Mr. ADRINE. And would you explain why you advised them of the request from Mr. Stanton?

Mr. CANALE. Well, I just felt that with their interest in the case that I should tell them what was going on, since we had, you know, discussed the entire case before as to the evidence and everything else.

Mr. ADRINE. Sir, to your knowledge did Percy Foreman discuss the possibility of a guilty plea with Judge Battle before he discussed it with you?

Mr. CANALE. It is my recollection that, I believe I had some notes that either Mr. Foreman or Judge Battle had told me that Mr. Foreman had talked to the judge.

Mr. ADRINE. Did you discuss the plea with the judge?

Mr. CANALE. I probably did. I think I probably did; yes, sir.

Mr. ADRINE. To what end would you have discussed the plea, sir?

Mr. CANALE. The same reason that Mr. Foreman would have discussed it, that there was something in the mill and there was not any need to go through it if the judge was not going to approve it. In our practice in Tennessee at that time a plea of guilty to an offense such as this had to be approved by the judge as well as by a jury.

Mr. ADRINE. [redacted]

Mr. CANALE. [redacted]

Mr. ADRINE. Do you recall if he appeared to you to be overly anxious to receive a guilty plea as opposed to going to trial to avoid that type of occurrence?

Mr. CANALE. I don't think so. I don't think it made much difference to Judge Battle one way or the other, whether it went to trial or was a guilty plea, so long as there is, on a guilty plea, the sentence was sufficient to fit the crime.

Mr. ADRINE. Did you personally receive any pressure from Judge Battle to authorize the acceptance of a guilty plea?

Mr. CANALE. I did not.

Mr. ADRINE. Were the final terms of the guilty plea worked out between yourself and Percy Foreman or between Foreman and Judge Battle?

Mr. CANALE. Well, they were worked out between Mr. Foreman and myself because Judge Battle wasn't in a position to make an offer of time to him. Of course, we had various aspects of the procedure in a guilty plea, which had to be worked out—a waiver of trial, the judge posing certain questions to Mr. Ray on a guilty plea.

There was certain groundwork to be worked out if there were to be a plea.

Mr. ADRINE. Mr. Chairman, at this time could the clerk present to the witness what has been previously marked as Martin Luther King exhibit F-273.

Once again, Mr. Canale, these are some of your handwritten notes. I think that these were written out on March 5, 1968, and concerned a meeting that you had with Mr. Foreman on that date.

Mr. CANALE. Yes.

"Select Committee on Assassinations" US House of Reps.
Ninty-Fifth Congress, 13 Nov.1978
Phil M. Canale testimony

EXHIBIT-A.

Mr. ADRINE. Did the possibility that you might not be able to impanel a jury that would be entirely honest with you enter into your thought process when it came to the guilty plea?

Mr. CANALE. I would say that that was one of the considerations in entertaining a plea of guilty in this case. We felt that the selection of a jury in the trial of this case would be probably the most important part of the case, but we, with this feedback coming to us, we felt that no matter how thoroughly we bore down on a jury, that th[redacted] under any circumstances and with the dispersal of the witnesses we would have had from all over the United States and foreign countries, it caused us some concern; yes, sir.

Mr. ADRINE. Now, at some point you did in fact talk to some of Ray's attorneys concerning the guilty plea; is that correct? Or a guilty plea?

Mr. CANALE. Yes, sir.

Mr. ADRINE. Can you recall who you spoke to first?

Mr. CANALE. I think it was probably Mr. Stanton, if I recall correctly.

Mr. ADRINE. That would be Mr. Hugh Stanton, Sr.?

Mr. CANALE. Senior; yes.

Mr. ADRINE. He was at that time the public defender for Shelby County?

Mr. CANALE. And had been appointed to participate in the representation of Mr. Ray.

Mr. ADRINE. Did you discuss with Mr. Stanton what would be an acceptable guilty plea in your estimation?

Mr. CANALE. Ninety-nine years.

Mr. ADRINE. So you did have that type of discussion with him?

Mr. CANALE. Either with him or Mr. Foreman; yes, sir.

Mr. ADRINE. Now, did you discuss the guilty plea or the possibility of a guilty plea with Dr. King's family?

Mr. CANALE. Well, I did, not only with Dr. King's—not with his family but with his family's attorney. I said I made the offer of 99 years. It was held in abeyance I think before I made any offer.

When I was approached to see if I would entertain a guilty plea by Mr. Ray's attorney, I don't think I came right out and said we will let him plead guilty for 99 years. I wanted to do some groundwork. It was standard procedure to allow a person to enter a guilty plea in any case where if it were a crime of violence, if the family of the victim did not object and if we felt that the people of the State of Tennessee were getting sufficient punishment for the person who committed the crime.

[redacted]

Mr. ADRINE. [redacted]

Mr. CANALE. [redacted]

Mr. ADRINE. Now, sir, I would like you to take a look at the exhibit that we placed before you before and at the bottom of

"Select Committee on Assassinations" US House of Reps.
Ninty-fifth Congress, 13 Nov. 1978
Phil M. Canale testimony

EXHIBIT-A-1.

Who Killed Rev. King?

Convict Claims Frame-Up

By Strat Douthat
The Associated Press

MEMPHIS, Tenn. (AP) — It is the evening of April 4, 1968. The Rev. Martin Luther King Jr. leans over a balcony railing at The Lorraine Motel. The crack of a single shot from a high-powered rifle shatters the air.

Suddenly, he's gone.

This much is clearly documented. But who killed the 39-year-old civil rights leader and winner of the Nobel Peace Prize?

King

James Earl Ray, the small-time thief who pleaded guilty, has spent the past 20 years trying to prove he didn't do it. He talks of a shadowy "Raoul."

Other principals in the case hold widely varying opinions. Ray's attorneys disagree on whether he was the triggerman; the prosecutor acknowledges he wasn't confident about the case; the chairman of a congressional committee that studied the assassination says he still thinks Ray was part of a larger, unsolved conspiracy.

The questions remain. What of the cigarette butts found in the getaway car — given that Ray did not smoke? What of the clothing in two sizes in the car's trunk?

Denial

The fatal shot came from a communal bathroom at the rear of a flophouse across a narrow street from The Lorraine Motel. Ray maintains he was not in that bathroom when the shot was fired.

"I was a few blocks away, trying to get a tire fixed on my car," he said in a recent interview at Brushy Mountain State Prison, where he is serving a 99-year sentence. "When I started back to my room I saw a police roadblock had been set up. It was about that time that I heard on my car radio King had been shot and the police were looking for a man in a white Mustang, the same kind of car I was driving. I took off for Atlanta."

Ray, who had checked into the rooming house the day King was killed, said he was in Memphis to take part in an illicit gun-running scheme. He said the scheme was concocted by a mystery man named Raoul, an international smuggler whom Ray contends he met several months earlier at a waterfront bar in Montreal.

He also says Raoul, whom he describes as a blond man with a Latin American accent, set him up to be framed for King's murder.

"The fact is I don't know who killed King," said Ray, who recently turned 60. "I only pleaded guilty because I was desperate. I had been in isolation for eight months in the Memphis jail, and Percy Foreman was pressuring me to cop a plea. He was telling me my family would get in trouble and I'd get the death penalty if I didn't do what he said."

Angry Dispute

Foreman, the Houston attorney who represented Ray when he entered his guilty plea March 10, 1969, angrily disputes these assertions.

"The s.o.b. got down on his knees and thanked me for saving his life when I told him I had gotten the prosecutor to go along with a guilty plea," Foreman said when contacted in Houston recently.

Foreman, now in his mid-80s, says he thinks Ray was extremely fortunate not to have stood trial. He also rejects Ray's story about Raoul. "I think he acted alone," he said.

