

By WILLIAM BRADFORD HUIE

The One and Only

JAMES EARL RAY REALLY BELIEVED THAT KILLING MARTIN LUTHER KING WOULD MAKE HIM A NATIONAL HERO. THE DAMN FOOL DID IT, AND HE DID IT ALONE.

To those of us who know that James Earl Ray, alone, killed Dr. Martin Luther King, Jr., in Memphis, Tennessee, on April 4, 1968, the current congressional "investigation" of this nine-year-old murder case is a shameful waste of public money and a contemptible concession to the conspiracy racket.

When I say "those of us who know," I speak of Ramsey Clark, who was attorney general of the United States when Ray killed King; and of Percy Foreman, who was one of Ray's attorneys; and of myself. I bought Ray's story and the right to portray him in films, and, with Ray's

assistance, worked on his story until March 10, 1969, when he pleaded guilty and was sentenced to 99 years in the Tennessee state penitentiary. Clark, Foreman and I are Southerners who supported King and the movement for racial change in the South. Our credentials for finding truth in racial murder cases are far superior to those of any of the congressmen or any of the 170 bureaucrats who are to be profitably "investigating" this case for two years. If Clark, Foreman and I can't be believed in the Ray case, then no one can.

An "investigating" congressman tells us on television, "We must remember that Ray quickly rescinded

William Bradford Huie is the author of a number of books, including *The Klansman*, *The Execution of Private Slovik*, *The Americanization of Emily*, and *He Stew the Dreamer: My Search for the Truth about James Earl Ray and the Murder of Martin Luther King*.

ILLUSTRATION BY JOHN YOUSSEI

his guilty plea!"

You think that's significant, do you, Congressman? You think Ray's rescinding his plea justifies an expensive new investigation? Nonsense.

When he was preparing to kill Martin Luther King, Ray believed that the murder would make him a hero to most Americans; that famous lawyers would volunteer to defend him at their own expense; that a jury probably would not convict him; that if a jury did pronounce him guilty he'd soon be freed by President George Wallace; and that his "story" in a book and a film would be worth "millions."

After the murder Ray was jolted by a series of disappointments.

When he was arrested in London on June 8, 1968, he expected the famous lawyers to begin volunteering to defend him. But only one lawyer volunteered, and he wasn't famous. He was J.B. Stoner, of Savannah, Georgia, long associated with the Ku Klux Klan. And not even Stoner wanted to defend Ray for the honor and the publicity in it. Stoner wanted to defend him while raising a "national defense fund."

Ray then asked his court-appointed British lawyer to call F. Lee Bailey in Boston and convey to him the good news that Ray wanted Bailey to defend him. When Bailey told Ray, in effect, to go to hell, Ray was flabbergasted. In desperation he was reduced to calling a capable lawyer but not a famous one, Arthur Hanes, of Birmingham, who had defended the Klansmen who murdered Viola Liuzzo on the last day of the Selma march. Hanes went to London, agreed to defend Ray, but not until Ray had sold his story and film rights to me for an advance to Hanes of \$30,000. (The cash went to Hanes because Ray couldn't keep money or have money owed to him. Any money coming to him had to be "protected" by a lawyer's lien. Otherwise it could be seized in a civil action by King's widow. Ray didn't need to be told this. Like Caryl Chessman he had spent years studying law in prison libraries.) Only by dealing with me did Ray escape the ignominy of his having to be defended in Memphis by the public defender.

During the fall of 1968, Hanes, after pleading Ray not guilty at the arraignment, was preparing for trial. Look magazine, and other magazines

abroad, published two installments of my "pre-trial" Ray story. What I wrote pleased Ray for I presented his account of how he escaped from the Missouri state prison on April 23, 1967, and of how he lived, got money, altered his appearance with plastic surgery, and traveled as a fugitive until March 31, 1968.

I had agreed that only after Ray had been tried and sentenced would I publish my account of how and why King had been murdered. Before the trial I would publish only what Ray wanted published. After his trial and sentencing I would publish only the truth as I saw it. Ray, in return for my advancing money for his defense, had contracted to furnish me, directly and through his lawyers, the entire truth.

When he was preparing to kill Martin Luther King, Ray believed that the murder would make him a hero to most Americans...

