.

The visitor — whether he be black, white or Indian — was later a mystery to members of Dr. King's entourage. They acknowledged that a white member of the Justice Department's Civil Rights Division traveled with King and kept adjoining rooms, but that he did not fit the description of Mrs. Bailey's visitor. Nor were there any black members of SCLC that fitted the description — either in the Atlanta or Chicago offices. Memphis SCLC leaders such as Rev. Billy Kyles and Rev. James Lawson said they knew of no

NOTE MRS. BAILEY IS DEAD AND "THE SOURCE" IS NOT IDENTIFIED.

COMPUTERS and PEOPLE for February, 1974

local black SCLC officials who acted as advance security for Dr. King's arrival, or could fit the description given by the employee.

The purported black visitor asked Mrs. Bailey to show him Dr. King's suite. When he saw it was on the first floor, he said: "No, no, Mrs. Bailey. This simply won't do. Dr. King always likes to stay on the second floor overlooking a swimming pool."

Mrs. Bailey quickly reversed the arrangements. She cancelled an earlier reservation she received for an upstairs suite overlooking the swimming pool. She prepared it for Dr. King's arrival.

#### Jim's Cafe

On the day Dr. King was killed, an observer could peer out the back door of Jim's Cafe and almost see the balcony of The Lorraine where Dr. King was standing when the fatal shot was fired. If endowed with a good baseball pitcher's arm, he could step out the back door, walk several feet to the right, wind up, and let go with a ball that could strike anyone standing on the balcony. From inside the cafe, the view of the balcony was partially obscured by a clump of bushes, and trees with broken limbs hanging down. The same observer, outside the back of the cafe, could walk several feet to the left (or north) and could not see the balcony. The motel balcony from the back door of the cafe is less than a city block away.

The Lorraine Motel is on Mulberry Street, which runs parallel with Main Street. On the day Dr. King was killed, the lot in back of Jim's Cafe was thick with brush overgrowth. One week after King was killed, however, the bushes, the thick brush and limbs from the trees were mysteriously cut, on orders from someone inside The City of Memphis government's parks division. The result was an unobstructed view of the balcony from a bathroom window upstairs over Jim's Cafe. The window is left — or north — of the Cafe's back door. This is the room from which the Memphis police, the FBI and the Shelby County Attorney-General's office would later contend that the fatal shot was fired — a trajectory that would be in a downward direction toward the spot where King stood.

#### The Mysterious Man

\* What was the significance of the "eggs and sausage" man's visit to Jim's Cafe?

The man — clad in a dark sweater, expensive-looking white dress shirt but no tie — aroused the curiosity of Jowers and his waitress.

"He just wasn't our regular run of customer," Jowers said. "His physique reminded me of a football player or college athlete, but his voice suggested that he was older and more mature."

The waitress described him as "very handsome" with dark eyes and dark wavy hair. She said he reminded her of an Indian because of his "high cheekbones" and because of his taciturn mood.

"He was quiet, did not smile, short on words, and seemed to grunt whenever I said anything to him," she said.

\*\* To this very day, the waitress believes this man — not James Earl Ray — fired the shot that killed Dr. King. For this reason, this writer will not reveal her name, nor that of the motel employee.

Jowers, however, said he is not afraid. "If they were going to do anything to me, they would have done it a long time ago".

Jowers said the eggs and sausage customer appeared — and smelled — clean. He did not reek of alcoholic fumes. He appeared "dead sober" — a physical state that set him apart from most of Jowers' customers.

"He did not seem to be on dope either," Jowers said. "I have seen too many of these hop-heads. I can tell by looking at their eyes, and their arms if they are uncovered. I became curious as to why he was down in this part of town. He was husky and handsome enough that he would not have to come to this part of town if he were looking for a whore or an easy lay."

#### Main Street's South End

The South end of Memphis' Main Street is an area of blight. It marks the periphery of the city's massive black ghetto. The businesses, on this end of Main Street are largely operated by whites in a long row of two story buildings.

