

Mr. Weisberg - This article is from the Pgh. Press [PLEASE RETURN WHEN FINISHED E. J. Bade]

Conspiracy Theory Ruled Out

King Slayer Alone, Author Says

By AL DONALSON

The day after Dr. Martin Luther King Jr. was assassinated, Doubleday & Co., the publishing firm, asked Gerold Frank to investigate the possibility the slaying was part of a conspiracy.

Everything pointed toward the likelihood that more than a single person was involved in the shooting of the civil rights leader at a black-owned motel in Memphis, Tenn.

Conspiracy Studied

Law enforcement officials and the American public were asking how could James Earl Ray, a bungling, two-bit hold-up man, conceive and execute the daring act.

Specifically, everyone was wondering:

• Could a single assassin gun down a well-known public figure who was always surrounded by dozens of aides?

• How could the killer dodge the entire U. S. intelligence apparatus — including the Central Intelligence Agency (CIA) and 2,000 FBI agents — for 65 days on several continents without being involved in a conspiracy?

Frank's account of the assassination and the hunt for James Earl Ray was released several weeks ago after more than three years of exhaustive research termed by the author



GEROLD FRANK
Ray acted alone.

as "blood, sweat and tears."

His book, titled "An American Death," concludes that Ray was not hired by the Communists, the CIA, a group of black nationalists or a combine of wealthy Southern businessmen to kill Dr. King.

Ray Acted Alone

He insists Ray acted alone and was able to elude law enforcement agencies because of "luck and stupidity."

To reach his conclusions, Frank interviewed media rep-

resentatives, lawyers, judges, investigators and consulted police reports, diaries, letters and other confidential material.

Frank, who also wrote "The Boston Strangler," "I'll Cry Tomorrow," "Too Much, Too Soon" and the "Beloved Infidel," arrived here last night to promote his new book.

"Dr. King's assassination looked like a conspiracy, but you discover it wasn't when you take the entire thing apart step by step," said Frank.

"I got disgusted several times and wanted to quit because I wasn't finding any evidence of a conspiracy.

"There is nothing about Ray that suggests he was a hired gun. All his actions in the assassination indicate it was a case of luck and stupidity."

King Humor

"What must be understood about James Earl Ray is that he is a man utterly alone who made up for his isolation from others by living in a private world of fantasies and, sadly, enacted one of them when he assassinated Dr. King," writes Frank.

Frank said he tried to present Dr. King as a human being.

"Everyone deified him because he was a great man, but I tried to show that he had

humor, that he could get angry and that he knew how to relax.

"If his father reads the book, he will be shocked to find out, for instance, that his son drank," said Frank. "My book shows a side of Dr. King that very few people knew."

for Alex

Gerold Frank



Alex Gottfryd

The story of Martin Luther King's death, the incredible search for his slayer, and the long road a writer must sometimes travel to discover the truth

GEROLD FRANK'S new book is "An American Death: The True Story of the Assassination of Dr. Martin Luther King, Jr., and the Greatest Manhunt of Our Time" (Doubleday). Frank understood thoroughly that in undertaking to write the "true" story of Martin Luther King's death in Memphis on an April evening in 1968 and the subsequent manhunt that led to the capture, arrest and conviction of James Earl Ray, he would run the gauntlet of skepticism.

"Maybe," he told *PW* in a recent conversation, "we're too much influenced by television. People get the notion from crime stories—and who can forget the controversy about Lee Harvey Oswald's true role in the Kennedy assassination?—that the real story is always more than meets the eye, a conspiracy that would turn out to be a plot, in the story sense, if we only knew all the facts. It isn't necessarily so."

Mr. Frank's engrossing narrative of James Earl Ray's role in King's slaying is the most thoroughly detailed spelling-out of the case for Ray's sole guilt that any writer has yet achieved. It seems a foregone conclusion that his book will command serious respect for its measured viewpoint.

A tall, distinguished-looking man whose aura of Elder Statesman is immediately dispelled by his cordiality and easy humor, Mr. Frank sketched in detail his more than three years of work—as private sleuth and writer—in trying to solve to his own hardnosed professional satisfaction the big question about Ray's sole responsibility.

Surprisingly, he told how both he and his publisher, Doubleday, were hung up

at first on the widespread conspiracy theory surrounding King's death.

"I was between books," Mr. Frank explained, "and on the Coast watching the filming of my book, 'The Boston Strangler' when King was killed. Of course I was stunned by the tragedy."

His reputation as one of the best true-crime writers around, supported by two Edgars from the Mystery Writers of America for his 1964 book about the political assassination of Lord Moyne, British Minister Resident in Cairo, and his 1967 best seller about the Boston strangler of eleven women, led to the suggestion that he get to work immediately on a book about King's death.

