

Assistant Attorney General  
Civil Rights Division

May 7, 1974

Director, FBI 44-38861-5942  
REC-116

1 - Mr. Franck  
1 - Mr. McDonough

ASSASSINATION OF  
DR. MARTIN LUTHER KING, JR.

I have received your memorandum dated April 24, 1974, and its enclosures in the captioned matter, your reference JSP:FDA:SH:bmp; DJ 144-72-662.

In the letter from Mr. George McMillan to John Larry Ray furnished you by Mr. Bernard Fensterwald, Attorney for James Earl Ray, it is stated "Sometime before I write this section I am going to Memphis and look at the FBI file on the case; that's been made available to me. Knowing what I know, some of the things in that xxxx file might look different to me from what they looked to Frank and Huie." This apparently refers to Gerold Frank and William Bradford Huie, authors who have written material on the Dr. Martin Luther King, Jr., murder case.

Appropriate personnel of this Bureau have advised that they have no information that FBI reports have been made available to these individuals by this Bureau. In order to resolve this matter, efforts have been made to interview Mr. McMillan concerning the statement in his letter.

On April 27, 1974, Special Agents of our Boston Office contacted Mr. McMillan and he advised he did not wish to be interviewed. He stated that Mr. Fensterwald habitually makes wild accusations and Mr. McMillan does not feel any response to these is warranted. He added that another reason for not wishing to be interviewed is that correspondence between himself and John Larry Ray concerns a suit in Federal Court by Mr. McMillan to gain access to John Larry Ray, who is an inmate at the Federal Penitentiary, Marion, Illinois.

On April 29, 1974, Mr. McMillan recontacted our Boston Office and advised he was willing to be interviewed.

MAILED 5  
MAY 7 1974  
FBI

- Exec. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
- Files & Com. \_\_\_\_\_
- Gen. Inv. \_\_\_\_\_
- Ident. \_\_\_\_\_
- Inspection \_\_\_\_\_
- Intell. \_\_\_\_\_
- Laboratory \_\_\_\_\_
- Plan. & Eval. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

44-38861  
EJM:bap (6)  
MAY 15 1974  
MAIL ROOM  TELETYPE UNIT

George E. McMillan  
with P-41  
EJM  
R16  
PAC  
CIR

SEE NOTE PAGE TWO...

Section 84

Assistant Attorney General  
Civil Rights Division

on May 2, 1974, in the presence of and in the office of his Attorney, John T. Williams of Hausserman, Davison and Shattuck, 15 State Street, Boston, Massachusetts.

On April 30, 1974, Mr. McMillan contacted the Boston Office and cancelled the appointment. He stated he was willing to have Attorney Williams interviewed in his behalf but did not wish to be present himself. He advised he was leaving the Boston area immediately to spend three or four days in Tennessee and volunteered he had not reviewed any FBI files and had only hearsay knowledge of such review by other authors.

On April 30, 1974, John T. Williams stated he had last talked with Mr. McMillan a few hours earlier and at that time Mr. McMillan was willing to be interviewed personally. Mr. Williams stated he knows only that Mr. McMillan did not review any FBI file.

No further efforts are being made to interview Mr. McMillan; however, any information he may desire to furnish our Boston Office will be accepted.

In addition to the above, you are referred to a letter to this Bureau from then Assistant Attorney General of the Civil Rights Division, Jerris Leonard, dated January 15, 1971, entitled "Assassination of Martin Luther King, Jr."; your file JLiMG:pg; 144-72-66, enclosing a letter from the Civil Rights Division to Mr. George McMillan in which Mr. McMillan, in essence, was advised that Department of Justice files pertaining to James Earl Ray are confidential and his request for further information based on the FBI's investigation could not be complied with. Mr. McMillan was advised by the Department that documents and exhibits which were filed on behalf of Tennessee and Missouri in the Ray extradition proceedings in the British Court do not come within this rule and would be available for inspection at the Civil Rights Division in Washington, D. C.