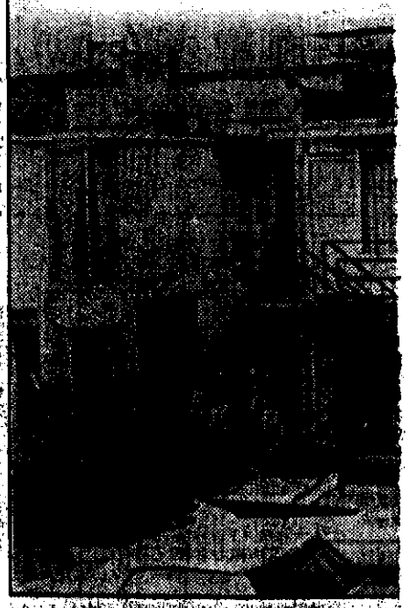
Asked what might have motivated Ray to commit such an act, Foreman said, "It was racism. His conversations simply steamed with racist remarks."

Ray, who was a fugitive from the Missouri State Penitentiary at the time King was killed, denies he harbored any ill will toward King and defies anyone to prove otherwise.

"King was just another politician to me," he said. "Why would I want to do something like kill a big-shot politician, me a fugitive, and bring all that heat down on myself?"

Raoul's Instruction

He admits buying the rifle, a Remington Gamemaster 30.06 caliber that authorities say was the murder weapon. But he says he bought it at a Birmingham, Ala., gun shop, at Raoul's instruction and with money provided by Raoul.


Moments after Martin Luther King Jr [illegible] where they heard the shot.

"I gave the rifle to Raoul," Ray said. "If I had been buying it to kill King, you can bet I wouldn't have bought it at a gun shop. I would have gotten it from a fence, so it couldn't have been traced."

Birmingham lawyer Arthur Hanes Sr. said he tends to believe that story. He represented Ray for four months before Foreman.

"I've never believed Ray shot King," said Hanes, a former FBI agent and one-time Birmingham mayor. "I personally stood in that flophouse bathroom and looked across to the motel balcony where the Rev. King was standing when he was shot. It was a difficult angle. Ray simply didn't have enough expertise with rifles to make a shot like that, in my opinion."

Hanes also said he had never heard Ray utter a single racist statement.

"I've given this case a lot of thought, and I've concluded someone assisted Ray," he added, "but I can't say who."

Clear the Air

The case should have gone to trial, he said, "to clear the air, if nothing else. I tried to get the judge to try the case, but he said there was too much pressure, from the government and the Memphis business community, to accept a guilty plea and avoid the publicity that a trial would generate."

[redacted]

It would have been a big, time-consuming and expensive trial with dozens and dozens of witnesses from all over the country," said Canale, now an assistant U.S. Attorney in Memphis. "I

EXHIBIT-A-2.

EXHIBIT 11-A

LAW OFFICES OF
PERCY FOREMAN
HOUSTON, TEXAS 77002

March 9th, '69

110027

Mr. James Earl Ray,
Shelby County Jail,
Memphis, Tennessee.

Dear James Earl:

You have heretofore assigned to me all of your royalties from magazine articles, book, motion picture or other revenue to be derived from the writings of Wm. Bradford Huie. These are my own property unconditionally.

However, you have heretofore authorized and requested me to negotiate a plea of guilty if the State of Tennessee through its District Attorney General and with the approval of the trial judge would waive the death penalty. You agreed to accept a sentence of 99 years.

It is contemplated that your case will be disposed of tomorrow, March 10, by the above plea and sentence. This will shorten the trial considerably. In consideration of the time it will save me, I am willing to make the following adjustment of my fee arrangement with you:

[redacted]

I am willing to assign to any bank, trust company or individual selected by you all my receipts under the above assignment in excess of $165,000.00. These funds over and above the first $165,000.00 will be held by such bank, trust company or individual subject to your order.

I have either spent or obligated myself to spend in excess of $14,000.00, and I think these expenses should be paid in addition to a $150,000.00 fee. I am sure the expenses will exceed $15,000.00 but I am willing to rest on that figure.

Yours truly,

Percy Foreman

PF-4

James Earl Ray

MLK EXHIBIT F-250

EXHIBIT-A-3.

F-253

LOOK MAGAZINE APRIL 15 1969

"RAY WANTED TO WIN RECOGNITION."

AGAINST CONSPIRACY

BY PERCY FOREMAN ATTORNEY FOR JAMES EARL RAY

IF, IN THE DEAD OF NIGHT, I ever summon a physician, and he arrives at my bedside and asks, "Are you sick?" I shall use my remaining energy to leave my bed and throw the fool out of my house. So when a man accused of murder sends for Percy Foreman, I show him the courtesy of assuming he is guilty and that he hopes I can save him from excessive punishment. Else why would he be preparing to divide his worldly goods, or hope of same, with me?

When, last November, the brothers of James Earl Ray sought me out and handed me a letter from him, beseeching me to represent him, I didn't fly to the Shelby County Jail in Memphis and run a gamut of guards to ask: "Jim, did you do it?" Because on Tuesday, April 4, 1968, James Ray was prowling the vicinity of 422½ South Main with a deer rifle, and that is not one of the Volunteer State of Tennessee's several game preserves.

I assumed that Ray had sent for me not to spring him, but to try to save his life. I then, over several weeks, spent 40 hours in conversation with him, endeavoring to bring him to believe that I knew more about the law than he did, after which I saved his life in the only way I thought it could be saved. I consider this no mean achievement.

Why did Ray kill Dr. Martin Luther King, Jr.? In public discussion, I normally leave the question of why to doctors of philosophy. If they won't defend criminals, I won't write essays. Here, I break my rule and offer a few pointed remarks.

The mouth-filling word "assassination" has been popularized by people who have forgotten its meaning. Others have debased it: An assassin is a secret killer for hire. Under the popular but incorrect definition, the deaths of President John F. Kennedy, Dr. King and Sen. Robert F. Kennedy are called assassinations. But they were not assassinations, they were killings; and Lee Harvey Oswald, James Earl Ray and Sirhan Bishara Sirhan were and are not assassins, but killers.

Why did they kill? They each wanted the world to hear of them. They wanted credit. Top billing. Headlines. Front-page pictures. A by-line. Self-exaltation. A shortcut to fame. To exercise the ego. To them, notoriety and fame are synonymous. What other men study, plan and struggle a lifetime to achieve, these killers thought they could win with lead.

What did they have to lose? They were social rejects: dropouts from the school of achievement, all of them afflicted by burning pride. They had energy, nerve, ambition, but they had more motor than brakes. And a defective steering apparatus. They belonged to the race of men that don't fit in.

They killed neither narrowly nor for hire. True, after killing President Kennedy, Oswald fled. The instinct of self-preservation momentarily overcame that of self-realization. But Oswald was a pamphlet peddler. He had boasted to his wife of trying to murder Gen. Edwin A. Walker. Had he lived, he would have boasted of killing a President.

For a few hours, I represented Oswald's killer, Jack Ruby. He was a frustrated showman, successful only at showing off the backsides of itinerant girls. To perform before 50 million television viewers was a chance he couldn't resist.

Sirhan tells us in his diary that "we believe that the glorious United States of America will eventually be felled by a blow of an assassin's bullet. . . ."

Before he fled the murder scene, James Earl Ray, carefully watched by three witnesses, deposited on the sidewalk the assassin rifle that he had wrapped in his own laundry-marked bedcover to protect his fingerprints on the rifle from obliteration. He also left a canvas bag containing his laundry-marked shirt and underwear, along with a transistor radio clearly bearing his identification number as a prisoner at the Missouri State Penitentiary.

Both rifle and bag he could have carried a few feet further and placed in his white Mustang. But that might have prevented his identification. He wanted to escape, but he didn't want to lose credit. As further precaution against such disputed fact, he left his fingerprints in the side room that he had rented, and his palm print in the bathroom from which he fired the shot. All this by a man to whom fingerprinting had become a way of life.

A jury must consider the mental state of a defendant in determining his degree of guilt. So a defense lawyer must present his client's thinking as to the act charged. Had I not obtained a waiver of the death penalty for Ray, it would have been my duty to offer testimony as to Ray's beliefs about his victim, even though none of them was my own.