Ray was pleased with his contract with me. What continued to distress him as his trial approached was that he didn't have a famous lawyer. He was angrier still when, after Sirhan killed Robert Kennedy, famous lawyers volunteered to defend Sirhan. Wasn't Ray more important than Sirhan? Ray wrote to me that he deserved to be defended by "a battery of famous lawyers." At Ray's insistence his brothers kept trying to employ Foreman, and in November 1968, Ray eagerly dismissed Hanes and employed Foreman by transferring from one man to the other further prospective monies from his book and film deal with me. Ray assured Percy Foreman that his portion of the earnings from the book and film would be "a minimum of \$400,000." At Ray's insistence I advanced to Foreman \$10,000 against Ray's anticipated earnings.

Red Cents and Wooden Nickels

By the middle of February 1969, Ray's trial had been scheduled to begin on March 10. Foreman couldn't get it postponed again. I had completed my investigation, so it was time for me to jolt Ray with another disappointment. "Your story is

worthless," I told him. "Eight months ago, on *Meet the Press*, Attorney General Ramsey Clark said there was no evidence that anyone other than James Earl Ray was involved in the murder of Dr. King. Mr. Hanes, Mr. Foreman and I, with your help, have tried to find evidence that someone else was involved. All we have done is corroborate Mr. Clark's statement."

The most ironic experience of my writing career was my effort to make Ray and his brothers understand that my book about him could not be sold, and that therefore no film about Ray was ever likely to be made, because Ray alone had murdered King!

My publishers, in the United States and in Europe, wanted me to deliver a book titled *They Slew the Dreamer* (from the Biblical story of Joseph: "And they said one to another, Behold, this dreamer cometh. Come now therefore, and let us slay him ... and we shall see what will become of his dreams"). Now I had informed my publishers that my title could only be *He Slew the Dreamer*. We knew, furthermore, that though I could write the book effectively, and they could publish it handsomely, it wouldn't sell. Nor would anyone want the film rights. Ray was so naive as to think that the story of how he slew the dreamer was bound to be a big book and film. He couldn't understand that what book readers and film viewers want is *conspiracy*... how a cabal of rich, cruel racists conspired to murder a famous man they hated ... or even better, how the FBI or the CIA conspired to end the dreams of Martin Luther King.

"A trial can be helpful only if you tell the truth," I said to Ray. "The state's case against you has already been published. None of it can be refuted. A plea of guilty by you will assure the commercial failure of our book. But it can sell only a few thousand copies anyway. I hope you'll stand up in court and tell the truth. You won't be widely believed. But you will have told the truth." In telling the court how he alone murdered Dr. King, Ray did tell the truth. Only once did he lie. At the end of his statement he blurted out, "... but there was a conspiracy!"

I felt sorry for him when he said that. He had learned from me that the only way he could keep anybody interested in him from that point on was to use that "selling" word, con-

skeptic

spiracy. To keep himself from being forgotten he would now have to deny that he had ever been a hero whose story was worth millions and who deserved to be defended by F. Lee Bailey, Percy Foreman and a battery of other famous lawyers. He would have to insist that in the killing of the "Big Nigger" he didn't fire the shot...he didn't know what was going on...he was only a dunce who had been set up as a patsy or a fall guy by clever professional killers who were paid \$250,000 by H.L. Hunt or J. Edgar Hoover.

Both Foreman and I knew that Ray's plea of guilty would be rescinded when Foreman ceased to be his attorney and Stoner became Ray's attorney of record. Neither Hanes nor Foreman would allow Stoner to associate with them in Ray's defense. But the trial judge had allowed Stoner unlimited access to Ray during all the months when Hanes and Foreman were Ray's attorneys of record.

Except by having Ray rescind his plea of guilty, how could Stoner use Ray to seek publicity for himself? Stoner began seeking publicity by charging Hanes, Foreman and me with conspiring to violate Ray's civil rights. This suit, dismissed with prejudice by the US District Court, nevertheless went to the US Supreme Court, all at no cost to Stoner because Ray was a pauper. But it cost me \$15,000 to have the Supreme Court rule that I had violated none of Ray's rights, and that I own his story and film rights.

So how's that again, Congressman? We're not to forget that Ray rescinded his plea of guilty?

I'm not likely to forget it, since Ray, the pauper, sues me every year for violating some claimed right of his. It costs me about a thousand dollars a year to get his suits dismissed. I expect to be paying that thousand dollars a year for the rest of my life. For how else can Ray compel attention to be paid to him? How else can he busy himself as a "jailhouse lawyer"? How else can he keep his case under investigation by publicity-seeking congressmen, bureaucrats, and conspiracy racketeers?

