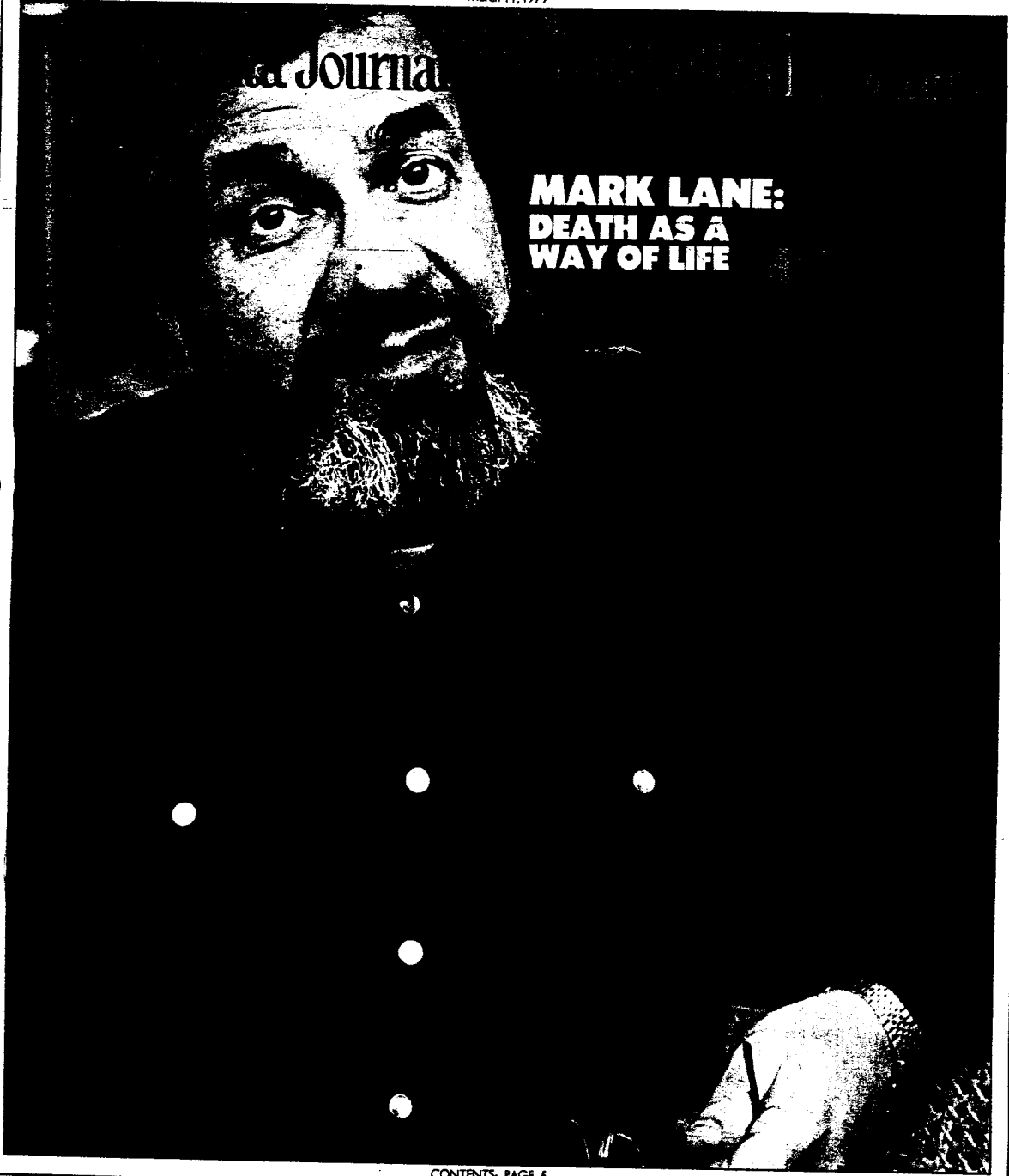


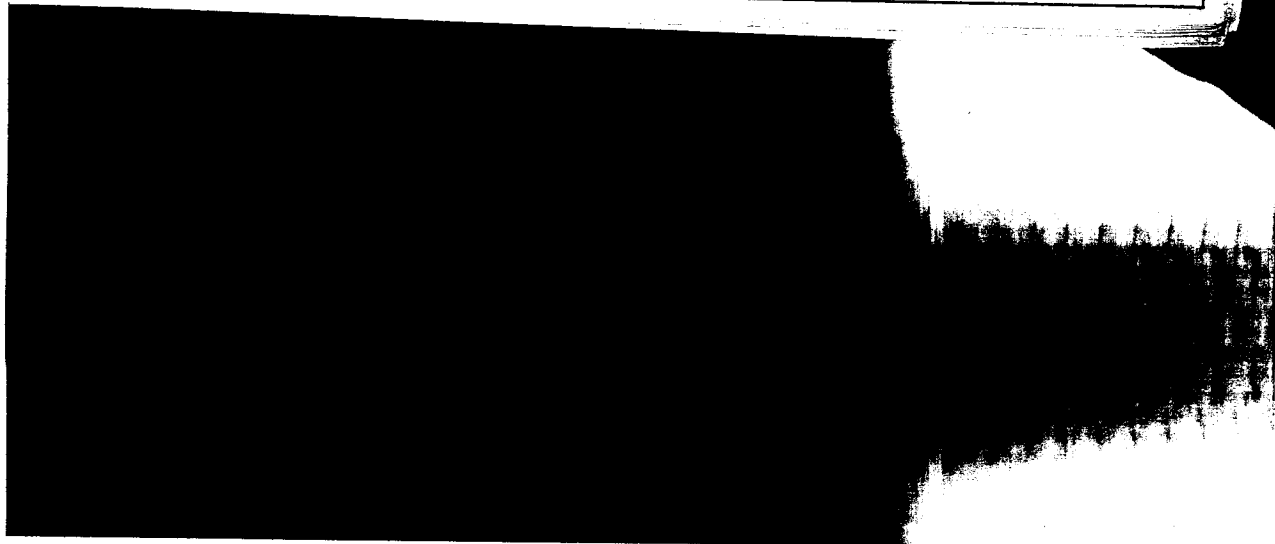
March 11, 1979

Journal

**MARK LANE:  
DEATH AS A  
WAY OF LIFE**



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Mark Lane and April Ferguson in the living room of their home in Memphis, where they moved after he became James Earl Ray's lawyer.

# DEATH AS A WAY OF LIFE

*Mark Lane may be living proof that one man's poison is another man's meat*

**By Margaret Shannon**

**M**ARK LANE was eating a fast lunch one Friday afternoon not long ago in the kitchen of his 1930s house on the downtown end of Central Avenue in Memphis, Tenn. He and his live-in law partner, April Ferguson, and his live-out secretary, Barbara Rabbitto, were having a

mushroom-and-onion omelet prepared by April. Elsewhere in the house, Terri Buford, once a trusted aide of Rev. Jim Jones of the Peoples Temple, was answering the telephones, which rang frequently. Upstairs a woman named Grace Walden, said by Lane to be the only person who saw the killer of Martin Luther King Jr. immediately after the shooting, was talking to an orange cat named Bad

Malcolm.

It was three months after Jonestown. Lane, a lawyer and writer who has been living with death since the assassination of President John F. Kennedy in 1963, was telling about his ordeal in the Guyana jungle with Charles Garry, a San Francisco attorney who has since accused Lane of stealing Jones as a client. The two had fled into the jungle as Jones led

his cult in the bizarre ritual of suicide and murder that left more than 900 men, women and children dead, most of them from a Kool-Aid-like drink laced with cyanide.

Lane, it has been said, is living proof that one man's poison is another man's meat. A New York lawyer and one-term legislator at the time, he wrote a 1964 best seller, "Rush to Judgment," disputing the Warren Commission's conclusion that Lee Harvey Oswald was the lone assassin of President Kennedy. In 1968, Lane rushed to Memphis a few days after Martin Luther King Jr. was killed, but backed off from the action or was crowded out of it, only to show up in the mid-1970s as a leading exponent of the conspiracy theory in King's death.