I think Ray believed Dr. King was a Communist; that his crusades had opened the Pandora's box of riot; and that, though he preached nonviolence, by indirection he created Black Muslims, Black Panthers and Invaders. Ray thinks that the war between the races is imminent, and he wanted to fire the first shot. The shooting of Dr. King, to him, was the Pearl Harbor of that war. He didn't tell me any of this; it is what I believe he thinks.

I don't believe there was any conspiracy. James Earl Ray wanted to win recognition. He hoped that by killing Martin Luther King, he could make the rest of his futile, boring life exciting.

MLK EXHIBIT F-253

37-150 O - 79 - 6

EXHIBIT-A-4.

Mr. BEESON. I am only interested in the last paragraph of that letter, Mr. Foreman, which reads:

> Please sign both pages of two copies of this letter as evidence I have advised you to permit me to try to negotiate the waiver of the death penalty in consideration of our entering a guilty plea for you.

Now is this not a recommendation on your part that Mr. Ray permit you to institute negotiations of the guilty plea?

Mr. FOREMAN. That taken out of context certainly does, but taken in context with the rest of the letter in which the evidence is analyzed and my other conversations with him, it is not inconsistent with what I have heretofore said.

Mr. BEESON. Mr. Chairman, I have no further questions of the witness at this time.

Chairman STOKES. At this time the Chair recognizes the gentleman from Michigan, Mr. Sawyer, for such time as he may consume.

Mr. SAWYER. Mr. Foreman, let me start a little bit out of order because one thing here concerns me a little bit.

You say that when you took the assignment of the benefits or prospective or possible benefits under the Huie contract you did it primarily to protect the proceeds from a suit that might be brought by Coretta King?

Mr. FOREMAN. I did it because it was explained to me by James Earl Ray that that was his fear and that he had been warned about that, not by me. Yes, sir; that is the reason. I have never done it before. I have never done it since. I don't approve of it. I don't think it was professionally proper. But it had been written and the preceding lawyer had it and I agreed to accept an assignment and hold it in trust for him.

Mr. SAWYER. The assignment itself is very specific. It is an outright assignment. It makes no reference to any trust agreement or understanding.

Mr. FOREMAN. Well, if it had done so it could have been set aside by the same suit that might have been filed against Ray in accordance with his responsibilities. At least I would so hold. It would be that way in my home State.

Mr. SAWYER. Weren't you then entering into a fraudulent concealment of assets knowingly?

Mr. FOREMAN. You can call it that if you want to. I accepted it and I accepted it to protect, at Ray's request. I was the only person that could accept it for a valuable consideration. I don't consider it was professionally improper.

Mr. SAWYER. Aside from a characterization or label, how could it be anything else but a fraudulent concealment?

Mr. FOREMAN. Well, if it came down to the lawsuit in testimony, I would have testified then as I am now that I was holding it in trust for Ray and that would not have been a fraudulent concealment.

Mr. SAWYER. But the purpose of the instrument was to create a fraudulent concealment. Whether it was later penetrated by a lawsuit or testimony, the plan itself was a clear fraudulent concealment. You as a laywer certainly were aware of that.

Mr. FOREMAN. Let's admit it now and can we get on to another question.

"Select Committee on Assassinations" US House of Reps.
Ninty-Fifth congress, 13 Nov. 1978
Percy Foreman, testimony

EXHIBIT-A-5.
1st of 5 pages.

Mr. SAWYER. I would like to get an answer to that one.

Mr. FOREMAN. You understood it. You had to answer it beforehand. You didn't want an answer. You wanted to make a speech. Now I am ready for another question.

Mr. SAWYER. You don't care to?

Mr. FOREMAN. I have answered your question. He asked me to do it, Ray. I did it and I am not sorry for it. I reconveyed it to him as soon as I finished the case and that was my idea.

Mr. SAWYER. You reconveyed it as I recall except for $165,000?

Mr. FOREMAN. That was a very low fee for the work and time that had to be done on this case. Actually, I got $9,000 total and spent approximately $30,000 for a loss of in excess of $20,000 in out-of-pocket, aside from time.

Mr. SAWYER. But the trial court on review, on the habeas corpus proceedings, found and underlined it that the $165,000 was an unreasonable fee.

Mr. FOREMAN. I considered it reasonable. I make no apologies for my fee. It is whatever life or liberty is worth.

Mr. SAWYER. Now I have seen two different statements on your view when you entered into the case.

One, that you entered it knowing that the only thing you could accomplish at the most would be saving this man's life, and on the other you have commented much as you did here today that you were to some degree misled on the defensibility of the case by some misstatements or half truths that had been reported in the news media and therefore inferentially at least you thought initially you could perhaps defend the case and yet on the other hand you stated that you entered the case knowing your best accomplishment could be saving his life?

Mr. FOREMAN. That is not true. I didn't say that. That is not a duplicitous question. You have about eight questions at once there. If you ask questions one at a time, I will certainly answer, but I cannot take a long, unconnected disquisition and then answer it. It is impossible, sir. No one can.

If you will break your series of observations down and ask a question, I will answer.

Mr. SAWYER. Did you make the statement that when you entered the case you felt there was no real prospect of defending it; you entered it perhaps for saving the defendant's life?

Mr. FOREMAN. I did not say that. If you recall here within less than 30 minutes ago I said when I came into the case I thought there was a conspiracy. I thought this man was just a cat's paw, and that if I could establish what I had read about the case, that I could raise a reasonable doubt in the jury's mind that would result in an acquittal.

I said that this morning in your presence. That is when I entered the case, on the 10th of November 1968.

Mr. SAWYER. When you took the assignment of the Huie contract, did you agree to, as that arrangement called for, to forward information from Ray to Huie?

Mr. FOREMAN. I don't know whether I had accepted the assignment. I don't remember when I accepted the assignment. For several weeks after I got into the case I refused to communicate with Huie or have anything to do with Huie or—it was only when I

found that Huie had done such a detailed investigation outside of Memphis that I felt that cooperating with Huie would be in Ray's best interest.

In fact, Ray wanted me to cooperate with Huie.

Mr. SAWYER. By cooperating did that mean relaying information from Ray to Huie?

Mr. FOREMAN. Yes. It meant, I guess it was probably 100, 200, maybe 500, anywhere from 100 to 500 questions that I would take to Ray, just as Hanes had done before me. And I would write out—I would leave them with him and he would take his time, hours, writing out an answer to all of them and I would return them to William Bradford Huie.

Mr. SAWYER. Did you read all the questions and all the answers?

Mr. FOREMAN. I imagine I did. I am fairly sure I did. I don't specifically remember question by question, but it would have been natural for me to have done so.

Mr. SAWYER. Did it give you any concern that Huie would have been compelled to testify as to those answers from Ray?

Mr. FOREMAN. I did not represent Huie. I have no brief for Mr. Huie and I don't care whether he is called to testify.

Mr. SAWYER. But you were representing Mr. Ray and these were Mr. Ray's statements to which Huie could be compelled to testify. Weren't you concerned as the lawyer for Mr. Ray about forwarding information like that?

Mr. FOREMAN. Not at all. There was nothing in any of the questions that could have hurt James Earl Ray. There was no revelation of damaging testimony in any of the questions. It simply had to do with "And how long were you in a certain town in Mexico and what route did you take out of there?" It was mostly geographical and chronological and economic: "Where did you get the money?" and so forth.

Mr. SAWYER. As I understood your testimony, you say that you made no recommendation to Ray about entering a plea?

Mr. FOREMAN. I wrote this letter. You can interpret it in any manner that you like. If you take the last paragraph, why you can say yes. The agreement, Ray knew about entering the pleas. As a matter of fact, he told me that he had pleaded guilty in every indictment that had ever been returned against him and had gotten off better by pleading than he would have by fighting the cases. Ray had been indicted some 15 or 20 times. He knows as much about strategy in a criminal case as most lawyers.