Revelations

The excuse for this "new investigation," we are told, is the revelation that J. Edgar Hoover despised King; that John and Robert Kennedy, having

made a political investment in King, ordered the FBI to "bug" him and see that his sexual and ideological conduct didn't embarrass them; and therefore the FBI may have murdered King or have been less than zealous in seeking to identify his "real" murderers.

Now congressmen and bureaucrats want to spend perhaps \$13 million to learn what "really" happened. Meanwhile, here are facts from which any thoughtful citizen can see for himself what "really" happened:

When King was killed, how could any rational American have concluded that the killer was a hireling? James Earl Ray left at the scene of the murder a recently purchased rifle, scope and binoculars, all bearing his

I had completed my investigation, so it was time for me to jolt Ray with another disappointment. "Your story is worthless," I told him.

fingerprints, and a transistor radio he had bought in the Missouri state prison at Jefferson City and into which his prison identification number was engraved.

Mr. Foreman asked Ray, "Boy, why in the hell did you leave that transistor radio that had your prison number cut in it?"

Ray replied triumphantly, "I wanted the boys at Jeff City to know I did it!"

While they are wasting those millions on their "new investigation," the congressmen and bureaucrats should have Ray's honest reply to Foreman enlarged, framed and displayed on Capitol Hill.

Consider the time of day, the place, the weapon and the year of King's murder. It was daylight; in a place where King was being guarded. The weapon was a rifle, which usually leaves ballistic evidence, not a shotgun, which leaves none; and the year was 14 years after King became a world-famous leader of the civil rights movement!

During those 14 years King would have been easy to kill. He went in and out of his home unguarded. In either Montgomery or Atlanta I could have

waited in darkness outside his house with a shotgun, and I could have killed him and had an excellent chance of never being identified. For a thousand dollars I could have hired an experienced killer to do it.

King was hated far more virulently in 1955, or 1961 or 1965, than he was in 1968 when he was past his prime and rapidly losing influence in the civil rights movement. If any wealthy man or men or J. Edgar Hoover himself had wanted King killed, wouldn't they have killed him sooner? By 1968 he was a loser. The garbage workers in Memphis had lost their struggle for union recognition and higher pay because King was trying to help them. The garbage workers won only after and because King was killed. It was James Earl Ray who enabled the garbage workers to win.

As for J. Edgar Hoover, the Kennedys, King and sex, King's sexual track record matched that of John F. Kennedy. They both exercised often with assorted maids, wives and widows. I once mentioned to King that such conduct by a candidate for sainthood might be used against him by his detractors. He indicated that it was a risk he was willing to accept.

I suppose it's possible that Hoover, who may have been a homosexual, resented King's wide-ranging heterosexuality. I know continent black people who wish they had never heard of the saint's incontinency. I would never have been the first to tell them. But I can't believe that even the most unfaltering bureaucratic investigator, or the most vicious conspiracy racketeer, is capable of believing that in 1968 J. Edgar Hoover conspired with James Earl Ray, or used Ray as a patsy, in the murder of King.

Too Many Cooks?

Certainly these well-heeled new investigators will have much to say about how wily, ruthless old Percy Foreman "overrode" an innocent Ray or "used" Ray and "forced" him to plead guilty. Whenever the investigators do this, they will only be mouthing Stoner's old charges, and they will be far from the truth.

After becoming Ray's attorney of record, Foreman's first action in Ray's behalf could have resulted in an enormous advantage for Ray in a trial in which he pleaded not guilty.

Whenever a famous defense lawyer (continued on page 56)



BY DAVID SANFORD

BELIN VS

CAN A NEW OFFICIAL INVESTIGATION TURN UP ANYTHING WE DIDN'T ALREADY KNOW ABOUT THE KILLERS OF PRESIDENT KENNEDY AND DR. KING? TWO EXPERIENCED INVESTIGATORS TALK SHOP.

More than 13 years have gone by since President Kennedy was killed in Dallas and nearly nine since Dr. Martin Luther King, Jr. was shot dead in Memphis. Yet after all this time a fresh investigation of the two murders was begun last September 17 by the US House of Representatives. On October 4, the House Select Committee on Assassinations appointed Richard A. Sprague as its chief counsel and director of the investigation. Sprague brought to the job a reputation as a tough prosecutor. He had worked for the elected district attorney in Philadelphia for 18 years. He'd prosecuted dozens of first-degree murder cases. As special prosecutor for Washington County, Pennsylvania he was responsible for successfully bringing first-degree murder charges against former United Mine Workers president W.A. "Tony" Boyle in the 1969 killing of the union insurgent Joseph A. Yablonski. Sprague was not only tough, he was successful—just the sort of man to resolve doubts about the Kennedy assassination. Or so it seemed.