"A quick letter from my Doubleday friend, Lee Barker, clinched my decision," he told *PW*, "and the contract I eventually signed even had a book title that says everything about our general notion of the murder at that time. The title is still on the contract—'Conspiracy.'"

That fact lends considerable weight to Mr. Frank's revised conclusion about the King assassination. *PW* was intrigued by the author's running description of his incredibly painstaking hunting-down of every imaginable clue and fact surrounding the apprehension and conviction of James Earl Ray.

Quoting his friend Ian Koven, chief editorial writer of the London *Daily Telegraph*, Mr. Frank described how the public's common belief in the "infallibility" of police and press leads to cynical acceptance of conspiracy theories in such cases as the King assassination. "Even the mistakes of the police and the press are taken as involuntary confes-

sions that something is being hidden."

The army of investigators—Memphis police, FBI, Scotland Yard—unleashed by the amazing number of rumors and alleged "facts" volunteered or dug up in the weeks following the Memphis tragedy inevitably drew erroneous conclusions. Frank's narrative describes the law's preliminary investigations leading piece-by-piece, through the murder rifle traced to Birmingham, left-behind shorts traced to a Los Angeles laundry, and both "eyewitness" and hearsay testimony, to the identification of John Willard *alias* Harvey Lowmeyer *alias* Eric Starvo Galt as a James Earl Ray who had escaped from the Missouri State Prison in 1961.

"It wasn't difficult at all for the investigators or anyone else to feel certain," Mr. Frank said, "that James Earl Ray had help, if not in killing King then in planning the assassination, in covering up his tracks—the two white Mustangs, for instance, his flight to Canada, then to London, to Lisbon, back again to London—how could one man do it all alone?"

Mr. Frank's own private investigations during the manhunt and after Ray's arrest as "Ramon George Sneyd" in a London airport led him into some bewildering blind pockets. He traveled around this country and in Canada and Europe double-checking with officials, studying documents, visiting places where Ray was known to have been, interviewing virtually everyone who had been associated with Ray since his prison escape in 1961—prostitutes, Ray's brothers, his family, Missouri prisoners and officials, medical and ballistic ex-

perts, even psychotic "witnesses" who had come forth with weird tales of assassins plotting in bus terminal lavatories.

"I kept a special file marked 'bizarre,'" Mr. Frank told *PW*. Like everyone else, he was simply loaded with wild shots and logical-sounding "clues" that pointed to only one conclusion—the wrong one.

Was there a single moment of truth when Mr. Frank pulled himself up short and *knew*, at least to his own intuitive satisfaction, that James Earl Ray had tricked everyone into swallowing the conspiracy theory whole-hog? Any single bit of evidence perhaps that told him Ray *alone* had slain King and managed, singlehanded, to outmaneuver literally hundreds of the world's best-trained sleuths for more than two months?

"It was something that grew on me slowly," Mr. Frank says. "A pattern emerged—a picture of the kind of man Ray really was began to take shape once I began to question certain 'facts' and eliminate them one by one. As soon as I realized Ray was not the stumblebum I originally believed he was—"

By the time Ray had pleaded guilty in a Memphis court before Judge Battle on March 10, 1969, and accepted a life sentence in place of the death penalty his celebrated attorney Percy Foreman had warned him was an almost certain prob-

ability, Mr. Frank was reassessing everything he knew about Ray.

"I'd spent a tremendous amount of time with all of Ray's lawyers, Hanes, Art Hanes, Jr., Foreman, Judge Battle, the prosecutor Canale, others. Not one could point to a single real person, excepting some prostitutes, who might, on the evidence, have conspired with Ray on the assassination or his escape." Ray's prison character, Mr. Frank says, was that of a jailhouse-lawyer—a definite loner who mistrusted everybody, a man with a high IQ who knew how to buy time, who undoubtedly built up that red-herring story about the Canadian, "Raoul," out of pure cloth much as he had fed back "baited" suggestions deliberately put into his mind alternately by Arthur Hanes and his son, Art Jr., before he fired both as his lawyers.

"We've grown up believing two times two makes four," Mr. Frank says. "But here, I finally became convinced, was a proven compulsive racist who, outside that one aberration, carried a cunning logic all his own and ran true-to-form to the end, firing all his lawyers one by one, throwing doubt on his lone role in King's death even after he'd confessed otherwise.

"The idealist slain by the outcast," is the way Mr. Frank sees it. "In the Boston Strangler case there were all those victims, and they ran all the evidence

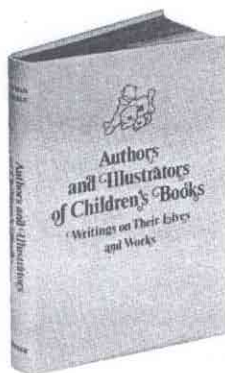
through a computer to find the criminal. Nobody will ever be able to put James Earl Ray through a computer."