And you do invariably get, in a bad case, you can always get a better recommendation by negotiation than you can with a jury verdict.

Mr. SAWYER. Do you have available to you MLK exhibit F-253, the Look magazine article?

Mr. FOREMAN. Yes.

Mr. SAWYER. In that there is a paragraph stating: "I assumed that Ray sent for me not to spring him but to try to save his life."

Doesn't that indicate that when you entered the case you anticipated pleading him as opposed to defending him?

Mr. FOREMAN. As to what something indicates, your opinion would be just as good as mine. As I have told you, this article, I wrote 1,000 words, that is what they asked for. William Bradford

Huie rewrote the article as it appeared. I don't know what something indicates. It depends on the eye of the observer.

Mr. SAWYER. Could the witness be furnished with MLK F-261; the guilty plea proceeding?

Mr. Chairman, I would like to also at this time have MLK F-261 entered in the record.

Chairman STOKES. Without objection it will be entered in the record at this point.

[The information follows:]

(Investigation of the Assassination of Martin Luther King jr. Hearings before the "Select committee". US House of Representatives, ninety-fifth congress. VOLUME V, November 13, 14 and 15, 1978.

Mr. SAWYER. Now you have in front of you a transcript of the guilty plea proceedings?

Mr. FOREMAN. I don't know whether I have or not. I have MLK F-261. All I read so far was the names of Judge Battle and the prosecuting attorney. Now I see my own name, yes, sir, on the second page.

Mr. SAWYER. What you have in front of you are pages 15 to 25 of the court transcript of the guilty proceedings.

Mr. FOREMAN. Do you want me to look at any particular page on it? I have the paper. You tell me what it is. I accept as true what you say. Is there any particular page?

Mr. SAWYER. Yes. If you look at page 15, there is a statement by you there, and this is in open court so it doesn't really depend on the eye of the beholder, I would assume.

You say:

I never expected, hoped or had any idea when I entered this case that I would be able to accomplish anything except perhaps save this man's life.

Mr. FOREMAN. Yes, I see that.

Mr. SAWYER. Now you say that you really, when you got in it, you thought the case was defensible, basically. That is what you say now.

Mr. FOREMAN. The case obviously was defensible, sir, unless my investigation established that a lot of the newspaper articles that had appeared and that I had accepted as true were not true.

Mr. SAWYER. But there you state in open court, "I never expected when I entered this case that I would be able to accomplish anything except perhaps save this man's life."

Mr. FOREMAN. Yes, I read it. Want me to read it again?

I never expected, hope or had any idea when I entered this case that I would be able to accomplish anything except perhaps save this man's life.

We both read the same paragraph. What is the question?

Mr. SAWYER. Well, I just wanted to see if we are beholding with the same eye.

Mr. FOREMAN. I don't know, sir. I only look from where I am sitting. Sometimes the bird's eye view of the bull and the bull's eye view of the bird is different.

Mr. SAWYER. I think that is all I have at this time, Mr. Chairman.

Chairman STOKES. The committee will operate under the 5-minute rule.

The Chair recognizes the gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. Now I just had two questions of information for Mr. Foreman.

You mentioned that when you first talked with Mr. Ray in prison that there were two questions that made it possible in your judgment for you to raise a reasonable doubt in the jury's mind concerning Mr. Ray's guilt. One was the man sitting on the hillside and the other was the release of fingerprints.

Now what was the release of fingerprints? I didn't understand that.

Mr. FOREMAN. Yes, sir. When it was established that James Earl Ray was a suspect, his picture had appeared. The Jefferson City

JAMES E. RAY #65477
BRUSHY MOUNTAIN PRISON, BOX 1000
PETROS, TENNESSEE 37845

20 June 1988

Percy Foreman
Shyster at law
Houston, Texas.

Dear Fourflusher:

I've been listening to you run your big fat lying mouth now for about 20 years regarding the MLK case. I"ve never replied since your type scumbag isn't worth the price of postage. Further, even the AG you were pimping for in the MLK case, Phil M. Canale, now say's in effect your a fabricator, i.e., he say's he wanted the plea since he was concerned about an acquital or hung jury.

As to your history of selling out clients, I have alluded to this in the book, referred to at the bottom of this page, and documented your fraudulent handling of the MLK defense. I assume the government has some type of hold over you, probably a sex offense(s), in particular child molesting charges, since your appearance and style suggest the closet pervert. In any case, if there is any manhood about you you would file a libel suit against me for the statements therein referring to you.

In concluding, you don't have much longer to pimp for prosecuting attorneys. You will be kicking-off soon and consequently should be getting right with the good lord. And as mentioned above, prosecutor Canale has released you from a need to continue to perform for him, so 'get right with the lord brother before it's tooooooo late.

Sincerely:

James E. Ray

cc: Associated Press.

EXHIBIT-6.

Britain extradites to U.S. man sought in 2 slayings

BY JOHN HALL
United Press International

LONDON — A West German man who is a former University of Virginia honor student accused of killing a Virginia couple in 1985 was extradited Friday to the United States to stand trial.

Jens Soering, who had fought extradition since his arrest in Britain more than three years ago, was turned over to Sheriff Carl Wells of Bedford County, Va., and U.S. Marshal Wayne Beaman and flown to the United States, a Home Office spokesman said.

Soering is the son of Klaus Soering, a West German consular official who has served in Detroit.

Jens Soering, 23, and his girlfriend, Elizabeth Haysom, were honor students at the University of Virginia when her parents, Derek and Nancy Haysom, were stabbed to death at home in 1985.

Soering and Haysom fled and were arrested in London in May 1986 on unrelated check fraud charges.

Haysom waived extradition and in 1987 pleaded guilty to helping plan the murders. She received a 90-year prison term.

Soering has fought extradition, arguing he could face the electric chair if convicted. Neither Britain nor West Germany has capital punishment.

[redacted]

The delays continued as Soering tried other appeals, but an attorney said last week that Soering had decided to give up the fight.

Britain was assured by U.S. officials that, under international law, Jens Soering could not be executed.

EXHIBIT-A-7.

Doc. - this side only

361

by the Court it was time to represent [redacted] matter, Stanton might want to talk to Court about a possible conflict of interest. Stanton said this had not bothered him, since he is going to let Foreman deal with Ray & his estate, while he the Atty handles.

Stanton also mentioned the attitude of a lot of white citizens who have told him they would not convict Ray! We hear a lot of this too.

12/17/68 1:15 P.M.

Talked by phone to Pollack & Bob Irvine regarding above, & they will mull it over & let me have their opinion. [redacted] #203

[redacted]

12/31/68

Talked this date to Asst. Atty. Gen. Leighton

"Select Committee on Assassinations" US House of Reps.
Ninty-fifth congress, 13 Nov. 1978
Phil M. Canale, note.

EXHIBIT-A-8.

Q You thought that?
A Yes.
Q Did you advise him that?
A Yes, I did, I goddamned sure did.
Q And he told you --
A What?
Q That statement is essentially correct?
A It probably is. I think Gerald Frank is a high class man, and he wanted someone, as he put it -- I think Huie is, too. He has got shortcomings, but he is a good man who would be primarily interested in money.

[redacted]

Q [redacted]
A [redacted]. He tried to write my life.
Q He tried to write your autobiography?
A Right.

Do you want me to read the next one?

Q I think that's all I have at the moment.
A You mean at this point in time?

GENERAL HAILE: I would like to point

Percy Foreman, Deposition:
Ray v. Rose, 392 F. Supp. 601 (W.D. Tenn. 1975).

EXHIBIT-A-9.

3/11/69

Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

MR. TOLSON:

RE: JAMES EARL RAY
ASSASSINATION OF MARTIN LUTHER KING

Now that Ray has been convicted and is serving a 99-year sentence, I would like to suggest that the Director allow us to choose a friendly, capable author, or the Reader's Digest, and proceed with a book based on this case.

A carefully written factual book would do much to preserve the true history of this case. While it will not dispel or put down future rumors, it would certainly help to have a book of this nature on college and high school library shelves so that the future would be protected.