The Warren Commission had sought to satisfy the public that Lee Harvey Oswald, acting alone, killed JFK. But the credibility of

that conclusion has been chipped at over the years by critics. Furthermore, substantial allegations have been made that the CIA and the FBI withheld relevant information from the Commission.

David Belin, who participates with Sprague in the Skeptic conversation, worked for the Warren Commission and believed it was the last word until he learned that the CIA had kept from the Warren Commission the fact that it had plotted to murder Fidel Castro in the early 1960's. Had the Warren Commission known about that, it might have taken Oswald's Cuban connections more seriously.

In the House two men, Thomas N. Downing (D-Virginia) and Henry B. Gonzalez (D-Texas), have



a real inquiry is: We probably will never know the truth because too many years have passed. The argument is generally employed by persons who opposed a serious investigation from the outset, and having succeeded in that holding action for some years, they have now moved on to a new stage of their ever-evolving opposition. Here at least we feel that Huie is with us. For in his final words in *Look* he asked: "Is there a chance that other questions may yet be answered?" and then replied, "Yes, I think so. Remember that there are still many fundamental unanswered questions." The recent burning of the Memphis police domestic intelligence files generated new questions; what motive might one ascribe to that oddly timed conflagration? I believe we can find the truth if we look for it. By examining the local and federal police conspiracy to cover up the facts, we may find the puzzle pieces that lead directly to the conspirators who killed King.

Investigating this case will not bring King back anyway. That's obvious. Solving the crime will not breathe life into the victim. But that's not generally a barrier to the investigation of homicide cases. A variation on this theme is "let the dead rest in peace." Do souls rest only if murderers roam free?

Who really cares anyway? The most recent polls conducted by news organizations (*Philadelphia Daily News*, *CBS*, *Detroit News*) show that between two-thirds and 96 percent of the American people care about this nine-year-old crime and that it is still part of our national consciousness.

The probe will cost too much. A thorough investigation will cost millions of dollars. An independent staff must be hired to eliminate reliance on the existing, discredited police organizations. One can discuss this question in terms of the cost of other investigations. The FBI spent \$2.6 million in a three-month search for Patricia Hearst, and I cannot recall hearing a peep of protest about that. When the news media put the heat on the FBI to locate, not the murderer of the three civil rights workers in Mississippi, but the bodies of the victims, the government organized a massive search with hundreds of searchers at a cost, I am told by an FBI source, of \$250,000 per day. The search went on for months. Ultimately the cost of an

investigation becomes irrelevant. The question is, how much do we value justice and what price will we pay for the truth?

Some people are still not satisfied that Abraham Lincoln was assassinated by one man; such people can't ever be satisfied. The evidence suggests that there was a conspiracy to kill President Lincoln and, therefore, there is good reason not to be satisfied with the history-book explanation of the event. The argument reduces itself to the assertion that because the truth is unclear in one matter it probably can never be ascertained in another matter.

Last September, the House of Representatives voted overwhelmingly to investigate the murders of President Kennedy and Dr. King. The Congress said, that day, that the government was at last back in the business of finding and prosecuting assassins.

As we hear the arguments marshaled against this desperately needed search for essential truths about our society, we remember who we are and the problems that still confront us. A poet wrote:

Truth forever on the scaffold,
Wrong forever on the throne.
But Martin Luther King, Jr., always sang back:

But truth, though crushed
to earth will rise again. **M**

THE ONE AND ONLY

(continued from page 27)

enters a case in a state where he is not a member of the bar, his first action should be to try to associate with a respected member of the local bar. Then, in the conduct of the trial, the famous "outside" lawyer should try to share the publicity and the courtroom activity with his associate. Otherwise the famous lawyer may arouse hostility in the jury and damage his client's chances.

Foreman went to Nashville and persuaded Tennessee's most famous criminal lawyer, the late John Hooker, to associate with him in defending Ray. Hooker had successfully prosecuted Jimmy Hoffa for jury-tampering at Chattanooga. John Hooker's associating with Percy Foreman in defense of James Earl Ray would have given Ray an incalculable advantage; and it was to give him this advantage, and to bring Hooker into the case, that I advanced the \$10,000 to Foreman.

Foreman went back to Memphis and informed Ray of his great good fortune. And Foreman and I were startled beyond belief when Ray flew into a rage and shouted, "John Hooker'll never defend me!"