Soon thereafter, to the surprise of almost no one who knows how Lane operates, he had insinuated himself into the role of attorney for James Earl Ray, who pleaded guilty in 1969 to the King murder and was given a 99-year sentence, which he is now serving in Brushy Mountain Prison near Petros, Tenn. Lane moved to Memphis last September to devote

himself, he says, to obtaining a full-blown trial for Ray. A petition for post-conviction relief was filed in Shelby County Criminal Court in Memphis in January.

Lane also went to South America in September to visit the commune where Jim Jones had taken some 1,000 followers about a year earlier after his Peoples Temple activities in San Francisco had come under increasing attack. Jones invited him there, Lane says, to give a lecture on the King assassination. Lane, according to Newsweek magazine, is sometimes called "a vulture" by critics, but at Jonestown at least he was not swooping in on death after the fact; he was there before it came and, two months later, when it came. It was a chilling denouement to his 15-year occupation with death.

But during that fast lunch in his Memphis kitchen, Lane wasn't talking about the mass death scene. He was talking about Charles Garry's hair dryer.

"He was carrying this big briefcase with him when we were in the jungle," Lane said, "but he was too tired so I was carrying it most of the time. He had a hair dryer in it and big files of the Peoples Temple. Very heavy. I said, 'Let's dump the hair dryer.' He said, 'No, that's a good hair dryer.' We carried that thing for 24 hours in the jungle. In fact, in the police station in Port Kaituma we'd just gotten there and they said, 'What happened?' He said, 'Is there a place to plug in a hair dryer?' I'll tell you about Charles' hair. I made a discovery in the jungle most people don't know."

April Ferguson interrupted. "This is catty, Mark."

"He's almost totally bald," Lane continued. "He has hair growing from right here" — he indicated just above the ears — "down to about here" — and slightly below the shoulders — "and no hair on top. What he does is he takes it and wraps it around and he puts glop on it and dries it with a hair dryer. It was the strangest thing when we were going through the jungle, you could see this man totally bald on top and his hair growing down like this."

"When we got to the police station in Port Kaituma, they told him he couldn't plug his hair dryer in — wrong current or something — and he just started working with a brush. Larry Layton was there, the guy that was charged with murder, and he said, 'I'd like to see Mr. Lane.' We talked a while and he asked me if I'd defend him and I said, 'I don't think so.' During that whole time Charles was there he did not even talk to Layton. Here's a guy that is lawyer for Peoples Temple and all that time he's fooling with his hair."

Layton, a Peoples Temple member, was charged in connection with the deaths of California Congressman Leo Ryan, three American newsmen and a Jonestown defector in an ambush at the Port Kaituma airstrip on Nov. 18, the day that Jim Jones



Jonestown defector Terri Buford (right) now lives in Lane's home.

brought down the sky on his strange world.

Relating the hair dryer story seemed to satisfy some compulsion in Mark Lane. He finished his lunch with bread and raspberry jam and set about getting ready to fly to Nashville, Tenn., to see William Leech, the state attorney general. He examined the contents of his briefcase and consulted with April about which tape recorder to take. The briefcase contained a good deal of gear, but no hair dryer.

"I cannot say what it is," Lane said of his appointment with Leech, "but it is a life-and-death matter in relation to James Earl Ray. I think there are desperate efforts underway to prevent Ray from getting a trial, perhaps even to prevent the court from ruling on whether there should be a trial."

The statement was vintage Lane: dramatic, rocking of intrigue and conspiracy, accusatory and tantalizing, yet vague, elusive, perhaps even illusory. It could mean anything or nothing. It had the cry-wolf quality that has been a major factor in destroying Lane's credibility.

But Lane really did go to Nashville that afternoon and he did see the attorney general. Leech confirmed that Lane and his co-counsel in the Ray case, Charles Galbreath of Nashville, a controversial former judge on the Tennessee Court of Criminal Appeals, met with him "very briefly."

Leech declined to disclose what they wanted. Yes, it was a security matter concerning Ray, he conceded, and he had passed the information

along to prison authorities at Brushy Mountain as usual in such matters. "It's something that occurs always, and always has, with people of some notoriety who are incarcerated in a penal institution," Leech said.

**A**T 51, Mark Lane is a lean man of medium height. He has a black beard streaked with white. He wears big glasses and has been described sometimes as owlish and sometimes as resembling a teddy bear. One person, listening to him for the first time, said he sounded programmed. He is. He has been on the lecture circuit for years. Since Jonestown, the asking fee is \$2,750.