Whom do you suggest?

I would also like to suggest that consideration be given to advising a friendly newspaper contact, on a strictly confidential basis, that Coretta King and Reverend Abernathy are deliberately plotting to keep King's assassination in the news by pulling the ruse of maintaining that King's murder was definitely a conspiracy and not committed by one man. This, of course, is obviously a rank trick in order to keep the money coming in to Mrs. King, Abernathy, and the Southern Christian Leadership Conference. We can do this without any attribution to the FBI and without anyone knowing that the information came from a wire tap.

Respectfully,

C. D. DeLoach

CDD:CSH (3)

cc Mr. DeLoach
Mr. Bishop

See ADDENDUM...page 2

44-38561-5654

REC-33

MAR 26 1969

XEROX MAR 26 1969

59 APR 2-

ADDENDUM OF MR. DE LOACH 3/12/69

If the Director approves, we have in mind considering cooperating in the preparation of a book with either the Reader's Digest or author Gerold Frank. The Reader's Digest would assign one of their staff writers or contract the preparation of a book out to an established author. [redacted]

EXHIBIT-A-10, p. 2.

Mr. DeLoach. I believe on one occasion, sir, a very high ranking Senator of the United States asked Mr. Hoover for information, if I recall correctly, and Mr. Hoover directed me to see this Senator and give him the facts concerning Dr. King's background.

The Bureau's feeling at that time was that Congress had the right to know. That is sheer speculation.

I also recall to the best of my recollection, Mr. Chairman, that on one occasion a high ranking Senator of great seniority called down and requested that a college president that he would send down to FBI headquarters be advised of Dr. King's background.

Chairman Stokes. Weren't there other universities that were approached, given derogatory information for the purpose of stopping Dr. King from getting honorary degrees from those universities?

Mr. DeLoach. That could be, Mr. Chairman, but I don't recall any such incidents.

Chairman Stokes. If that was done, that had nothing to do with national security, did it? This was totally for the purpose of discrediting Dr. King, wasn't it?

Mr. DeLoach. As I said previously, Mr. Chairman, it was part of the orders issued by Mr. Hoover in connection with the feud with Dr. King.

Chairman Stokes. Didn't you also sit down with Speaker McCormack and give him certain derogatory information about Dr. King? Didn't you go to the White House, sit with Walter Jenkins, give him derogatory information about Dr. King? Isn't that part of the role you played?

Mr. DeLoach. I don't recall any such incidents with Speaker McCormack. It could have happened. If I did so, it was done strictly at the orders of Mr. Hoover.

Insofar as Mr. Jenkins, I do not recall the incident, but Mr. Jenkins was the highest ranking staff officer to the President and it is possible that the FBI at Mr. Hoover's instructions sent information concerning Dr. King to the President and that I would have delivered them, [redacted]

Chairman Stokes. If I understand your testimony correctly, you don't deny that you did those things?

Mr. DeLoach. No, sir; Mr. Chairman, I do not deny it. I have no recollection of it.

Chairman Stokes. Mr. DeLoach, didn't the Bureau respond to Dr. King's criticism of the Vietnam war by using that to further justify the campaign to neutralize and discredit him?

Mr. DeLoach. I don't recall that, sir.

Chairman Stokes. Will the clerk please furnish the witness with Martin Luther King exhibits F-458, F-441B, F-450B?

Mr. DeLoach. Yes, Mr. Chairman.

Chairman Stokes. Have you had a chance now to read those documents?

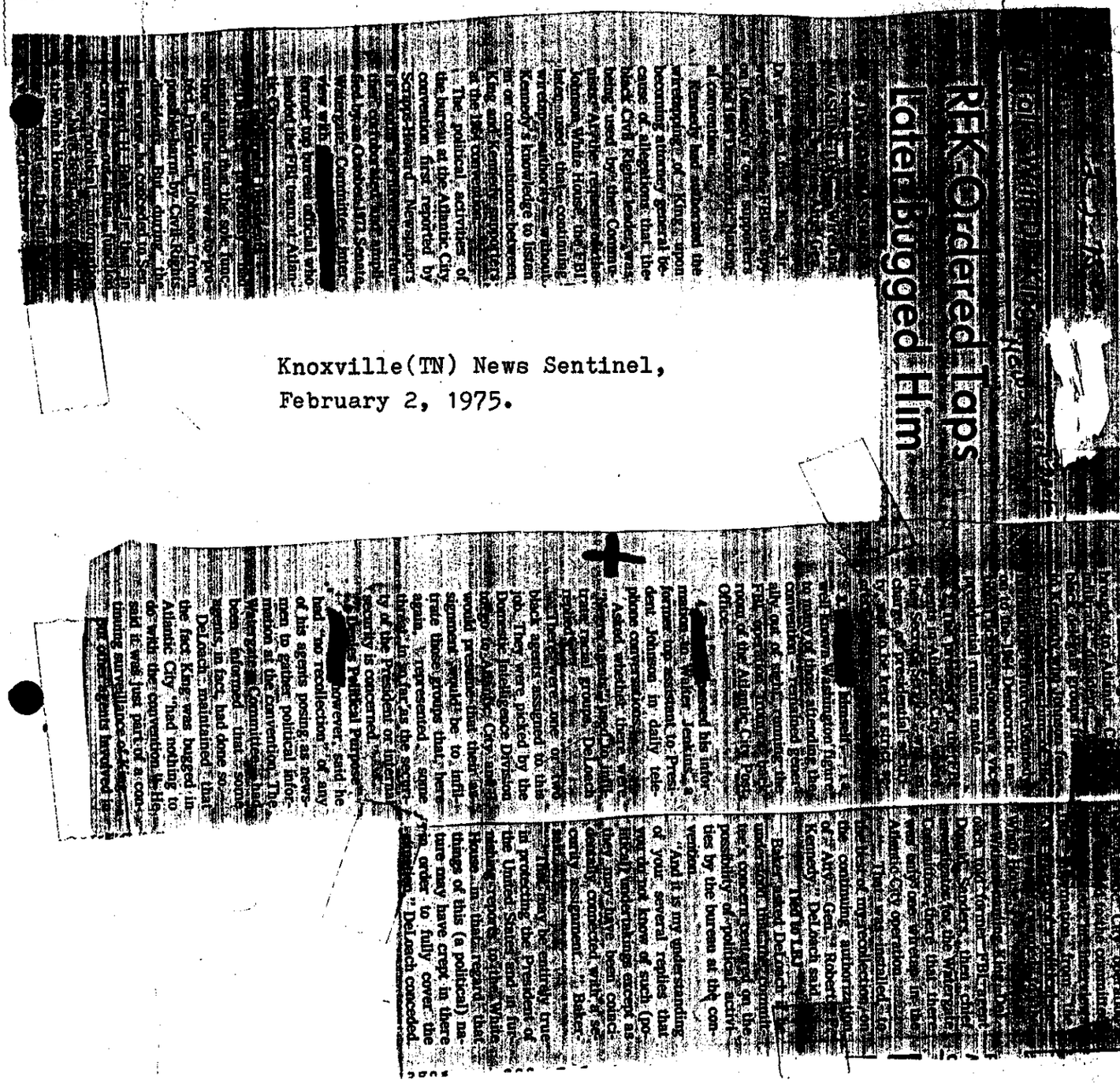
Mr. DeLoach. Yes, sir.

Chairman Stokes. Having read them, do they refresh your recollection as to the question posed to you?

Mr. DeLoach. I do not recall the memorandum, Mr. Chairman, but I have reviewed these memorandum.

"Select Committee on Assassinations" US House of Reps.
Ninty-Fifth congress, 27 Nov. 1978
Cartha DeLoach, testimony.

EXHIBIT-A-11.



RFK Ordered Taps Later Bugged Him

Knoxville(TN) News Sentinel,
February 2, 1975.

EXHIBIT-A-12.

Mr. BLAKEY. The second occurred shortly after Ray pled guilty in March 1969.