Now remember, this was a lifelong criminal who yearned to be defended by "a battery of famous lawyers," and he was rejecting the most famous lawyer in Tennessee. Why? In the election of November 1968, Hooker's son, John Jay Hooker, the Democratic nominee for governor of Tennessee, was defeated. And here is James Earl Ray's shouted reason for refusing to be defended by the father of John Jay Hooker:

"John Hooker'll never defend me! His son running for governor got the vote of ever' damn nigger in Tennessee!"

Those words, too, should be enlarged and displayed in the Washington offices of the congressmen and bureaucrats who are wasting those millions on a new investigation.

The following day Ray further instructed Foreman in the conduct of his defense. "You don't need no associates. In the recent election 40 percent of the voters in Shelby County (Memphis) voted for Nixon. Thirty-five percent voted for Wallace. Nobody but niggers voted for Humphrey. Now don't tell me that a white man or woman who voted for Nixon or Wallace is ever gonna vote to convict James Earl Ray!" (About that same time Ray's two brothers told me, "That Jimmy! All his life...ever' time he thinks about a nigger he goes wild...wild...wild! Thinking about niggers drives him crazy!")

Foreman then reached some well justified conclusions. Ray was an unstable racist who could not be controlled in a trial in which he pleaded not guilty. He was a "jailhouse lawyer" who wanted to conduct his own defense, as he had done in the most disastrous (for him) of his previous trials. In a trial pleading not guilty to the murder of King, Ray would be his own number-one lawyer; Stoner in absentia would be Ray's number-two lawyer, and Foreman would proceed at their direction. What honest lawyer with a choice, pleading Ray not guilty of the murder of King, and acting in Ray's best interest, would call Ray as a witness in his own defense? And without Ray as a witness, how could he be pleaded not guilty?

skeptic

- The lack of ballistics tests taken of the supposed murder weapon.

- The absence of eyewitnesses to the shooting.

- Medical evidence allegedly pointing to the possibility of two separate wounds in King's face and neck.

- Why any fleeing assassin would deliberately leave his weapon behind in plain view.

- The absence of Ray's fingerprints in or on the Mustang getaway car.

- Why Judge Battle (who died soon after Ray pleaded guilty) didn't follow up on Ray's comment that there was a conspiracy. Battle told AP reporter Bernard Gavzer that he believed the full truth still was not known about James Earl Ray and the assassination.

No Doubt

While the doubters are numerous, others held to the official version: Ray acted alone. Such was the conclusion of at least four authors: Clay Blair (*The Strange Case of James Earl Ray*), William Bradford Huie (*He Slew the Dreamer*), Gerold Frank (*An American Death*), and George McMillan (*The Making of an Assassin: The Life of James Earl Ray*).

Those who contend Ray did it alone make the points that:

- Ray was capable of getting a Canadian passport since all one has to do is swear he is a citizen.

- He could have supported his travels with the fruits of his crimes.

- Ray was obviously proud, and often said that he was "involved" in the King murder; he enjoyed being on the FBI's "ten most wanted" list.

- Ray was a racist.

- Ray knew it would be easy to kill King because King was not guarded.

- Ray was motivated to kill King.

- If others were involved they would have silenced Ray long ago, killed him in prison.

Questions clearly remain to be answered, controversies resolved. Many persons and organizations called for an independent investigation of the slaying. Charles Morgan Jr. of the American Civil Liberties Union challenged the FBI's objectivity in investigating the murder since J. Edgar Hoover hated King. King's widow Coretta, Ralph Abernathy and the NAACP were joined in their doubts by Mississippi's Senator James Eastland who said he was skeptical that it had been the work of one man.

One of Ray's lawyers, a Memphis public defender, said he believed Ray

had helped preceding King's murder. (Attorney Foreman, of course, believed that Ray acted alone.) Scores of groups called for reopening the investigation, and Ray hired attorneys to file appeals for a new trial. His appeals all have been denied. In 1975 pressure to reopen the investigation heated up, prompted by Senate Select Committee on Intelligence revelations that the FBI had harassed and attempted to discredit Martin Luther King. It seems that between 1963 and 1968, the FBI recorded some 5,000 King conversations by using 16 separate wiretaps. The FBI sent anonymous notes and tapes to King and to his wife suggesting marital infidelity. A letter to King himself suggested he commit suicide; or so King thought when he read it.