A recent Esquire magazine article concluded that Lane's motives "are always the same: profit and headlines." Lane has been living off the Kennedy and King assassinations for 15 years and his short-lived involvement with Jim Jones stands a good chance of bringing in more money than any of his ventures since "Rush to Judgment" sold a million copies (he says) in hardback and paperback in 1966 and 1967.

Whatever his motives, Lane is possessed with an awesome degree of resourcefulness, or gall, or both. In the course of his controversial career, he has managed to claw his way through packs of critics and survive the intricate warfare of the assassination cultists. He has done it partly by never turning the other cheek. Once he wrote a whole book berating his critics ("A Citizen's Dissent: Mark Lane Replies").

The way Lane moved in on the

King case is a classic example of the way he works.

When the civil rights leader was slain in Memphis on April 4, 1968, Lane was possibly the most-publicized advocate in the world of the conspiracy theory in the death of President Kennedy at Dallas four years earlier. A week after the King assassination, he went to Memphis, unannounced and, for all his new fame, relatively unnoticed. He picked some names out of news stories — that is how he got started on the Kennedy case also — and proceeded to the rooming house from which the fatal shots had been fired at King as he stood on the balcony of the Lorraine Motel.

"I interviewed the only two witnesses, Charley Stephens and Grace Walden, who said they saw a man leaving the bathroom of the rooming house carrying an object that could have been a rifle," Lane says. Stephens and Ms. Walden were living together at the time in a two-room apartment next to the bathroom. Both were heavy drinkers — a factor that was to cause all sorts of complications in ensuing days and years.

Lane now says that the killer as described to him by Grace Walden in 1968 in no way resembles James Earl Ray, who had not been captured at the time. After Ray's arrest, however, Lane made no issue of the discrepancy he now espouses. He left Memphis after a short stay and didn't touch the King case for years.

His explanation today is that he was afraid he would be branded simply as an assassination buff and his efforts in the Kennedy case would be harmed. "I feel very badly that I did not become involved immediately in looking into the facts involved in the murder of Dr. King," Lane said recently.

An argument can be made for the proposition that Lane left the King assassination alone until he saw a use for it. From the time he turned his attention to the Kennedy assassination, his primary activity no longer was his law practice. He turned increasingly to writing and lecturing. He formed a nonprofit organization, the Citizens Commission of Inquiry, into which he claims to have put \$50,000 from lecture fees at the peak of its activity in 1975 and 1976.

Watergate and the resulting revelations about FBI and CIA secrets revived demands for a new inquiry into President Kennedy's assassination, and Lane and his Citizens Commission undertook a massive lobbying campaign for it.

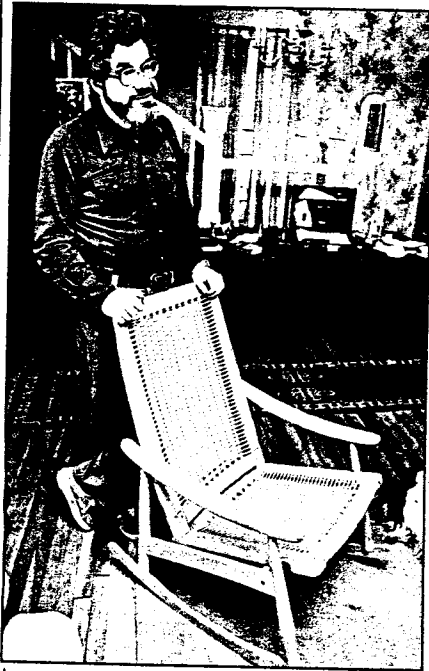
"We moved to Washington from New York in 1975 in order to get Congress to investigate the Kennedy case," Lane says. "I lectured at 180 colleges and universities and law schools. We set up 180 chapters of the commission, and they started bombarding Congress with letters and telegrams and petitions. I personally briefed 200 members of Congress and 1,100 congressional aides."

Two resolutions were introduced in the House

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## MARK LANE

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Jonestown made Lane more controversial than ever.

to set up an investigating committee, but they remained stalled for months in the House Rules Committee. It seemed a lost cause.