Ray was interviewed by the agents-in-charge of the Memphis field office for the purpose of obtaining information on an assassination conspiracy. Ray was not accompanied by an attorney nor was he informed of his *Miranda* rights—that is, his right to have an attorney, paid or appointed, present; his right to terminate the interview at will; his right to remain silent; and the fact that the Government could use his statements against him.

Of course, the use of Ray's self-incriminatory statements in a later conspiracy prosecution would have depended on the ability of the Government to survive a motion to suppress them. So not only were Ray's rights disregarded but the FBI again was risking destruction of valuable evidence in a conspiracy case if one was ever to be made.

Finally, the committee has taken into account the notable absence of active participation in the assassination investigation by attorneys for the Department of Justice.

It seems reasonable to attribute this to the state of relations between the Department and the FBI in 1968. That they were poor and counterproductive is demonstrated by Mr. Hoover's criticism of Attorney General Clark's press policy, FBI complaints of intrusion by the Department into its investigative territory, and a general lack of respect for the Department's leadership by the FBI.

Departmental attorneys received digests of investigative reports, often in a superficial form and weeks late, as the day-to-day investigation was directed at FBI headquarters without consultation with the Department. This was the case, even though it had been common practice in major conspiracy investigations—for example, in antitrust and organized crime areas—for the Bureau and the Department to work together, and to work together successfully.

When major investigative steps were taken—an interview with Ray, for example—there was no participation by a Departmental attorney; and not once during the investigation was grand jury interrogation—with its sophisticated techniques such as immunity grants—put to use to prove or probe a possible conspiracy.

The committee is aware that the blame for any deficiencies in the relationship of the FBI and the Department of Justice must be shared. While we are addressing the performance of the Bureau in today's hearing, that of the Department itself will be the subject of attention tomorrow.

Mr. Chairman, t[redacted]

Mr. DeLoach, therefore, is in a unique position to comment on FBI programs against Dr. King and the performance of the Bureau in its investigation of his death.

At this time, Mr. Chairman, it would be appropriate to call Cartha DeLoach.

" Select Committee on Assassinations" US House of Reps.
Ninty-Fifth Congress, 27 Nov. 1978
Cartha Deloach, testimony.

EXHIBIT-A-13.

Special Investigative Issues

1-8

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Date: December 1, 1964

To: Mr. W. C. Sullivan

From: J. A. Sizoo

Subject: MARTIN LUTHER KING, JR.

Reference is made to the attached memorandum DeLoach to Mohr dated 11/27/64 concerning DeLoach's interview with [redacted] and ~~to your informal memo, also attached~~.

[redacted] stated to DeLoach that he was faced with the difficult problem of taking steps to [redacted]. He indicates in his comments a lack of confidence that he, alone, could be successful. It is, therefore, suggested that consideration be given to the following course of action:

That DeLoach have a further discussion with [redacted] and offer to be helpful to [redacted] in connection with the problem of the removal of King from the national scene;

That DeLoach suggest that [redacted] might desire to call a meeting of Negro leaders in the country which might include, for instance, 2 or 3 top leaders in the civil rights movement such as James Farmer and A. Philip Randolph; 2 or 3 top Negro judges such as Judge Parsons and Judge Hasty; 2 or 3 top reputable ministers such as Robert Johnson, Moderator of the Washington City Presbytery; 2 or 3 other selected Negro officials from public life such as the Negro Attorney General from one of the New England states. These men could be called for the purpose of learning the facts as to the Bureau's performance in the fulfillment of its responsibilities under the Civil Rights statute, and this could well be done at such a meeting. In addition, the Bureau, on a highly confidential basis, could brief such a group on the security background of King [redacted] ~~The use of a tape, such as contemplated in your memorandum, together with a transcript for convenience in following the tape, should be most convincing.~~

The inclusion of U.S. Government officials, such as Carl Rowan or Ralph Bunche, is not suggested as they might feel a duty to advise the White House of such a contemplated meeting. It is believed this would give us an opportunity to outline to a group of influential Negro leaders what our record in the enforcement of civil rights has been. It would also give them, on a confidential

jms/mls

enclosures

#3

(CONTINUED - OVER)

EXHIBIT-A-14, p,1.

basis, information concerning King which would convince them of the danger of King to the over-all civil rights movement. [redacted] is already well aware of this. This group should include such leadership as would be capable of removing King from the scene if they, of their own volition, decided this was the thing to do after such a briefing. The group should include strong enough men to control a man like James Farmer and make him see the light of day. This might have the effect of increasing the stature of [redacted] who is a capable person and is ambitious.

There are refinements which, of course, could be added to the above which is set forth in outline form for possible consideration.

4-744 (Rev. 8-27-86)

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

MR JAMES E RAY
65477
POST OFFICE BOX 1000
PETROS, TN 37845

FEB 0 6 1990

Request No. 328331

RE: DELOACH TO MOHR MEMORANDUM
DATED 11/27/64

Dear Requester:

☑ This acknowledges your recent Freedom of Information-Privacy Acts (FOIPA) request submitted to the FBI.

☐ Based on the limited information you provided, we cannot make an accurate search of our records. Please furnish your complete name, alias, date and place of birth, prior addresses, employments, and any specific data that would permit us to locate the documents you seek.

☐ Please submit your notarized signature. This procedure is designed to insure that documents, if located, are released only to an individual having right of access to the information.

☐ If you want a search of our Identification Division records for any arrest record that might pertain to you, please comply with the enclosed instructions set forth in Attorney General Order 556-73. Fingerprint impressions are needed for comparison with records in the Identification Division to insure that an individual's record is not disseminated to an unauthorized person.

☑ We are currently searching the indices to our central records system files at FBI Headquarters for any documents which may pertain to your request. Upon completion of this search you will be notified of the results.

☐ Provide the complete name, date and place of birth for the subject of your request. If subject is deceased, give date of death and any proof of death you have.

Your request has been assigned the number indicated above. Please use this number in all correspondence with us.

Sincerely yours,

Ernest P. Mohr

Chief
Freedom of Information-
Privacy Acts Section
Records Management Division

☐ Enclosure

EXHIBIT-A-15, p,1.
1st of 5 pages.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr

DATE: November 27, 1964

FROM : C. D. DeLoach

UNCLASSIFIED

SUBJECT: ROY WILKINS
EXECUTIVE SECRETARY
NATIONAL ASSOCIATION FOR THE ADVANCEMENT
OF COLORED PEOPLE (NAACP)
APPOINTMENT 11/27/64
FBI HEADQUARTERS
WASHINGTON, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2-28-79 BY b1a
7/2/84 SPECIALIZED

Roy Wilkins, Executive Secretary, National Association for the Advancement of Colored People, called me from New York at 12:55 p.m. today. He stated that he had to fly down to Washington to see me immediately. He asked if I had any available time. He apologized for attempting to arrange an appointment o he termed a "holiday weekend." I told him the "holiday weekend" made no differe to us and that despite his unwarranted statements concerning the Director and the I would sit down and talk to him.

Wilkins arrived at 4:00 p.m. He stated that he was greatly concern He made reference to the Director's Loyola speech last Tuesday, 11/24/64, in wh the Director had made reference to "sexual degenerates" in pressure groups. Wi stated he personally knew about whom the Director was talking, although many oth Negroes did not know.

b1a

b1a

62-28220

DEC

- Mr. Tolson
- Mr. Mohr
- Mr. Sullivan
- Mr. Jones

Enclosure

COPY SENT TO MR. TOLSON

CONTINUED-OVER

620

[redacted]

Wilkins stressed the fact that he was not seeing me as an emissary. stated he had some influence on King but not much. He added that there were other within his movement who had greater influence and that perhaps together some pres could be brought on King. Wilkins then added that he hoped that the FBI would not expose King before something could be done.