Former Attorney General Edward Levi assigned Justice Department officials to review the FBI investigation of King's death. The Senate Intelligence Committee called for a special prosecutor to investigate possible crimes committed by the FBI and CIA. Although the Justice Department reported that it found no evidence that the FBI had acted in any "tangible conspiracy" or in complicity in King's murder, Assistant Attorney General J. Stanley Pottinger recommended a new inquiry.

The Black Caucus in Congress started a political drive for a new investigation. And Ramsey Clark, who as attorney general had said there was only one man involved, called for reopening the case. Encouraged by Coretta King, Congress-

woman Yvonne Burke, chairperson of the Black Caucus, helped push through a compromise bill in the House of Representatives in September 1976 that appropriated \$100,000 to hire a small, independent (of the executive branch) staff to conduct an investigation into the deaths of President Kennedy and Martin Luther King. Burke thought that the 12-person House Select Committee on Assassinations would eventually be able to reveal that others besides James Earl Ray were involved in the King killing.

Proponents of the view that the culprit has been caught claim that the current investigation is politically motivated and will not uncover anything of substance. Richard A. Sprague, the man the House hired to direct its investigation, planned an investigation independent of the FBI and CIA that could take the next two years to complete. ■

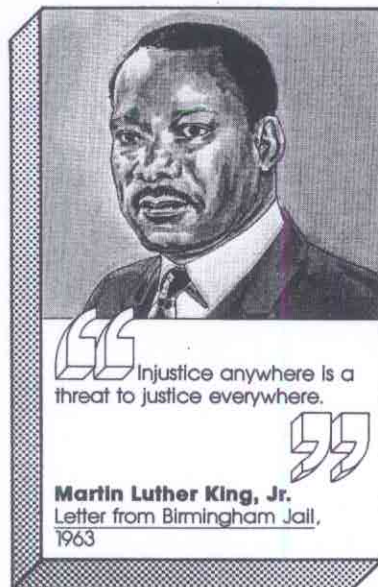
KILLER AT LARGE

(continued from page 23)

This 318-page book devotes seven pages to the events of April 4, 1968 in Memphis. That brief section contains numerous errors, perhaps the worst of which is the assertion that "without telling King, Memphis police had put a security guard around the Lorraine. Cops had been stationed at a firehouse only a few steps away from the rooming house door." In fact the police had been stationed there at the specific request of King's associates, Rev. Billy Kyles among them. What King and his associates did not know is that the police, without telling them, had removed the guard just before King was shot. There are other errors too, but facts have little to do with the McMillan argument that Ray is a very bad man who had committed crimes, who harbored a burning hatred of King and a compulsion to do him harm. From this profile, McMillan leaps to the conclusion that Ray killed King, and that he acted alone. While McMillan's profile may fit Ray, albeit inexactly, it would clothe J. Edgar Hoover better still. Ray may have hated King, but he didn't ever send a letter to King encouraging him to kill himself. Hoover did.

Questions in a Holding Pattern

Another reason sometimes proffered by those who speak out against



It was at this point that Foreman informed Ray that he would go to trial with him only on a plea of guilty, with a written script. But this doesn't mean that Foreman "overrode" Ray. Foreman had been overridden by Ray. Foreman had the same right to withdraw from the case as Ray had to discharge him. And another lawyer was standing by who, if Ray insisted on pleading not guilty and testifying in his own defense, had no choice but to defend Ray under Ray's direction.

When Ray discharged Hanes and engaged Foreman only a week before the first date set for his trial, the trial judge was compelled to postpone the proceedings in order to give Foreman time to prepare a defense. What was to prevent Ray from repeating this lawyer-changing act and thereby delaying the trial again?

In granting the postponement for Foreman, the trial judge ordered the public defender to associate with Foreman, to prepare a defense, and to be ready to go to trial if Ray should discharge Foreman. This was done. So when Foreman advised Ray to plead guilty and avoid a probable death sentence, Ray was not without a choice. He could still have gone to trial, pleaded not guilty, taken the stand in his own defense and said whatever he chose to say, on his own and under the guidance of the public defender. (It has been done before; Chessman, among others, did it.)

Used and Abused

My last contact with Ray was about two years ago. I appeared on a TV program in Nashville to argue with one of several lawyers who followed Stoner in trying to publicize themselves with concoctions about how Ray was "the patsy" in Martin Luther King's murder. The warden at the Tennessee state penitentiary allowed Ray to watch the argument between the lawyer and me, and to join the argument by telephone. Viewers could hear but not see him.