ALBERT H. JOHNSTON

MEDIA

HUMAN BEHAVIOR, a new social science magazine, began publication in February. The new magazine will be published bi-monthly in 1972, and monthly hereafter, by the Manson Western Corporation, and will stress the publication of excerpts from scholarly journals as well as original material. The newsstand price is \$1.50 per issue; charter subscriptions (\$7.20) are available from: Human Behavior, Subscription Dept., P.O. Box 2810, Boulder, Colorado 80302.

McGRAW-HILL has established the Robert W. Locke Memorial Film Library at the Graduate School of Education at Harvard University, in honor of the late executive vice-president of the company. The collection, which will include approximately 100 educational, documentary and feature titles, will be housed in the Media Division of the new Monroe C. Gutman Library, and will be available for non-commercial use by the Harvard community.



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Dear Warden Moore,

My yesterday's typing, of which you are aware, was quite a beating for a hand from which the left thumb was almost severed. If I did not consider it important, I would not have taken that time, nor would I subjected my hand to the physical abuse. I hope you can understand this and consider it the cause of this informality in the letter that follows. I hope you can, despite whatever restrictions he may be under, let ^{James} ~~me~~ have it on the ground that I am part of his defense. Thankx your vera much.

Dear James,

After writing you yesterday, as I had thought of it while writing, I considered whether part of your reaction might be what does that square guy now about life in jail or the prospects of a man half of whose life may yet be ahead of him when he is scheduled to spend all of what remains inside jail. It is true that I can only imagine how you feel. But that is not really relevant, and it is my purpose that you not spend the rest of your life jailed.

What I can address, and what the real purpose of this letter is, is those other things of which I did write you so that you say, in the phrase of the young people, "put your head together". I told you that your timing was perfect if it was to help all of your enemies. And I told you it could not more perfectly have fit the needs of Frank. I also told you I knew what his book would say, giving you only part of the basis for my saying it. There was more for which I did not have time. I knew what I was talking about. My purpose here is to give you proof of this and what I know you did ^{not} like, my bluntness in telling you you could not more perfectly have picked a time to be of maximum help to Gerold Frank.

In today's mail I have from a friend with a major publishing house page 96 of the issue of Publishers' Weekly dated February 7. I enclose a copy of it. The content you can make out for yourself. I ask you to pay particular attention to the timing, the point I emphasized.

This is the trade organ of publishing. It goes to everybody in the business, every book store in the country, every radio and TV network, every talk show of any kind, every public-relations outfit dealing with the electronic media, every book reviewer of any stature - in short, to everyone who will have anything to do with the sales and attention.

Where it was read thoroughly and promptly, it was fresh in all minds. Where there may have been a delay, as with the case of my friend, the coincidence was absolutely perfect. I enclose the part of the envelope showing the postmark so you can see that it could not have been more perfect in this case. Now, if the news story you generated exactly coincided with the reading of this trade review, one calculated to promote the book and secondary use of it, was on the desk of the man who makes the big decisions as with my friend, who does not in this area, you did a bit more against yourself than I credited you with, for this is one of the three publishers of reprints whose reprints get the best promotions and the widest distribution. This is where the real mass audience is reached. For example, with my first book, WHITENWASH, the four original printings totaled 25,000. But with the reprint, the first of four reprintings was for a full quarter of a million copies. My point and purpose it not to rub it in but to tell you I do know what I am talking about, and this is absolute proof. And, as I told you, review copies go out ahead of time, the first being in this publication which then influences the publications that reach the lay readers, by about two months. When this issue it dated 2/7 and publication is for 4/4, how close was I?

And, the more attention Frank gets, the more every potential juror is poisoned against you, the easier the conscience of a judge tempted to rule against you despite the law.

Think, man, think! And escape the captivity of the past, which is one of errors in judgement in each and every instance where you had a judgement to make. Look ahead, not backward, or there will be nothing to which to look ahead for. Look backward only to learn from the past. A philosopher once said that he who does not learn from the past is doomed to relive it. Sincerely, and I would like to say beautifully, Harold Matson

**AN AMERICAN DEATH: The True
Story of the Assassination of Dr. Martin
Luther King, Jr.** Gerold Frank. Dou-
bleday, \$10

In most ways that matter, this new book
by the author of "The Boston Strangler"
is the best of the several major books on

the slaying of Martin Luther King and
the hunting down and conviction of
James Earl Ray. Gerold Frank draws on
a harvest of more than three years of
personal investigation—including count-
less interviews with shadow-figures as
well as principals. Objectively, using un-
derstatement with consistent effective-
ness he drives his narrative on a straight
line to the basic conclusion of Brad-
ford Huie in "He Slew the Dreamer"—
that Roy hunted and killed King alone,
driven by ego and by vicious racist mo-
tives. His narrative hangs together as
logic and drama, and few readers will be
able to resist its undertow of suspense.
Frank destroys the conspiracy theory
right up to a last nagging doubt. Above
all, Frank follows a classic pattern, de-
voting his two-panel narrative to indel-
ible life-size portraits—an earthy, com-
mitted, very human King, and his killer,
Ray, an ingenious, obsessive racist and
bleakly criminal loner, each posed
against the other in implacable personal
and historical context. *Literary Guild se-
lection, Playboy Book Club, Book Find
Club. Author tour and TV. First print-
ing, 40,000.* [April 4]

The Week in BOOKS By MARTHA MacGREGOR

Gerold Frank began working on "An American Death" (Doubleday), his story of the assassination of Martin Luther King, in April 1968. "I stayed with it until October 1971," he said this week in an interview at the Algonquin.

