Mr. Leonard Downie, Jr.
Executive Editor
The Washington Post
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Washington, DC 20071

Harold Weisberg
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Dear Mr. Downie,

I violate doctor's orders that I keep my heels higher than my heart to make you an offer I do not expect you to accept and in that to make a record for history of the utter dishonesty of your today's corruption of fact about the assassination of Martin Luther King, Jr., which is what your anti-Ray dishonesties are.

The Post is of course entitled to give ~~opinion eep~~ opinions in its opinion section and it is even entitled to restrict those it uses ~~who are~~ to those who are partisans with pasts to obscure but it is not entitled to publish overt lies as fact.

I was, as the Post knows, not only the author of the first book on the case but thereafter I was Ray's investigator. I did the investigating for the successful habeas corpus petition and I did the investigation thereafter for the two weeks of evidentiary hearing in federal district court in Memphis. Paul Valentine covered them for the Post. After that I filed a number of FOIA lawsuits, as again the Post knows, and from them got a great volume of the FBI's records that for lack of a better description can be said to have been on the King assassination. In fact it never did investigate that crime, as its own records state. It assumed Ray's guilt and sought only to give that presumption credibility it never had and still does not have despite your loyal dedication to it well today.

My offer is for any reporter or combination of reporters of your choice to interview me on what you published today, with my having the opportunity to offer comments on what I am not asked about, that their questioning be tape recorded and that I be given a copy of the recording and any teanscript made.

It is a lie for Billings to say that Ray has had his day in court. He certainly did not have it before the committee for which Billings worked. I had some dealings with it. It began with the overt intention to support what the FBI had concluded about both assassinations. This was so unhidden that on my first acceptance of Richard Sprague's invitation to speak to him after he was appointed the House assassins' chief counsel I told him to his face what was going to happen to him if he continued as I could see he was going. When it did happen, Ken Brooten, a Florida lawyer on the staff, phoned me to tell me that I was Merlin remembering the future.

That committee was so determined to ignore all that did not suggest Ray's guilt I had to coerce it into borrowing the transcripts of that evidentiary

hearing - only to have them ignore all that evidence tested as evidence is tested in federal ~~courts~~ courts.

For Billings to dismiss that proceding as he does, in less than a sentence is neither honest nor fair.

It fell to Jim Lesar, junior of Ray's counsel, and to me to prepare the case for the hearing with chief counsel abroad. We divided it up with Lesar to take the law and I the fact, the evidence. With Percy Foreman, the country's most famous criminal lawyer, Ray's then counsel, I faced the problem of making the case that Ray did not have the effective assistance of counsel as well as of his plea not being voluntary.

ALL the evidence in the court record on the latter point is that his plea was not voluntary-that Foreman coerced it. (Foreman spent only 10 hours with him altogether.)

On the former I decided that the only way to prove that Foreman did not render "effective assistance of counsel" was in effect to try the case alleged against Ray. I did get and produce those witnesses and that evidence. As Billings does not say, much space as you gave him, the Judge actually held that guilt or innocence were immaterial to what was before him!!! Literally that was true because the actual issues are stated above. The judge merely did as judges can do, decided against the weight of the actual evidence.

I do not use the word "lie" lightly and I do use it as fair and accurate. Billings lies in his second sentence in saying that Foreman "reviewed the evidence" against Ray. He did not even look at it! Remember, I have, as does Lesar who is physically closer to you, the records we got on discovery and Foreman had no interest at all, from the records we got from his cocounsel, the public defender, in the FBI's case records. I got them but Foreman did not! The records I have reflect not the slightest Foreman interest in them!

If he had had any such interest, as Billings would have been compelled to say if he had, he would have known that the FBI lacked a witness it dared put on the stand to place Ray in Memphis!!!!

If Billings had even glanced at the sworn testimony of that evidentiary hearing he would have seen that the package with the rifle in it was dropped when that would not have been possible for Ray had he been in that flophouse.

The evidence we put on, and this hardly indicates the extent of it, was not refuted. To this day it has not been, including by Billings' committee. (What it did do was remove the FBI identification of what he refers to, these

Atlanta laundry receipts, to hide the fact that I had already placed them in the public domain in Civil Action 75-1996. To give the dog that was its work.