Many of the buildings contain vacancies. Many doors and display windows are boarded up. Planks have replaced glass in many of the display window openings. "For Lease" signs are plastered on many of the deserted sites. The second stories are used as stock rooms, and warehouses in many of these buildings. Other second story sites are rented out as living quarters to poor whites. On streets running parallel with Main Street, as well as perpendicular to it, there are black businesses and many decaying residences now occupied mostly by black families.

South Main parallels the Mississippi River. The waves of "Old Man River" splash against the levee less than five streets away, separated by the Illinois Central Railroad tracks. Jim's Cafe is less than a quarter of a mile to the Memphis & Arkansas Bridge, a juncture that connects with Interstate 55 headed north to St. Louis about 300 miles away, and Interstate 40 which runs west to Little Rock less than 150 miles away.

Above Jim's Cafe, there is a rooming house occupied exclusively by poor whites. Although Jowers scrupulously avoids using the word "flophouse", this is how many of his neighboring businessmen characterize the rooming establishment. (Technically, Jowers is correct, because a flophouse denotes a large barracks-like space where all tenants sleep on cots, and an interior devoid of rooms and partitions.)

The particular rooming house above Jowers' Cafe included on the day in question "winos", redeemed alcoholics "trying to shake the habit", and working whites, poor, but resentful because they had to live with boozers who kept them up all night fighting and drinking.

"Another reason we remember the man who ordered eggs and sausage was because not many of our customers order those two items at that time of day," Jowers said. "Also, the man did not order either a beer or a set-up and did not have a bottle — that struck us as very unusual also. He came in our place just to eat, apparently."

Aside from the physical attraction the customer exuded, the waitress remembers him for another reason.

\* THIS IS A QUESTION NOT ANSWERED BY THE WRITER.  
\*\* ON WHAT BASIS? THE AUTHOR GIVES NONE.

### A Disgruntled Customer

"The man kept going over to the wall where the telephone was located but he never picked up the phone," the waitress said. "He looked at the wall and appeared to be angry about something. There was a telephone book nearby but he didn't bother using it. I thought he might have forgotten a telephone number or something!"

The waitress recalls asking him if he needed the phone book to look up a number. She remembers him "grunting", which she assumed to be a negative response, but does not remember what he actually said. She said she could not tell if he had any kind of accent or not, because he would "just always mumble when I said something to him".

The man ate his order there. He drank a cup of coffee. He left about 5 p.m.

Then, at 6:01 p.m., Jowers said he recalls hearing the shot that supposedly killed King. "It sounded as if it came from the back of the cafe rather than upstairs in the rooming house, where the police said the killer fired it," Jowers said. "At the time, I thought it was a backfire of an automobile over on Mulberry Street (approximately in front of the balcony of The Lorraine)."

### James Earl Ray

The official FBI and police investigation today contends the fatal shot that killed King came from a bathroom window upstairs in the rooming house by James Earl Ray, 41, then an escaped convict from the Missouri State Prison. Ray today is serving a 99-year sentence for the murder of Dr. King after he pleaded guilty in Criminal District Court in Memphis in exchange for the 99-year sentence. It is always relevant to point out, however, Ray's guilty plea cannot be logically interpreted necessarily as the confession of a man who actually fired the shot that killed King. Coupled with the fact that Ray stated in open court words to the effect that there had indeed been a conspiracy, Ray's guilty plea amounts to nothing more than the fact that his attorneys had advised him that he was deemed as guilty under the Tennessee homicide statute as the man who fired the shot. This is the so-called "felony murder" rule — namely, anyone who participates in the commission of a felony that results in a homicide is as guilty in the eyes of the law as the man who actually caused the homicide. Because the felony committed here was murder itself, it would almost be superfluous to say that one who conspires with another to commit murder is as guilty as the man who actually carries out the execution of the crime.

