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While David J. Garrow is correct in criticizing Andrew Young's statement that "there was a degree of involvement by some segment of the U.S. government" in the assassination of Martin Luther King, Jr. for its "lack of any factual foundation," Garrow could not be any more incorrect than in saying that the King assassination was "heavily investigated."

Garrow is also incorrect in saying at the same point that the "historical record concerning King's death (sic)" is "widely available."

I speak of personal knowledge, as ~~was~~ James Earl Ray's investigator for his successful habeas corpus petition and the unsuccessful two weeks of evidentiary hearing in his effort to get the trial ^{he has} never had and as the one-and-the only one-

who filed ^{suit} under FOIA to make the FBI's records available. *It lasted a bit and yielded about 80,000 previously secret pages (at 75-1996.)*

There is from the official records no question about it: the FBI never investigated the King assassination. All those records quite openly reflect the FBI's assumption of Ray's guilt and its avoidance of any other real investigation.

The fact is that the FBI's ~~own~~ "evidence" is in some ways exculpatory of Ray.

On his part, for all his writing about it, when Garrow was here and saw the vast amount of official information I obtained about our ^{magic} assassinations ~~for~~ a dozen or so FOIA suits against the government he took no time to look at any of the many file cabinets of the FBI's "MURKIN" and related records that, as with the greater volume of JFK assassination records, I make freely available to all writing in those fields. (He was interested when I showed him how from those records he could get what had not been sequestered by court order of the FBI's wiretapping of King and his closer friends and he made good use of that information in "Beating The Odds".)

As have most writing about the King assassination and ^{what} relates to it, Garrow took the safe course and assumed Ray's guilt. The record, which is not at all or in any way "widely available" proves the opposite.

I conducted the investigation for those two weeks of evidentiary hearing in Memphis. Paul Valentine covered that for the Post. I located and produced most of the witnesses Ray's counsel used. I have the transcripts of those two weeks of evidentiary hearing at which some of the claimed official evidence was examined and cross-examined ^{in open court} for the first and only time. Garrow did not take a look at them. Nor did Young or anyone else at ~~the~~ SCIC or for the SCIC.

What we did with that official "evidence" led the judge to hold that guilt or innocence were immaterial to what was before him. ^{Robert Mike Rae,} He used those words literally. In contradiction to the ~~overwhelming~~ evidence he denied Ray his trial on the false claim that Ray had had the "effective assistance of counsel" and that although the pressure applied to Ray to get him to agree to a guilty plea was entirely unreflected, the judge held that Ray made his ^{coerced} ~~reluctant~~ plea "knowingly and voluntarily." ^{Judge Preston Battle}

The ~~judge~~ judge had already ruled that Ray could not change lawyers. So, as soon as Ray was out of Memphis he filed notice with that judge ^{convincing} of his appeal. Under Tennessee law that was granted automatically for the first 30 days. The judge was on vacation. The day he returned, with Ray's letters in front of him and when he was ~~was~~ writing out, in longhand, what appears to have been the granting of Ray's motion, the judge died of a heart attack.

It is unfortunate that people from the Young extreme to Garrow's write about the King assassination with comforting ignorance of the official fact.

Harold Weisberg

Please excuse my typing. I'm past 83 and in precarious health that ^{limits} ~~limits~~ what I can do.