NOTE: This is to advise the CRD of results of our inquiries into this matter. If McMillan and/or his attorney contact our Boston Office, any pertinent information will be obtained and if appropriate, will be forwarded to the CRD.



PLAINTEXT

FACSIMILE

URGENT

To: SACs Boston (Enclosures 3)  
Columbia (Enclosures 3)

4/26/74

From: Director, FBI (44-38861) - 5942 1 - Mr. McDonough  
REC-110  
MURKIN

Enclosed are communications from the Department.

For info of receiving offices you will note the Civil Rights Division requests we interview appropriate Bureau personnel concerning comments made in correspondence from Bernard Fensterwald, attorney for James Earl Ray. Fensterwald asserts that based on correspondence of George McMillan which he obtained, authors Gerold Frank, William Bradford Huie and McMillan have had access to FBI reports in the King assassination case. In the letter referred to, McMillan states "sometime before I write this section I am going to Memphis and look at the FBI file on the case; that's been made available to me. Knowing what I know some of the things in that file might look different to me from what they looked to Frank and Huie."

u.s.!

Bufiles show McMillan has contacted the Bureau previously for information on the Ray case and other Civil Rights cases and there is no indication that he has been furnished information by the Bureau from Bureau files. Our files do show that in January, 1971, in response to his request for data in the Ray case, the Civil Rights Division of the Department advised McMillan that the only information which could be made available to him consisted of documents filed on behalf of the States of Tennessee and Missouri in the extradition proceeding against Ray in British Court.

Appropriate personnel at the Bureau and in the Memphis Office advise that they have no information that Bureau reports were furnished McMillan, Frank or Huie in this matter.

- Exec. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
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- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Instructor \_\_\_\_\_

1 - Memphis (Info) (Enclosures 3)

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

EJM/pwl )3(

SEE NOTE PAGE 2 . . .

APR 26 1974

PS-57-8-8 11  
TELETYPE

RA/CLM EJM

McMillan 064  
2-10 11

MAY 15 1974

TELETYPE UNIT

Facsimile to SACs Boston  
Columbia

Re: MURKIN  
44-38861

Bureau files indicate that McMillan in December, 1973, was in Coffin Point, Frogmore, South Carolina, although the letterhead on his letter of 9/14/73 sets forth a Cambridge, Massachusetts, address.

The Boston and Columbia Offices should immediately attempt to ascertain whereabouts of McMillan in order that he can be interviewed to resolve any possible allegation that he, Frank or Huie have received Bureau reports in this matter. Handle immediately and keep Bureau advised of developments. Sutel summary of results of interview of McMillan and follow with LHM. This is to be vigorously pursued until resolved.

NOTE: See General Investigative Division informative note dated 4/26/74, EJM/bap.



4/20/71  
GENERAL INVESTIGATIVE DIVISION

Civil Rights Division requests we interview appropriate Bureau personnel concerning comments made in correspondence from Bernard Fensterwald, attorney for James Earl Ray. Fensterwald asserts that based on correspondence of George McMillan which he obtained, authors Gerold Frank, William Bradford Huie and McMillan have had access to FBI reports in the King assassination case. In the letter referred to, McMillan states "sometime before I write this section I am going to Memphis and look at the FBI file on the case; that's been made available to me. Knowing what I know some of the things in that file might look different to me from what they looked to Frank and Huie."

Bufiles show McMillan has contacted the Bureau previously for information on the case and other Civil Rights cases and there is no indication that he has been furnished information by the Bureau from Bureau files. Our files do show that in January, 1971, in response to his request for data in the Ray case, the Civil Rights Division of the Department advised McMillan that the only information which could be made available to him consisted of documents filed on behalf of the states of Tennessee and Missouri in the extradition proceeding against Ray in British Court.

Appropriate personnel at the Bureau and in the Memphis Office advise that they have no information that Bureau reports were furnished McMillan, Frank or Huie in this matter.

It is recommended we interview McMillan and pin this down and upon receipt of results, Civil Rights Division and Fensterwald will be appropriately advised.

EJM:bap

*EJM* *CLM* *Riki* *APC* *EM* *IMM*