"What I tried to do was not only tell what happened and how and what was said, but what these people were thinking. In other words, what the prosecutor, for example, said and did, and what was going through his mind. I grew very close to some of these people. I dined with them, lunched with them, was the house guest of some of the lawyers, went on trips with them, I talked to some of them 30 times. They would tell me things the 30th time they wouldn't tell me the 29th because it was blacked out, or they still didn't feel free enough with me."

Frank talked to judge, jurors, jailers, psychiatrists, James Earl Ray's family, his friends, and everybody else involved in the case. But he was never able to talk to Ray, although he saw him in court.

The picture he presents of James Earl Ray is of a man who is a grabbag of internal rages, a man who does not need people, who relates only to himself. "Those who know Ray say they have never seen anyone so alone. He believes in the worst motives coming to the fore in everybody." Frank says Ray is not a stumblebum, as he has so often been described: "He has jailhouse shrewdness with sudden irrational twists to his mind. He doesn't think like us." The family history is an appalling one: crime, mental illness, fatal accidents. His mother was an alcoholic; one sister burned to death. "He had a score to settle with society. Society had done terrible things to him."

When Frank began to work on "An American Death," his publishers gave him a title for the book: "Conspiracy: The Story of the Men Who Plotted and Carried Out the Assassination of Martin Luther King." Frank also believed in the conspiracy theory. He says he wanted to believe in it: "How fascinating to follow all those dark trails leading to Peking or Hanoi or I don't know where."

At the end of his researches he felt he could only conclude that Ray had acted alone. Again and again there were clues that shrieked conspiracy, but on examination faded away. "People want to believe in the conspiracy theory," Frank says. "They want a meaningful martyrdom for their hero, not a purposeless murder by a two-bit convict. This somehow demeans King. One feels that the man who assassinates a King, royal or not, must be worthy of his victim."

As for Ray's motives, first, he hated blacks. He grew up in Quincy, Ill., across the river from territory that had been slaveholding. "The hatred was in the air, in the soil." Second, when he killed King he had escaped from the Missouri State Penitentiary after serving seven years of a 20-year sentence. "If caught," says Frank, "he would have gone back a petty ridiculous robber for whom a mere \$50 reward was offered. After killing Dr. King he returned to prison famous. And as a Wallace supporter he was sure Wallace would be elected and pardon him. He felt he had nothing to lose. Another thing—talk had been heard that there would be a lot of money around for anyone who killed King. This is the kind of stuff Ray was hearing."

As for his next book, his wife says, "Please, no more crimes. I'm tired of police chiefs." Frank is thinking about doing a biography of Judy Garland. He had several interviews with her before she died.



GEROLD FRANK

Books

At last, the 'definitive' report on King murder

BY JOHN BARKHAM

AN AMERICAN DEATH. By Gerold Frank. Doubleday & Co. 467 pp. \$10.

IT IS JUST four years since an assassin's bullet cut short the life of Martin Luther King Jr., as he stood on the balcony of a motel in Memphis, Tenn. If, as Bernard Shaw has said, assassination is the ultimate form of censorship, it is equally clear that the capture, trial and punishment of the self-confessed assassin have yet to silence the voices seeking to explain the whys and wherefores of the murder. Could a single fugitive convict like James Earl Ray have done it alone? Was it not rather a conspiracy directed by white racists against the most eloquent and charismatic of black leaders?

Short of reopening Ray's trial this book seems to me to set the matter at rest. Ray pleaded guilty to the killing and was sentenced to 99 years' imprisonment in a three-hour court hearing which neither elucidated the circumstances of the crime nor disclosed its motive. What the trial failed to expose Gerold Frank now places before us in one of the most remarkable feats of investigative reporting I have yet read.

Controversy over the minitrial will no doubt linger on, perhaps for years, but nothing can blink the fact that Ray pleaded guilty in open court and accepted full responsibility for the murder.

GEROLD FRANK appears to have investigated the entire case ab initio, pursuing the separate lifelines of killer and victim from long before the crime to the moment of their fatal conjunction. This was relatively easy to do for King, whose life was lived largely in the public eye. Here his every significant word and movement are recaptured in eyewitness detail. Ray's rendezvous with destiny was murkier. Frank has not only explored his criminal career but also that of his family, several of whom have done time behind bars.