Lane, in the meantime, was beginning to dabble in the King case. Among other things, he undertook a book with black comedian-activist Dick Gregory that raised the conspiracy question and virtually fingered the FBI as the guilty party. Gregory surfaced as a leading advocate of reopening the investigation of King's assassination, and he and Dr. Ralph Abernathy of Atlanta, then president of the Southern Christian Leadership Conference, picketed the White House on Thanksgiving Day 1975 to dramatize the issue. King's widow, Coretta Scott King, talked of the assassination as a "government conspiracy" and said the case should be reopened. President Gerald R. Ford ordered his attorney general to re-examine the original FBI investigation.

In the summer of 1976, as George Lardner Jr. later reported in Saturday Review,

Lane helped television producer Abby Mann conduct some interviews in Memphis on the King case in connection with a film that Mann was planning, and Mann passed some of the information along to U.S. Rep. Walter E. Fauntroy at a workshop both attended at the Martin Luther King Jr. Center for Social Change in Atlanta. Fired up, Fauntroy went back to Washington and got the Black Congressional Caucus busy, and in September 1976 the House voted to set up a Select Committee on Assassinations to investigate both the King and the Kennedy slayings.

Lane and a rival assassination expert, Washington lawyer Bernard Fensterwald, both were considered for the job of committee counsel. Fensterwald turned the job down, and Lane says he told the chairman that either of them would be a tragedy. Lane is given credit, however, for coming up with the idea of giving the post to Richard A. Sprague, the Philadelphia

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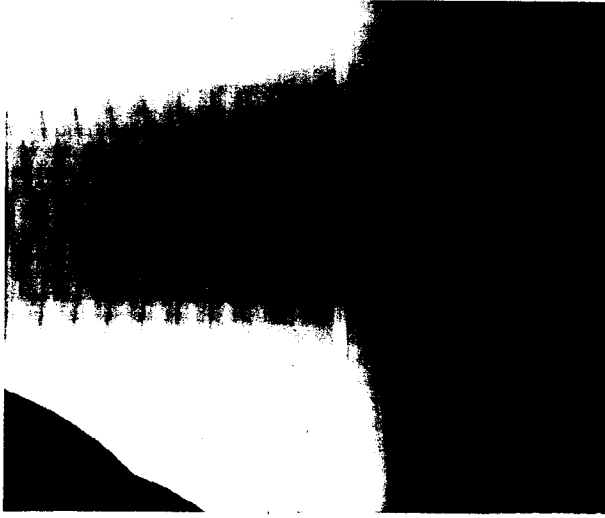


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**MARK LANE**  
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prosecutor who had made a name for himself in obtaining convictions in the murders of United Mine Workers leader Jock Yablonski and some of his family.

"I am told that Lane mentioned my name to members of the committee, although I never knew him until after I had the job," Sprague said recently. "It was the committee that contacted me." Sprague says that Lane turned some of his materials over to the committee, as did numerous assassination buffs. "In that sense, Lane was as cooperative as anybody else, although I realized he was of a certain school and had certain preconceptions," Sprague said.

But Lane soon lost whatever, if any, leverage he had with the committee when Sprague was forced out as chief counsel after proposing a two-year, \$13 million budget for the investigation. Lane claims that the choice of G. Robert Blakey as Sprague's replacement put the investigation back in the hands of the FBI and the CIA.

"When that committee started functioning under Mr. Blakey's control, I understood how Dr. Frankenstein felt when the monster began to move around on its own," Lane says.

There are several versions of how Lane came to meet James Earl Ray, most of them hinting of chicanery and misrepresentation. Harold Weisberg, author of "Frame-up: The Martin Luther King-James Earl Ray Case," who like Lane has spent most of the last 15 years on the Kennedy and King cases, says Lane went to Brushy Mountain posing as attorney for Donald Freed, who runs the Los Angeles office of Lane's Citizens Commission. Weisberg says Freed flattered Ray into thinking he was going to do a film about him that would make him a hero. Freed, incidentally, later was to precede Lane to Jonestown.

The Weisberg-Lane feud is of long standing. One of the nicer things Weisberg has to say about him is: "Lane's a man who thinks lilies were put on the earth by nature for him to gild."