I interrupted Wilkins at this point. I told him that the Director, of course, did not have in mind the destruction of the civil rights movement as a whol I told him the Director sympathized with the civil rights movement as exemplified b Director's supervision of the FBI's many brilliant accomplishments in this field. I added, however, that we deeply and bitterly resented the lies and falsehoods told b King and that if King wanted war we certainly would give it to him. Wilkins shook h head and stated there was no doubt in his mind as to which side would lose if the FB really came out with all of its ammunition against King. I told him the ammunition was plentiful and that while we were not responsible for the many rumors being init against King, we had heard of these rumors and were certainly in a position to substantiate them.

I told Wilkins that inasmuch as he was attempting to hold out the fe of peace he should know a few positive facts of life. He asked what I meant. I tol him my point was that he was attempting to prevent the FBI from exposing King, certain highly-placed informants of ours had tipped us off to absolutely reliable i mation that King had organized a bitter crusade against the Director and the FBI. told Wilkins these long-standing and well placed informants had advised us that

CONTINUED-OVER

had contacted people in various parts of the United States to get them to send telegra to the President, the Attorney General, and the FBI asking for Mr. Hoover's retire- ment or resignation. I told Wilkins that King had also encouraged telegrams to be sent advising the FBI of laxness in the investigation of civil rights matters. I asked Wilkins how in the hell could he expect the FBI to believe his offers of friendship and request for peace when King was at this time attempting to ruin us. Wilkins merely hung his head and stated he had no idea that King was carrying on such a campaign. stated that this upset him greatly and [redacted]

[redacted] Wilkins diverted from the subject of the conversation to spend so time in explaining that he had also noted communist influence in the civil rights mov ment in Mississippi. He stated that the cry of "Down with the Proletariat" was getti to be the battlecry of the militant Negroes in Mississippi and Alabama. He mention the same thing was true with respect to Negro allegations of laxness on the part of t FBI. He mentioned that the Negroes have been led by King and Bayard Rustin to believe that the FBI could do nothing right; consequently, FBI solution of civil right cases made little impression upon some Negroes in the civil rights movement.

Wilkins stated he was wrong in his criticism of the Director. He ad that he was attempting to accomplish, in a mild manner, a division between the batt of the Director and King and any phases of the battle which would reflect upon the ci rights movement. He stated he has a hard time controlling his 32-man Board of Directors, particularly since King is a member of this board. He then added, "We hurting," and something must be done.

Wilkins told me that he will be lecturing in California most all of nex week. He stated that before he leaves for the coast he will attempt to see King, alo with other Negro leaders and tell King that he can't possibly win in any battle with FBI [redacted] He stated he may not have any success in this regard, however, that he is convinced that the FB can easily ruin King overnight [redacted] I told Wilkins this, of course, was up to him; however, I wanted to reiterate once again most strongly, that if King wanted war we were prepared to gi

 CONTINUED-OVER

it to him and let the chips fall where they may. Wilkins stated this would be most disasterous, particularly to the Negro movement and that he hoped this would neve come about. I told him that the monkey was on his back and that of the other Negr leaders. He stated he realized this. We then shook hands and he left to return to New York.

ACTION:

It is suggested that the attached letter be sent to the President in connection with the above conversation.

[redacted]

Wilkins Reportedly Discussed Removing King

WASHINGTON (AP) — The Washington Post says Roy Wilkins is the black leader described in an FBI memo as having discussed with the agency the removal of Dr. Martin Luther King from leadership in the civil rights movement.

The Post, in today's editions, referred to a Dec. 1, 1964, FBI memo released earlier this week, which referred to an unnamed black leader who cooperated with the bureau's undercover campaign against King.

However, the Post said Wilkins, the retired NAACP executive secretary, told the Senate Intelligence Committee staff in 1975 that the FBI memo was "self-serving and full of inaccuracies."

Wilkins' wife called The Post story "absolute fabrication."

THE ATLANTA Constitution said in today's editions that a comparison of the FBI memo with Wilkins' testimony to the committee indicates that Wilkins may have been the leader who met with the FBI.

The Post quoted informed but unnamed sources as saying the former official of the National Association for the Advancement of Colored People met on Nov. 27, 1964, with then-FBI Assistant Director Cartha DeLoach about the bureau's attitude toward King.

In a memo written Nov. 27, DeLoach said the meeting ended with Wilkins promising to "tell King that he can't win in a battle with the FBI and that the best thing for him to do is to retire from public life."

The Dec. 1 memo was a followup written by FBI official J.A. Sizoo to suggest further action against King. Addressed to late FBI Assistant Director William C. Sullivan, it picked up some of DeLoach's remarks but deleted Wilkins' name.

The Sizoo memo was obtained under the Freedom of Information Act by the nonprofit Center for National Security Studies.

DeLoach, in an interview with The Atlanta Journal, said he has "a vague recollection of some black leader coming to see me. I don't remember who he was. I have no idea what we talked about."

WILKINS WAS NOT available for comment. His wife, who said she was speaking for him, called the allegation an "absolute fabrication. I heard him tell that to someone else," she said.

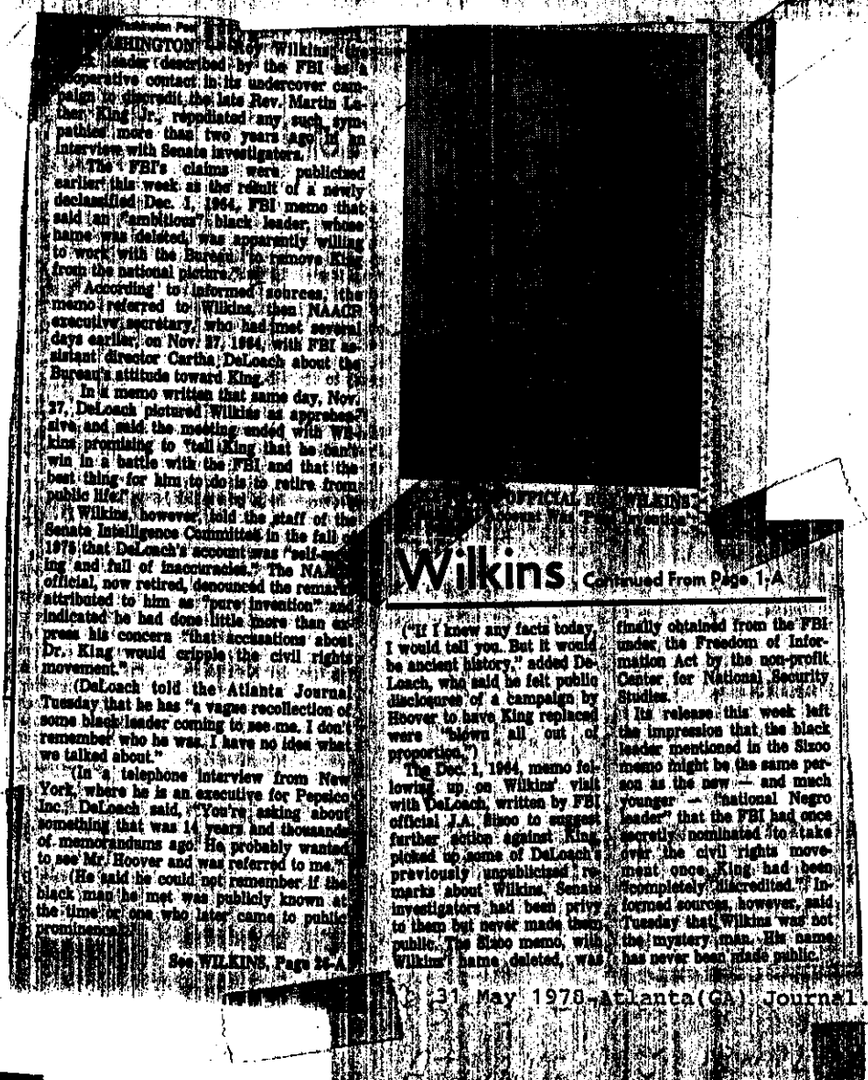
Mrs. Wilkins also commented on a previous comment by Senate investigators that the FBI's anti-King campaign included a proposal to groom a new national black leader to take his place.