Ray emerges as a loner, a potentially dangerous pariah from society, fairly personable in appearance but undereducated and prejudiced, particularly against blacks.

What makes the book far more than the mere catalog of facts it could have been is the subtle sense of tragedy with which Frank invests his narrative. He opens with a brooding picture of Memphis as it was gripped by a climate of fear the previous summer. Tho the nameless fear never materialized, tragedy did strike a year later. Frank also employs a technique he used in "The Boston Strangler," namely the dramatization of the false leads and theories which surround all great crimes. Tho we know the fate which awaits King and the identity of his killer, we are

taken thru every step of the investigation including those up blind alleys, as tho we were present.

IT WAS a murder which HAD to be solved—and solved fast. The assassination, coming as it did in a time of serious social unrest, was a tinderbox capable of setting the country aflame. The search for the killer was thus one of the most intensive ever recorded. Frank tells us that there were days when 1,500 agents were working on the case with double that number enlisted on the search at one time or another.

At times the book reads almost like a novel with its dialog, evocative descriptions and triple climax of crime, hunt, and trial. King is shown worrying over his plans and projects, laughing, joking and arguing with his colleagues, occasionally lapsing into melancholy as he foresees his own death. In parallel chapters Ray's course is followed from his Missouri prison break in April 1967, thru his 41 days of freedom living off petty holdups, then to murder in Memphis, the escape thru Canada to England and his arrest there by Scotland Yard.

Frank meets the conspiracy theory head-on. Point by point he demolishes the so-called "proofs" that Ray served as paid gunman for unnamed white racists. No one has yet identified his alleged conspirators, if indeed they ever existed, nor has the FBI ever been able to track down the mysterious "Raoul" Ray named as his employer in smuggling operations.

For his part Frank demonstrates how easily Ray could have acted alone in everything he did. Like those of the other assassins, Sirhan and Oswald, Ray's killing was atrocious, meaningless and served no cause.

This is the fourth book I have read on the King assassination and by far the best—a superb reconstruction of a crime that has become a part of American history. If in place of Ray's trial a full and complete hearing had been staged in court, it probably would have unfolded an account very much like this.

Unlike the special pleading by writers of earlier books for this or that theory of the crime, Frank has presented and analyzed his material with judicial impartiality. Unless and until Ray elects to tell his story under oath—an unlikely contingency—this book seems to me destined to remain the definitive account of the Martin Luther King Jr., assassination.

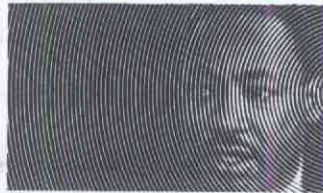
EVERY OTHER INCH A LADY. By Beatrice Lillie aided and abetted by John Philip, written with James Brough. Doubleday. 360 pp. \$7.95.

IT USED TO BE a vaudeville axiom that there would always be more comedians than comediennes because women couldn't bear to be laughed at.

This was never true of Bea Lillie. She always has been

How a man with an obsession killed a man with a dream.

A new masterpiece of true crime reporting by the author of *The Boston Strangler* . . . the suspenseful, detailed, thoroughly documented account of the greatest and — until now — most secret manhunt in history.



AN AMERICAN DEATH

The True Story of the Assassination of Dr. Martin Luther King, Jr.

GEROLD FRANK

A new bestseller, at
all booksellers now.
DOUBLEDAY

How a man with an obsession killed a man with a dream.

Almost before the echoes of the murder bullet had stopped reverberating in the courtyard of the Lorraine Motel, the most massive, most far-reaching, most expensive manhunt in history was under way.

Gerold Frank was part of that manhunt from the beginning. So *An American Death* has an immediacy and suspense rare in nonfiction. You are an eyewitness: as Memphis teeters on the brink of violence in the last tension-filled days of Dr. Martin Luther King . . . as a pale, obviously non-outdoor type buys a gun "to go hunting with" . . . as a "respected citizen" shouts into a phone, "You can shoot the son-of-a-bitch

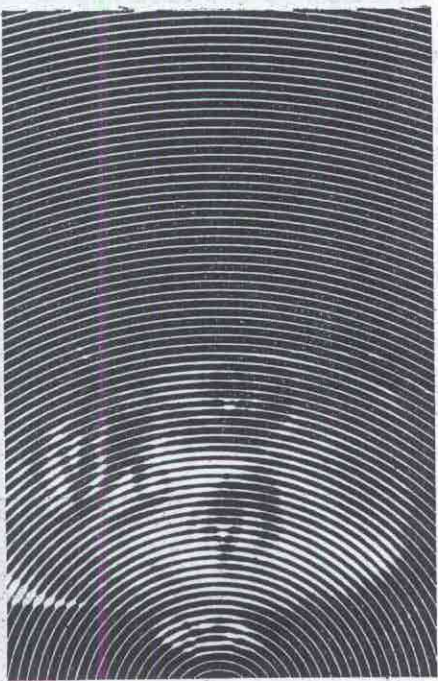
on the balcony" . . . as the Royal Canadian Mounted Police discover that three of James Earl Ray's aliases are the names of real men who live in the same Toronto neighborhood, and who all look like him . . . as Ray slumps on a bench after his arrest in London Airport, exclaiming, "I feel so trapped" . . . as his trial comes to a puzzling, shockingly swift conclusion.