Lane's story now is that he met Ray when he interviewed him for the book which he and Dick Gregory were writing about the King case, "Code Name Zorro," which was published in 1977. "It was only after the book was published and after he escaped from the penitentiary (in June 1977) that he called me and asked me to represent him in the escape trial," Lane says. "Then he asked me to represent him in the murder case to try to get a trial for him."

Since Lane has not been admitted to law practice in Tennessee, he took on a co-counsel, former Judge Charles Galbreath, who was a person of some notoriety in his own right. Galbreath's first troubles involved an old jaywalking charge and the use of a few mild expletives on the bench, but the big stir came after Larry Flynt's Hustler magazine published a letter from Galbreath in which the judge discussed laws relating to sex and expressed ap-

proval of oral sex, among other things. A state legislative committee declined to recommend Galbreath's impeachment, but he returned to private law practice on his own. When James Earl Ray's wife was in Nashville several weeks ago, Galbreath handled her contacts with the media.

For Lane, the timing of his taking on Ray as a client was fortuitous. It meant that if Lane could hang on for a while — Ray already had hired and fired about 10 lawyers since 1968 — Lane would be in a position to handle Ray's dealings with the House Select Committee on Assassinations. The lawyer whom Lane supplanted, James Lesar of Washington, thought it would be disastrous for Ray to testify before the committee, but Lane wouldn't have missed it for the world. He was at Ray's side when Ray testified during televised hearings last August.

Before that, however, Lane had created what has got to be one of the most curious episodes of many involved in the long history of the case.

**W**HEN Lane went to Memphis last April for an observance of the 10th anniversary of the King assassination, he took the opportunity to become reacquainted with Grace Walden, the rooming house resident whom he says he had talked to in 1968.

Ms. Walden was a patient at Western Mental Health Institute at Bolivar, Tenn. In fact, she had been there since shortly after the King murder. "When James Earl Ray was arrested and Grace persisted in giving a description of the killer which was very different from Ray, they picked her up and put her in a mental institution," Lane charges. He says that the man she described as having seen come out of the rooming house bathroom was about six inches shorter than Ray, had a dark complexion (Ray's is light) and was thin in build rather than medium like Ray. Records show that Grace Walden has been a ward of Shelby County Probate Court since July 31, 1968, after being declared incompetent and that she was in the state mental institution for almost 10 years.

Lane says he met with a group of religious leaders in Memphis for the 10th anniversary, and they issued a demand for Ms. Walden's release. About three weeks later she was discharged from the state hospital and placed in a boarding home, but she was still a ward of the court, still adjudged incompetent.

Soon a sort of tug-of-war developed. According to court records, the scenario went like this: Lane retained a pair of Memphis lawyers to try to get Ms. Walden freed by habeas corpus or other means. Calling her from their office on May 3, 1978, he asked her if she wanted him to be her attorney and whether she'd like to go to California. Lane was then living in Los Angeles, having undertaken a project in connection with Hustler publisher Larry Flynt's offer of a million-dollar reward for solution of

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This 1930s house had been remodeled before Mark Lane bought it.

the Kennedy assassination.

Grace Walden apparently consented to do what Lane suggested, for she did fly to Los Angeles with him. They were met by a slew of reporters, and she faced television cameras with reasonable calm, considering her long absence from the real world.

A few days later, however, her guardian petitioned the Probate Court in Memphis to hold Lane in contempt of court for spurning her away "to benefit either Mark Lane or one of his clients." The guardian, a Memphis lawyer named Larry Nance, contended that such treatment would work to her detriment "by subjecting her to continuous pressures to which she is unaccustomed... by virtue of the constant harassment and attention of the news media."

Lane retaliated with a petition to discharge Nance as Grace Walden's guardian and declare her competent once again. One of the supporting documents Lane submitted was a statement in her handwriting — a small, neat, rounded script — in which she said, in part: "I am pleased to be in California — surrounded by well-wishing friends and am actively seeking contact with my relatives. I am resting and making plans for the future."

Probate Judge Joseph Evans startled courtroom observers by accepting Lane's offer to become Ms. Walden's co-guardian. Since Lane is not a member of the Tennessee bar and did not then live in Tennessee, the judge named a Memphis lawyer, Duncan Ragdale, as co-guardian. But he did not declare her competent.