### Conspiracy?

It is relevant to point out that in the February 1969 hearing in which Ray pleaded guilty, he appeared eager to clarify the question as to whether there was a conspiracy behind Dr. King's death.<sup>3</sup> The late W. Preston Battle, the Memphis judge who presided over the Ray hearing, had neither the legal nor intellectual curiosity of U.S. Judge John Sirica, who heard the Watergate case in Washington, D.C. Judge Battle<sup>4</sup> not only attempted to stop Ray before Ray could blurt out details of a conspiracy in open court, but Battle was aided by Ray's own defense attorney, Percy Foreman of Houston.<sup>5</sup> Foreman appeared more anxious to shut his client up than the prosecution on the subject of conspiracy. It was Foreman's own remarks which had prompted Ray to stand up and object to the "no conspiracy theory", but Foreman

immediately entered objections to his own client's testimony by insisting on two points: one, the prosecution presented no evidence of conspiracy; and two, any evidence of conspiracy would have nothing to do with that particular trial nor with having any effect on his client's guilty plea and the subsequent sentence. Battle quickly upheld Foreman's objections.

Today Ray is appealing his guilty plea. Asking for a new trial, based upon Percy Foreman's improper and "unethical" representation, Ray's appeal has gone through the state courts and has been rejected. He is now appealing through the federal courts. He is represented by Robert Livingston, a Memphis attorney; and Bernard Fensterwald, a Washington, D.C. attorney who is also representing James McCord in the Watergate case. Fensterwald is also executive director of the privately financed Committee to Investigate Assassinations.<sup>6</sup>

As most readers know, Ray was arrested at the London International Airport by Scotland Yard agents after he had eluded the FBI in the U.S., fled to Canada, later flew to England, then to Portugal for several days. His arrest at the London Airport came when he had returned to England and was prepared to fly to Brussels on a forged passport.

Ray became the chief suspect when Memphis Police Inspector N.E. Zachary found a bundle near the foot of the stairwell leading to the rooming house over Jim's Cafe. The bundle contained the rifle which the FBI would later say was the murder weapon because of shells found with it that were of the same caliber as the bullet that shattered in King's body. Wrapped in a bedspread which contained fibers from the trunk of Ray's car, the bundle also contained a radio with Ray's Missouri State Prison serial number on it; a suitcase with clothing belonging to a man smaller than Ray as well as clothing belonging to Ray; and binoculars with Ray's fingerprints on them. Tracing them to a Memphis store where the binoculars had been purchased the day before, police also obtained a statement from a clerk that identified Ray as the purchaser.

### Cafe Investigation

Back at the cafe after King was killed, Jowers had said he thought the blasting sound to the rear of his cafe and toward Mulberry Street was the backfire of a truck. Minutes after the sound, police swarmed over the area, taking positions in front of the cafe. They told Jowers no one could leave the cafe. (About 5:30 p.m., after the eggs and sausage man left, the cafe had filled with workers who had just gotten off duty at a nearby paper company. It was payday and many of them came to cash pay checks and drink beer.)

"The police were rushing around like chickens with their heads cut off," Jowers said. "They did not seem to know where the shot was fired. I later learned it was almost an hour before they went upstairs to the rooming house to question anyone up there. Before that, and minutes after the shooting, they were inside my cafe. Some of the officers went back to the kitchen and out the back door."

A police captain, Jowers said, questioned him at length about the customers he had during the day and if he had any suspicious looking customers. Jowers quickly recalled the "eggs and sausage man".

Jowers said: "When I told them about his movements, the captain called over some plainclothesmen

to question me. They could have been FBI men because they did not look familiar and I know at least by face most of the Memphis detectives."

The captain and the plainclothesmen seemed very interested in the "eggs and sausage man". They also questioned the waitress, and examined the table where he sat, and the wall near the telephone, Jowers pointed out.

The plainclothesmen left. The police captain told Jowers: "If that 'eggs and sausage man' comes back, you get on the phone and call us immediately. He is probably our man."