Billings says that "The FBI's fugitive investigation (which is what the FBI says it was, not a murder investigation) was efficient and proper." He could not have gone over those records and have that belief. The FBI was never close to Ray and it even refused to do what could have been helpful in catching him. That was done as the result of what Canadian officials did after the FBI refused to make that request.

Russell Byers, part of Billings' fictions, and Raymond Curtis, who was a major character in George McMillan's apology for a work of nonfiction, were among the 50-75 criminals either facing prosecution or already in jail who made those kinds of stories up in the hope of what Byers got, a break from his lies, lies of value to officialdom. Curtis was even more of a joke, as the disclosed FBI records I made public domain leave without any question at all. McMillan ignored them + have his both.

Mrs. McMillan is wrong in stating that Ray alone robbed the Fulham bank in London and got $240 from it. He was one of two who got that and divided it in half. But all you publish on Ray and money is fiction. Common sense should tell you as it would have told the committee that if Ray had gotten that supposed $500,000 for the job he'd never have been caught. He got to Portugal (with money he got from robbing a Canada whorehouse) with $100 less than boat passage to then Rhodesia would have cost. There was then no extradiction treaty and he'd have been free.

Billings is wrong in saying that John Ray met with James and Jerry in Chicago. Jerry was alone then. John and Jimmy never did get along very well. They were not close. Jerry worked in the Chicago area.

On such supposed evidence as ~~~~ that "a ~~~~ positive ballistics match could not be made between the bullet (sic) removed from King's body and" the supposed rifle used to kill him Billings again is not faithful to the record. The FBI never even test-fired that rifle! It test-fired one it knew could not have been fired and a number of others- and I have those records - but not that rifle. Instead it had its Robert Frazier of the Lab so much now complained about execute an affidavit to get Ray extradicted from England (in open violqtions of that extradition treaty) in which Frazer attested "I could draw no conclusion as it whether the submitted bullet was fired from the submitted rifle." I published this in facsimile in 1971. I got it in the records I had to sue to get that were used by our government publicly in England- and found they were classified "secret" when they were, under court order, produced. But as Ray's investigator I took a recognized and respected expert to the clerk of the

court's office to examine the remnant of bullet removed from King's body. He used his microscope and took pictures and testified then and there that if he were given that remnant of bullet he had examined and that rifle and permitted to test-fire that rifle to obtain specimens he had found enough marks of distinction on that remnant of bullet to be able to testify unequivocally that it had or had not been fired from that rifle. His testimony was not refuted or rebutted. Nor was his testimony about other alleged evidence, such as the mark the rifle supposedly made on that bathroom windowsill. He said it could not have come from that rifle and again was not refuted or rebutted.

In fact, if the shooting had been as alleged, with the muzzle of that rifle in that mark on that windowsill, the shooter and part of the rifle would have had to have been inside the bathroom wall!

It is I think one of the great tragedies of our time that the major media has been in uncritical support of the government's palpably false accounts of both the JFK and King assassinations rather than meeting the traditional obligation of trying to inform the people fully and honestly so that representative society can work.

Popular lack of confidence in the major media is justified, as the foregoing indicates to a slight degree.

Sincerely,

Harold Weisberg

I'm sorry my typing can't be any better. In addition to this new ailment I've survived quite a few others and am almost 84.

I wish I were up to as much as I could add to this. Like the record Foreman had of putting clients away. I have two cases of that. He flew to New York for some free publicity before the bar could advertise, in I think 1971, for a TV show and he fled with the makeup partly applied when the makeup man told him he would be confronting me. It happened so fast the highlight in the NY Times could not be eliminated before the paper went to press. And ask, I suggest, Jim Lesar to tell you what kind of conniption Foreman threw when he just thought of my name...Despite what Billings says, that was a time when there was no chance of Ray being electrocuted. The fact is that the judge had told Ray he could not change lawyers and Ray had no option other than to agree to the plea and then fire Foreman. Which is what he did. And he wrote the judge as soon as he was out of Memphis. The judge died of a heart attack while writing out an order for this "New" trial. Quite a story there and I have it on tape. He died while a prosecutor was arguing against that order. in the judge's office