When Lane moved to Memphis last September, Grace Walden came along as one of the "family," as he refers to the members of his household. The others at the time of the move were April Ferguson, who is 36,

and her 14-year-old daughter. Ms. Walden is 62. In late October, about three weeks before the Jonestown horror, Terri Buford joined the "family" following her defection from Peoples Temple. Lane had met Terri on his first trip to Guyana in September.

Lane is the son of a New York certified public accountant, Harry Levin, who had changed his name to Lane early in his career. Harry Lane died in December at the age of 87. Mark Lane was brought up in the Jewish tradition. One of Lane's favorite stories is about the fun he had needling racist lawyer J. B. Stoner of Marietta, Ga., with his Jewishness.

"The House Select Committee was trying desperately to get to Stoner, but he refused to talk to them," Lane says. "I wanted to talk to him also because he said he'd been offered money to kill Dr. King. So I arranged through Jerry Ray (James Earl Ray's brother) to meet with Stoner at the Atlanta Airport.

"It started off by him saying, 'Well, we could have some food, Mr. Lane, but I'm not sure you're hungry.' I said, 'I'm hungry, but I'm not sure there are any kosher restaurants here at the airport.'" Lane says he taped his interview with Stone and later, with Stoner's consent, turned the tape over to the House committee.

One of the pictures on the wall of Lane's tiny office in Memphis — half the enclosed front porch of his house — shows him as a smooth-cheeked soldier. He was drafted into the Army near the end of World War II, went to law school afterward and then practiced law in Spanish Harlem. He served one term, 1961-62, in the New York legislature.

Lane has been married three times. His third wife, a Danish fashion designer, is the mother of his two

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## MARK LANE

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daughters, Anna Maria, 12, and Christina, 10, whose picture he carries in his wallet. They are now living in Paris, he says.

The Memphis house is roomy, but not pretentious. It is nicely, though not lavishly, furnished; the pieces are a mix of period reproductions and Scandinavian-type modern. The house had been refurbished before Lane bought it for \$37,500, and Lane is sorry the front porch is enclosed rather than screened like the one next door.

April Ferguson is dark-haired, prettier than her pictures and

younger-looking than 36. She is a law graduate and has been working with Lane for several years on the Citizens Commission. In Memphis, she started to night law school to bone up for the Tennessee bar examination.

The neighborhood where they live appears to take the Lane household in stride, and Lane's "family" has found Memphis more bearable than expected. "I thought when I first came here that of all the things I've done in my life, the greatest sacrifice I was making was moving to Memphis," Lane says mockingly.

Los Angeles had ceased to be a viable base of operations anyway. After Larry Flynt was shot and paralyzed in Lawrenceville, Ga., during a

pornography trial last March, his wife, Althea, scrubbed the grandiose Kennedy assassination undertaking, along with some other things.

Lane and Ms. Ferguson are delighted with the junior high school her daughter is attending. "We went to a basketball game not long ago," Lane said. "April's daughter is involved, you see. It's the same kind of situation when I went to school a long time ago. With the exception of the death threats, it's very peaceful here."

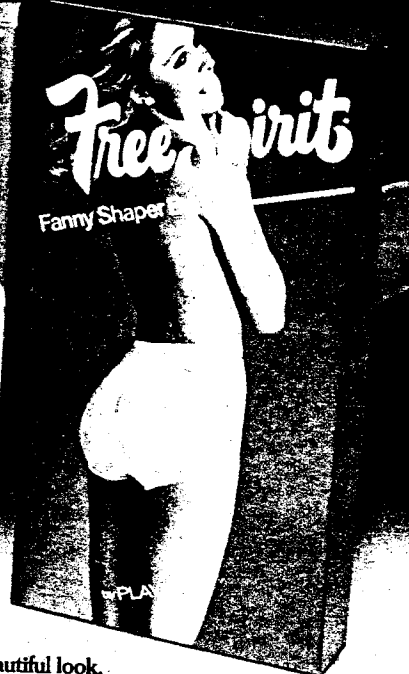
The death threats began after Joustown, he says, and Lane has been hassling with Memphis police over some packets of Kool-Aid that showed up on his front steps. He has recently had an elaborate security system in-

stalled, and a second dog, an all-black German shepherd, has taken up residence there along with a big, beautiful collie that Lane already owned. The shepherd will be trained as an attack dog when it is a little older. Both dogs go to the front door when anyone comes calling.