The lawyer described how "they" decided to murder Dr. King; how "they" hired professional killers for \$250,000; and how these clever professionals used a stupid Ray, who didn't know what was happening, as the patsy.

Ray mumbled that this was true.

"You're slandering Ray," I said to the lawyer. "He's an enemy of human society but he isn't stupid. Never in

his criminal career has he been on the scene during the commission of a crime when he didn't know what was happening. So here and now I'm offering him my financial help, and my file in this case, in a suit against you for slander."

The lawyer expected Ray to denounce me. But Ray felt so grateful to me for defending him against his new defense lawyer that he said nothing.

Reflecting on Ray almost nine years after he murdered King, I'll have to say that even though, to date, I've lost altogether about \$40,000 in this case, I have more respect for him than I have for the conspiracy racketeers who have tried to use him to their own advantage.

Forced to choose between a murderer and a panderer, I'll support the murderer every time. ■

BELIN VS SPRAGUE

(continued from page 32)

them. You can't just summarily throw anything out.

SPRAGUE: In many instances people come from out of the woodwork with information that is of some value. I have seen some murder cases where one of the stock defenses by defense lawyers is to attack the credibility of witnesses because they are out of the woodwork, they are cut-throats, they are pimps, you name it. It's not likely that you are going to

have the Bishop of Boston come forward, knowing what went on. You have to take the time to look into these things. It may be exasperating and time-consuming, but that is the essence of an investigation. Now I must get back to something you said earlier, just so that the record here doesn't indicate that silence is assent. You said that I said, give us 170 men and \$6.5 million and we'll do the job. I haven't said that we will do the job, all I have said is that we will do our best. That is the most I can say.

BELIN: One question I would want to ask. You mentioned the polygraph, and I assume that you've had substantial experience with the polygraph. It's my understanding that a polygraph can be used successfully in the hands of an experienced operator. The degree of accuracy in large part depends upon the competency of the operator. Isn't that true?

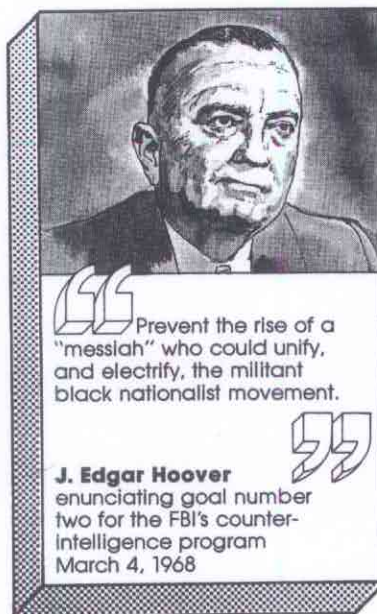
SPRAGUE: Yes. I think that the polygraph as an instrument is not of any real significance.

BELIN: It's not foolproof certainly.

SPRAGUE: The real importance is the ability of the operator. I would never take a polygraph as being determinative of anything, but it's a helpful tool, with weaknesses and strengths. But, you know, you have to keep in mind that a good polygraph operator can determine with appropriate questions what a person knows, what he is holding back. The subject's answers are meaningless. A good polygraph operator can get his results even though the person is mute, not even giving answers. On that machine it is the psychological response upon hearing the question that matters. In the Yablonski case we put a person under the polygraph and, with good questioning by an expert, were able to find out, even though the person wasn't telling us, where he had been meeting certain participants in the conspiracy, how much money was involved, what motels were used for meetings—all that, just from the psychological response.

BELIN: Have you had any personal experience with the so-called psychological stress evaluator?

SPRAGUE: In a more limited fashion than the polygraph. But I have been impressed with its results. It has a couple of weaknesses that the polygraph does not. The stress evaluator depends on what the person is say-



ing. You cannot use it, as you can the polygraph, to learn what is unsaid. It has one big advantage over the polygraph. People who might not agree to a polygraph test can nonetheless be tested on a stress evaluator merely by recording what they say in answer to one's question.

BELIN: Well I have seen studies that support the psychological stress evaluator; I've seen studies that say it's very unreliable.

SPRAGUE: The results I have seen have all been favorable to its use. These are instruments that give you clues. To give you an example where it worked well: once we were investigating a series of thefts at a company. The foreman was suspected of stealing. One day we merely called him on the telephone, but recorded the conversation, to ask him whether he had any knowledge of thefts and if there was anyone he suspected. He answered, no, he had no knowledge and he did not know whom to suspect. You then run the tape through the stress evaluator which, on the basis of the expert's reading of the stress in the vocal cords, indicates whether the response was a lie. The reading here was that the man was lying when he said he had no knowledge of the thefts. With that clue we concentrated on working on him to see whether we could then get proof. Finally, he was caught in the act and ended up confessing.