(In the next installment - "The Eggs and Sausage Man Returns")

Footnotes

1. Jim Bishop, The Days of Martin Luther King Jr. (G.P. Putnam & Sons), P-61. Bishop accepts a conspiracy theory behind King's murder but paradoxically accepts some key assumptions of the official "non-conspiracy" theory - namely that the shot was fired from a second story bathroom window over Jim's Cafe. Thus, he must accept the downward trajectory conclusion of Dr. Jerry Francisco, Memphis medical examiner who performed the autopsy on King's body. Francisco ignored eye-witness testimony that Dr. King was hunched over the balcony railing, looking down to the ground floor when the shot was fired. Francisco's pure medical findings cannot be faulted - namely, the bullet entered King's lower right jaw, severed the neck from the spinal cord with fragments coming to rest at the back of his neckline. Note, in a leaning position, Dr. King's lower jaw would be on a lower plane than the rear of his neckline. Viewed within this frame of reference, Dr. Francisco's medical findings would be consistent with an upward trajectory. A brilliant forensic pathologist, Dr. Francisco has been bitterly criticized by Memphis defense attorneys for anticipating what the prosecution wants to prove in a given case, and then extrapolating legal conclusions from his medical findings to corroborate the prosecutor's theory. His findings were bitterly disputed in two other widely-publicized Memphis murders. One involved a wealthy Memphis merchant convicted largely on Dr. Francisco's medical testimony. The conviction was reversed on appeal. Dr. Robert Hausmann, a noted American forensic pathologist, and assistant medical examiner of New York City, gave expert medical testimony for the defense, rebutting all of Dr. Francisco's findings. An appellate judge said Dr. Hausmann's rebuttal testimony was sufficient to have justified a directed verdict in the defendant's favor.

2. Gerold Frank, An American Death (Doubleday & Co.), P-283. Frank relates Jones' story in one paragraph from second hand sources, indicating he never interviewed Jones. Frank also cites another witness, Harold (Cornbread) Carter, who corroborates Jones' story about a man in the bushes. Again, Frank only relates Carter's story by citing official reports, indicating he never talked personally with Carter. This writer was unfortunate in that he did not get to talk to Carter on the night of the slaying, but I reached him several weeks later. He related substantially the same story, but indicated he had been subjected to police pressure. Carter's story was essentially this: he had been in the bushes drinking wine and had fallen asleep. The shot woke him up. He saw a man in an adjoining hedge jump up, and throw something over his head and

then almost step on him running from the bushes. Carter was jailed shortly afterwards for public drunkenness. Ray's defense attorneys deemed Carter's story significant because: 1) he was white; 2) he had never seen or talked to Jones before the slaying; and 3) he was on record as telling his story to police on the night of the slaying before police had constructed the upstairs bathroom as the scene of the crime.

3. Harold Weisberg, The Frame-Up, Distributed by E. P. Dutton & Co., P-106, 107.
4. John Seigenthaler, A Search For Justice, (Aurora Publishers), PP-187-188/ P199. Author Seigenthaler, editor of The Nashville Tennessean, one of the most respected metropolitan dailies in the Mid-South, severely takes Judge Battle to task for not putting Ray on the witness stand and eliciting details about the conspiracy Ray suggested that led to Dr. King's death. As Judge Sirico did in the Watergate case, Judge Battle had the authority to do this because Ray at that point could not plead self-incrimination as he had already pleaded guilty.
5. Frame-Up, P-103. Weisberg points out the curious fact that only Foreman said there "was no conspiracy" in open court. The prosecutors only said there was "no evidence of conspiracy" in King's death.
6. As the reader will learn later on, Fensterwald obtained a rap sheet and other data on a man that the Committee has tentatively identified as the "eggs and sausage man". More will be said in a subsequent article about this tentative suspect, under the code-name of "Jack Armstrong".

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\* INTERESTING.

Ed, I knew and liked Wayne Chastain in Memphis. We have not been in touch for a year or more. Know he was writing a book. He was also going to law school nights while working on the Press-Scimitar. The blurb you marked is consistent with what I took to be his belief. <sup>at</sup> he had any substantiation, I was and am unaware of it. Look forward to reading this piece from Computers...No publisher or publication date is indicated for the book... If he had one, I doubt he'd have anything in Computers if the publisher had any choice... Has Mae said anything about The Pacific Sun, a weekly, or one Kaznikov (Richard), who seems to be a Russell Sprout?...Wayne had some stories on some strange doings in Memphis, not hard to believe if one knows the Memphis/ Crump past and the part that lingers...Thanks, HW 3/11/74