Was Ray the head assassin of a group of white supremacists? Did he in fact fire the fatal bullet?

In the four years of research and writing that went into *An American Death*, Gerold Frank

interviewed countless persons here and abroad who had anything to do with the case: informers, investigators, lawyers, witnesses, judges, as well as Ray's family and friends. He had access to diaries, letters, and police intelligence data. Much of the material in *An American Death* has never before been revealed.

Just as he did in *The Boston Strangler*, Frank has written a suspenseful, definitive account that answers all the questions others have left open, while taking you into the hearts and minds of the participants. *An American Death* is a masterpiece of true crime reporting.



AN AMERICAN DEATH

The True Story of the Assassination of Dr. Martin Luther King, Jr., and the Greatest Manhunt of Our Time

GEROLD FRANK

A Literary Guild Alternate and a
Selection of the Playboy Book Club.
Just published; at all booksellers now

DOUBLEDAY

By CHRISTOPHER LEHMANN-HAUPT

AN AMERICAN DEATH. *The True Story of the Assassination of Dr. Martin Luther King Jr. and the Greatest Manhunt of Our Time.* By Gerold Frank. 467 pages. Illustrated. Doubleday. \$10.

Frankly—and perhaps unfairly—it struck me at first as implausible that Gerold Frank should be the one to dispel the lingering mysteries surrounding Dr. Martin Luther King Jr.'s assassination. To judge from his previous record at least, Mr. Frank seemed even less qualified to explain one of the most disturbing tragedies of our times than William Manchester, who tried and failed to write the definitive story of John F. Kennedy's death. Although Mr. Frank had always been respected as an able reporter and interviewer, his taste in subject matter has tended toward the sensational and sordid—to confessions by unhappy Hollywood actresses and accounts of exotic crimes. Bluntly, one did not expect the case of Dr. King to be laid to rest by the father-confessor of Zsa Zsa Gabor and the biographer of the Boston Strangler.

Yet Mr. Frank's reconstruction of Dr. King's murder and its aftermath is remarkably convincing and reassuring (that is, to those of us who would prefer to believe that no conspiracy was involved). Perhaps it is just that we have grown numb to such disasters and tired of suspecting conspiracies behind them, but Mr. Frank's book seems to clear up most of the major puzzles.

Some Troubling Questions

Who exactly was James Earl Ray, the convicted assassin? How did he escape from the Missouri State Penitentiary in Jefferson City on April 24, 1967? What did he do between the time of his escape and the day of Dr. King's shooting in April of the following year? What mysterious figures was Ray in touch with both before and after the shooting? And why did he suddenly seem to have more money to live on than ever in his life before? These were only some of the more obvious questions that troubled us at a time when the idea of still another lone psychopath striking out at yet another great American leader seemed too coincidental to believe.

More specifically: How, if Ray had acted alone, was he able to assume the aliases of three actual Canadian citizens who bore remarkable resemblances to him? How to explain the mysterious and perhaps damagingly misleading radio broadcast describing a chase after an alternate getaway car during the hours following Dr. King's death? What about all the eyewitness descriptions of possible assassins other than Ray? And what was the meaning of Ray's rising in court to challenge the very fabric of his guilty plea? Such questions as these added fuel to an already raging fire.



Philippe Halsman
Gerold Frank

And more important: If there was no conspiracy behind the act, why did James Earl Ray suddenly change from a "penny-ante" holdup man to a jackal-like assassin stalking a political figure from whose death he would not profit? And why did the team of Memphis prosecutors accept the "deal" of Ray's guilty plea in exchange for a 99-year prison sentence, when they must have known that American public opinion would be frustrated and outraged, and the reputation of Memphis justice tarnished?

To some of these and similar questions, Mr. Frank offers specific answers. Ray did not, after all, spend much money during his flight to Canada and Europe: Except when he was en route in trans-Atlantic jets, he lay around in cheap rooming houses. The mysterious radio broadcast proved to be a disturbed teen-ager's hoax. The eyewitness reports describing other fleeing gunmen invariably broke down under closer questioning (as in all major disasters, paranoia struck deep). And it is simply routine practice for criminals to exploit for passport purposes the identities of actual people who resemble them.