BELIN: I wanted the Warren Commission to have Lee Harvey Oswald's wife, Marina, undertake a polygraph examination. There were large portions of her testimony that were not subject to the ordinary tests of credibility, since they concerned events that occurred outside of the United States. Also, she had changed her story between the initial interviews with the FBI and the time she testified before the Warren Commission. There was a fight within the staff. The rationale for not using the polygraph was that you can't use it in a court of law and therefore you shouldn't use it here. The commission eventually turned me down. As an outgrowth of that, I also wanted to have Jack Ruby undertake a polygraph exam. I knew the commission wouldn't let me do it, so I had to go through the back door and have him, in a sense, demand it, which I eventually was able to do. The fact that this is an investigation rather than a trial I assume would

support Mr. Sprague in what he wants to do, although I think many people will question whether it's appropriate.

SKEPTIC: If you get the money that you want and the personnel, how are you going to proceed with this investigation?

SPRAGUE: Our obligation is to start with each of the two murders. You must establish death. You must establish the identity. I understand it's been suggested President Kennedy is not even dead. Upon establishing—assuming we do that—the death and the identity, we move to what evidence exists as to who participated. It is very important that we do take one step at a time. In that process, we hope to establish who did the killing and who else, if anyone, participated either directly or indirectly on a conspiratorial basis. That gets into whether individuals or agencies of government have heretofore or even now are trying to impede answering those questions; it would be relevant to know why. Now the why may still be independent of responsibility for what occurred. But it is obviously an area that has to be looked into. As we get to certain plateaus we will keep the public informed so that there is that educational process as we go along.

SKEPTIC: Why are you investigating the Kennedy and the King assassinations and no others?

SPRAGUE: I guess, to put it simply, two is enough. If, after they see what the requirements are for those two, they want to go broader and they want to appropriate funds and provide additional staff, well, we'll kick it around. But for the bare-bones staff required for these two, I'm not going to dilute the effort.

SKEPTIC: Are you saying it was an arbitrary decision to do those two and no others, or was it a political decision?

SPRAGUE: The resolution specifically said Martin Luther King and President Kennedy. Now it has in there the words "or any other death the committee wants to investigate." But I take those words to mean acts of violence connected to these two assassinations that would be relevant to investigating them.

BELIN: That would have included, in the case of the Kennedy assassination, the murder of Officer Tippit and the murder of Oswald by Ruby.

SPRAGUE: Sure, and it would at least have the appearance at this point of including the murder of the two people, I don't know the names, the mobsters who were identified as having been involved in CIA assassination attempts against Castro.

BELIN: That's Giancana and Roselli.

SPRAGUE: Right.

SKEPTIC: When you were describing the work that lies ahead, I wanted to ask facetiously how many years this is going to take. You don't want to set any time limits, but practically speaking, how long?

SPRAGUE: Well, I have been very explicit that you cannot put a time limitation on it if you want to do a thorough job. That becomes a basis for sloppy work. Secondly, those who are subjects of an investigation use that time frame as a wall behind which they can hide or delay things. Now that does not mean I don't have a general idea. I have said I hope we could do it in the two years of this Congress. But I say that in the same vein as when I try a murder trial and I lock up a jury. The jury wants to know how long they are going to be locked up. I'll say, well, I estimate about three months, but when three months have gone by don't jump up in that jury box and say, but Mr. Sprague, you promised us the trial would be over today. It's only meant as an estimate.

SKEPTIC: Mr. Belin, you probably dispute that you have a vested interest in the work and conclusions of the Warren Commission, but let me accuse you of that and ask you to comment on what Earl Warren said at the beginning of his inquiry into the Kennedy assassination. Kennedy was killed at the end of 1963, and 1964 was an election year. Earl Warren said in the proceedings of the commission, "I think if this should go along too far and get into the middle of a campaign year it would be very bad for the country."

BELIN: There were a number of comments and actions by Earl Warren with which I disagreed vehemently. There is no doubt that Earl Warren wanted to get this investigation out of the way by June 1. It was not done by June 1 and the reason it wasn't was primarily that the staff of the Warren Commission wanted to do a thorough investigation whether it took five months or nine months. The Warren

skeptic