"The Memphis police have threatened us with protection," Lane says sarcastically.

Grace Walden spends much of her time in her upstairs room, descending now and then with a cardboard box of soiled kitty litter, which she replaces with a fresh batch. She has rubbery features and a rubbery walk. "I worked at Bell bomber plant during the war," she tells two visitors from

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Atlanta. Bell was Lockheed-Georgia's predecessor.

Lane now contends that Grace Walden is the only witness who actually saw King's killer as he left the rooming house bathroom after the shooting, and he apparently has some idea of using her to clear James Earl Ray if he ever comes to trial. Lane thinks Charley Stephens' identification of Ray has been thoroughly discredited, as do numerous other investigators and assassination buffs.

It's an ironic turn of events, but the fact is that the House Committee on Assassinations ended up not calling either Charley Stephens or Grace Walden to testify.

The committee filed a petition in Probate Court in Memphis last August for access to Ms. Walden's medical records. Lane and Ragsdale opposed it as an invasion of her privacy, but the judge ruled in favor of the committee. She was subpoenaed by the committee later, but did not appear. "The committee waived her appearance on the basis that on account of illness and her psychiatric record, she would not have credible testimony to offer," a committee spokesman said recently. "Also, the committee did not feel it would be humane to make her testify."

According to Memphis attorney Harvey Gipson, Charley Stephens was questioned under oath by committee staff members, but for some reason was not called to testify. Gipson has been Stephens' lawyer since shortly after the King killing, when Stephens was jailed as a material witness and wanted out. For the next several years, Gipson tried to collect for Stephens a \$100,000 reward offered by a group of Memphis agencies and organizations in the King case, but the Tennessee Supreme Court threw out Stephens' claim about a year ago and Gipson does not know where he is now.

When Ray's appearance before the House committee last August was arranged, Lane kept promising sensational disclosures that never came. Lane is unrepentant. He rails at the committee instead. "We have a committee spending \$4 million working for more than two years on these two assassinations, with many public hearings, parading various people on television, and never calling either of the key witnesses in the King case," he says.

Still, it is a situation made

to order for Mark Lane. The committee did not "solve" either assassination, and the voluminous records of its investigation will be a gold mine for the sizable coterie to whom, like Lane, death is a way of life. "I'm less than satisfied with the work done by the committee," Lane says, "but the conclusion it reached — that in all probability there was a conspiracy to kill Dr. King — is an important conclusion."

**T**HERE are some people who think, and hope, that Jonestown may be Lane's Waterloo. One basis for this attitude is the idea that he possibly might be disbarred for his alleged failure to warn Congressman Ryan and others of the dangers in Jim Jones' Guyanese commune. Lane's countercharge is that the State Department knew a lot more than he did and still did not warn Ryan of the problems.

Jonestown tarnished Lane's already rather tarnished image, but he came out of it with one prize: Terri Buford, the former aide of Jim Jones who is now a member of Lane's household. Terri, a thin, plain-featured young woman, is said to have been in charge of the Peoples Temple financial records and therefore supposedly to know the whereabouts of its multimillion-dollar assets.

Since Lane returned from Guyana after the massacre, he and Terri have been to California a number of times to testify to grand juries and to talk with investigators. "The FBI and the Secret Service have been here regularly," Lane said in Memphis recently. "We've given them all the information we have. I didn't have very much, but Terri had a lot."

They also are working on a book. "She's a big help," Lane said. Michael Lollar reported in the Memphis Commercial Appeal that Lane's editor said his advance for the book was "not extraordinarily high," but that Lane will get a larger than customary share of the paperback rights. The tentative publication date is September.

Lane doesn't manage to pull out a plum every time he sticks his thumb into a sensational situation, however. When Larry Flynt was shot, he rushed to Lawrenceville, but didn't stay around very long. "Althea (Flynt's wife) didn't want an independent investigation," says Lane. "She wanted to leave it to the Lawrenceville police." ■

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