To other questions, Mr. Frank offers a welter of plausible if unsensational detail. Yes, Ray made many contacts before and after the event; he was, after all, an experienced criminal. But his comings and goings—his visits, phone calls and exchanges of letters—hardly suggest a conspiracy afoot, at least not when one learns of the bar girls, whom he befriended, the hippies he traveled with, the psychologist he consulted to build up his self-confidence, and the locksmithing, dancing and bartending lessons he enrolled in to improve his prospects.

Convincing Explanations

As for the larger questions: Mr. Frank constructs detailed and convincing explanations. The Memphis prosecuting team was fully aware of the bad impression the "deal" would make. But it weighed the alternative carefully and concluded that a full-dress trial might have far more disastrous results, if only because of the possibility of a single juror's causing a mistrial. Besides, Tennessee law required that Ray's guilty plea be accepted, and the absence of a state statute of limitations to first-degree murder meant that the case could always be reopened, if evidence of a conspiracy were to come to light.

As for Ray himself: There was more to him than met the eye. He was shrewder than he appeared; more antiblack than he ever let on; more white-supremacist than he generally allowed. He wanted headlines, a big kill, a place in history at whatever the cost. While such speculations have been raised before, Mr. Frank's detailed account lends them new plausibility.

Not every question is satisfactorily answered by "An American Death." Some of Mr. Frank's most plausible explanations are undermined by his reluctance to describe his exact sources. Those readers who still strongly prefer to believe in a conspiracy will doubtless find grounds to do so. But on the whole, "An American Death" makes excellent good sense. If only because its workmanlike reportage fills the vacuum where fantasy has up until now had freedom to play, it should end at least some of our worries.

THE NEW YORK TIMES, TUESDAY APRIL 11, 1972

Books of The Times

The Banality of Evil (Cont'd.)

No Legal Basis For New Ray Trial: Author

James Earl Ray acted alone in the assassination of Dr. Martin Luther King, and no legal basis for a new trial in the case exists, a well-known author said here yesterday.

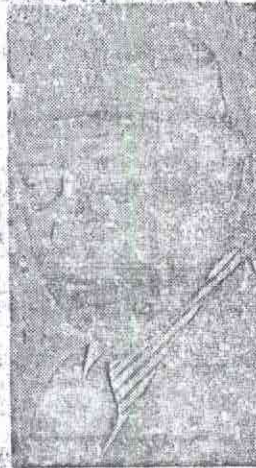
Gerold Frank, author of "The Boston Strangler," was in Nashville promoting his new book, "An American Dream," billed as "the true story" of the King assassination. The official release date of the book is Tuesday, four years to the day after King was killed in Memphis.

FRANK, WHO said he has researched the book "for almost four years," said the fact that Judge Preston Battle, the trial judge in the case, died shortly after Ray pleaded guilty "does not figure into the question" of whether a new trial should be granted.

Ray was convicted of a murder he admits he committed, Frank said.

"When Ray stood up in that Memphis courtroom and disagreed with the theory that a conspiracy existed, that was the most cinching factor that there was no conspiracy," Frank said. "He (Ray) did more to dispell the conspiracy idea than anything because if a conspiracy existed would Ray have dared to disagree with those who said it didn't?"

FRANK SAID Ray could say a conspiracy existed "because he feared no retaliation," he



Gerold Frank
Judge's death "no factor"

cause there were no others whose wrath and revenge could fall upon his head — no one to fear. There was nothing for him to gain but to increase the value of his story."

The writer, renown for such books as "The Deed," dealing with political assassination and terrorism in the Middle East, and "I'll Cry Tomorrow," the Lillian Roth story, said Battle did not question Ray further about the conspiracy theory because "he (Battle) would be pressuring Ray and feared the conviction could be thrown out of court later."

FRANK CONTENTS in the book Ray was "viciously and almost obsessively antiblack," and rumors surrounding the investigation "were never knocked down" because the "FBI had to work terribly hard on the case and only had time for 'no comment'."

"J. Edgar Hoover had been hostile to King and could not be caught dragging his feet on the investigation," Frank said.

JL: As I told you, I think Jerry Williams is hung up on Frank. If his changed attitude is from Mark Lane's poison there is nothing I can do about it. However, he has a vast and good audience over WBZ, Boston.

Rt. 8, Frederick, Md. 21701
301/473-8186

Dear Jerry,

Having been told today that one of my oldest if not the oldest friend in your business and his producer neither received letter I wrote them prior to the appearance of my new book, I can believe that in the volume of your mail you and your producer may both have missed mine.

And the Washington Post's story and any syndicated version, as well as those of both AP and UPI.

I can also believe that you have decided against me and/or this.

Whichever way it is, I think you should be aware of the content of this work. What you then do or not do is, properly, your decision. I would think you would want your audience to know of it and how they can get it so that, for the first time ever, they can see the actual documents, an actual transcript of what goes on in secrecy expected to be perpetual, what is allegedly "TOP SECRET" because the "national security" requires it, plus the content about the JFK assassination.

A really sharp and careful reader will perceive more than this, much more. Especially how the manipulation started and who was manipulated by whom and how. It is there. In this sense, to, what I have is unprecedented. So are many other things about it. I am avoiding trying to or appearing to condition, but if you read the transcript, on this aspect the key word is "argue." Other things are more obvious.

The book has been out a little over three weeks. In that time, I believe for the first time ever, there has been no single snide remark, no attempt at refutation, no slanders, no allegation of error or exaggeration.

This time I was not able to go farther into debt. At 61 and after the kind of life I've led it would also be irresponsible. In order to bring this book out, even after wealthy people saw the transcript and said it had to be made available, my associate in it and my lawyer in the suit borrowed to pay the printer. Despite the fact that we are both without means or regular income, all the other expenses have been ours and without any kind of subsidy. These costs are not inconsiderable and the time required to get this was enormous and extended over a long period of years. When radio and press people learned this, almost without exception they paid for the book. This, too, is close to unprecedented. We appreciate it. In turn, we are applying 100% of the gross to the debt incurred. We are doing this on so thin a shoestring and with so little possibility of commercial distribution that I've not sent out and will not send out an unsolicited review copy.

What is also new in my experience, every radio station on which I've broadcast by phone, whether news beeper or talk show, has said how to get the book and the price so that the audience could just send a check and I could just send the book, without having to write letters back. There really are very few people who really are doing any real work in this field, despite all the noise, so each letter I do not have to write permits me to work in that time. I hope you will agree that obtaining and making available documents of this kind and their history is worthwhile work, that this kind of evidence should be made available to the people.

Jim Lesar and I have become a team in other ways. He has done most of the legal work in the Ray case and I the investigating. The reporting of the recent hearing could hardly reflect what we did there or before it. It is entirely other than the major attention of the past was, or all the money. Neither Percy Foreman nor any of the sycophantic writers would appear, despite what he may have told you, in addition to this "erold Frank would not even honor the order of the court to turn records over. If you doubt this, call my bluff and you'll get the court order and the Frank responses.

For the first time ever there was "discovery" in a habeas corpus case. We have already exercised it with result you would not easily believe in a novel. The abuses make the violations of Wellsberg's rights seem tame and decent, by comparison, that is. And this where I doubt we were 10% successful, where there was open contempt of the court's orders that because we are all volunteer and without funding we have been able to do little about. However, the State has appealed, we prevailed on appeal, and the Supreme court is considering whether to grant cert. to the State. It is a precedent to now. If the Supreme Court does not grant cert. or if it does and we prevail, then the meaning of this new right to the petitioner is hard to imagine, it can be that important in crooked cases, especially in political cases.

If you doubt any of this, let me know and I'll refer you to dependable sources. The clerks of the 6th circuit court of appeals or of the "supreme" court will tell you the legal situation.

In the course of addressing effectiveness of counsel we put in a case of prima facie framing by officials and Foreman, solid exculpatory evidence, a case that the FBI agent perjured himself, and there was no rebuttal and virtually no cross examination. None of the big-name writers appeared to defend his work or produce his so-called evidence. The FBI did not supply anyone to defend its agent's sworn word and that agent himself was and remains silent after charges that he swore falsely. The record is extraordinarily voluminous so [^] do not know how much any one reporter caught but I think that if this is of any interest to you, either Mo Khamra (that is, Martin) Waldron of the Times or Nick Chris of the L.A. Times, both of whom live in Houston, will give you enough confirmation. So will stories from the prejudiced (against us) Memphis papers I can send you.

I take this time when quite obviously it will sell nothing for me because it seems that you believe other than this and because when there was a chance to move it into open court and out of the control of flacks, all the others blinked, not we or I. Besides this, I think you would want to know.

The judge may decide soon. I think we will win. I am confident we should and this is the consensus of the major-media reporters who were there and to whom I spoke or who have since written me. If this happens and if as I think the decision is interlocutory, then there will be a trial and then there will be another chance for people to stand and be counted. Those who have more than souths, that is.

Because of this past that I think bothers you, should you be interested I'll lend you my copy of the 6th circuit court of appeals' decision in the habeas corpus. The "supreme" Court - Nixon's Supreme Court - upheld it by refusing cert. You'll find that in legal language it said what I said, that the whole thing reeks of commercialism and cries out for a "full scale judicial inquiry." And the record is clear none of these so accused appeared to defend himself except the racist former mayor of Birmingham, the man who turned those police dogs loose and the fire hoses on. He did not fare well. In its closing argument even the State admitted he had a conflict of interest, one of the issues to be decided. And even he said "ay was not the killer. U: guilty.

I do hope you find the time to read if not all of this book then the transcript and perhaps some of the documents in the suit for it.

best wishes,

Harold Weisberg