She said she and Wilkins learned the identity of the leader from someone who worked with the Justice Department.

But she added, "I can't tell you, I wouldn't tell you because it would be very detrimental to the man."

She said she did not think the man knew anything about it and that the FBI selected him because he would be "amenable to them."

"I can't imagine any reputable black person who would have agreed to work with the FBI in (the late FBI Director J. Edgar) Hoover's day. I'm sure this person they had in mind had not worked with them."



...ashington Post
...WASHINGTON (AP) — Wilkins, [illegible] leader described by the FBI as a cooperative contact in its undercover campaign to discredit the late Rev. Martin Luther King Jr., repudiated any such sympathies more than two years ago in an interview with Senate investigators.

The FBI's claims were published earlier this week as the result of a newly declassified Dec. 1, 1964, FBI memo that said an "ambitious" black leader, whose name was deleted, was apparently willing to work with the Bureau to remove King from the national picture.

According to informed sources, the memo referred to Wilkins, then NAACP executive secretary, who had met several days earlier, on Nov. 27, 1964, with FBI assistant director Cartha DeLoach about the Bureau's attitude toward King.

In a memo written that same day, Nov. 27, DeLoach pictured Wilkins as apprehensive and said the meeting ended with Wilkins promising to "tell King that he can't win in a battle with the FBI and that the best thing for him to do is to retire from public life."

Wilkins, however, told the staff of the Senate Intelligence Committee in the fall of 1975 that DeLoach's account was "self-serving and full of inaccuracies." The NAACP official, now retired, denounced the remarks attributed to him as "pure invention" and indicated he had done little more than express his concern "that accusations about Dr. King would cripple the civil rights movement."

(DeLoach told the Atlanta Journal Tuesday that he has "a vague recollection of some black leader coming to see me. I don't remember who he was. I have no idea what we talked about."

(In a telephone interview from New York, where he is an executive for Pepsico Inc., DeLoach said, "You're asking about something that was 14 years and thousands of memorandums ago. He probably wanted to see Mr. Hoover and was referred to me."

(He said he could not remember if the black man he met was publicly known at the time or one who later came to public prominence.)

See WILKINS, Page 2-A

...OFFICIAL ... WILKINS ...

Wilkins Continued From Page 1-A

("If I knew any facts today, I would tell you. But it would be ancient history," added DeLoach, who said he felt public disclosures of a campaign by Hoover to have King replaced were "blown all out of proportion.")

The Dec. 1, 1964, memo following up on Wilkins' visit with DeLoach, written by FBI official J.A. Sizoo to suggest further action against King, picked up some of DeLoach's previously unpublicized remarks about Wilkins. Senate investigators had been privy to them but never made them public. The Sizoo memo, with Wilkins' name deleted, was finally obtained from the FBI under the Freedom of Information Act by the non-profit Center for National Security Studies.

Its release this week left the impression that the black leader mentioned in the Sizoo memo might be the same person as the new — and much younger — "national Negro leader" that the FBI had once secretly nominated to take over the civil rights movement once King had been "completely discredited." Informed sources, however, said Tuesday that Wilkins was not the mystery man. His name has never been made public.

31 May 1978 Atlanta(GA) Journal

EXHIBIT-A-16

Intelligence Division, all of whom were deceased,* FBI officials and agents whose testimony was considered essential to a thorough examination of the issue of FBI complicity were interviewed.

(a) The Lorraine Motel issue

The committee investigated the possibility that the FBI's COINTELPRO effort influenced Dr. King's decision to be in Memphis on April 4, 1968, and, more specifically, to stay at the Lorraine Motel. The committee determined that Dr. King had been designated as a man to be discredited as early as December 1963.[2] On August 25, 1967, FBI headquarters directed 22 field offices, including Memphis, to commence COINTELPRO activities against "Black Nationalist—Hate Groups."[3] The purpose of the directive, as reflected in supporting documents, was to expose, disrupt, misdirect or otherwise neutralize the activities of specified organizations, including the Southern Christian Leadership Conference (SCLC). Instructions were issued "that no opportunities be overlooked for counterintelligence action."[4]

[redacted]

Several goals of COINTELPRO were set out. One of them was to "[p]revent the rise of a 'messiah' who could unify and electrify the militant black nationalist movement." The memo continued,

> Malcolm X might have been such a "messiah"; Martin Luther King, Stokely Carmichael, and Elijah Muhammad all aspire to this position * * * King could be a very real contender for this position should he abandon his supposed obedience to white liberal doctrines (nonviolence) and embrace Black Nationalism.[6]

For the first time, specific reporting requirements were established, with the first response due from all offices within 10 days. Imagination and initiative were stressed, although

*The committee frankly acknowledged that its investigation of the FBI was severely restricted by its inability to put questions on the Bureau's campaign to discredit Dr. King to these three top officials, since they had been primarily responsible for it.

"The Final Assassinations Report, Bantam Books, 1979

EXHIBIT_A_17.

VIEWPOINT

The 'Dreaded Drug Fairy' strikes again

Julian Bond

By Lewis Grizzard

YOU have to feel a little sorry for Julian Bond, nationally known civil rights leader, former Georgia legislator and big-bucks lecturer.

First, he runs for Congress and loses the election in a stunning upset.

Then, he and his wife have a falling out, and to top off Bond's day, she goes to the cops and fingers her husband as a cocaine user, although she later recanted.

I had the same kind of year once. My dog got run over by a car, I developed a painful plantar wart on the bottom of my foot and I invested in some worthless thrift notes.

DESPITE ALL HIS bad luck, I do think Bond is handling his troubles in an intelligent, classic manner.

He's denying he has ever used cocaine, says taking a blood test to prove it would be an invasion of his privacy and is blaming the whole thing on the press which, as everybody knows, is made up of a bunch of white racists who always are trying to find a way to get black leaders.

But I also think Bond could get some pointers regarding how to get himself out of all this hot water from his brother, James, who used to be an Atlanta city councilman and a member of that city's Public Safety Commission.

SEVERAL YEARS ago, when James Bond was holding office, somebody broke into his car and stole his car radio. He called the chief of police, George Napper, and reported this heinous crime directly to the top cop.

Napper, realizing Councilman Bond's important position on the Public Safety Commission, which was in charge of his hind parts, did everything short of asking the governor to call out the National Guard.

He dispatched a crack detective to investigate the thievery. Looking for every possible clue, the detective peered into Councilman Bond's automobile ashtray and guess what he found?

He found nine marijuana butts. He looked behind the front seat of Bond's car and found an unsmoked reefer. And what was the outcome of this investigation?

No charges filed.

Chief Napper closed the case, saying, "There is no reason to believe the owner of the car had any responsibility for placing the marijuana in the ashtray."

The chief, noted as one of the nation's top crime busters, named the thief as perhaps being the responsible party.

I didn't go for that. It probably took the thief three minutes, tops, to lift the radio, and he smoked nine marijuana cigarettes in that period and then was kind enough to leave an unsmoked joint behind the seat for the next thief?

No way. My thinking at the time was this: If Councilman Bond hadn't put the cigarettes in the ashtray and the thief hadn't done it, that left only one other individual who could have been responsible — the Dreaded Drug Fairy, who skulks around planting illegal substances and getting famous people like Julian and James Bond into embarrassing situations.

I WISH JULIAN BOND all the luck in proving the allegations made against him are untrue, and I hope the police have the good sense to go after who is very likely the real culprit here.

That's right. The Drug Fairy. It simply must be stopped.

Lewis Grizzard is a columnist for The Atlanta Constitution.

King Features Syndicate

EXHIBIT-A-18.

exhibit MLK F-268 there is the date 12/21/68. Would you follow or read the entry that follows that date?

Mr. CANALE [reading].

T[redacted]of

Mr. ADRINE. Now there is a continuation there.

Mr. CANALE. Yes.

Also talked to Harry Wachtel, attorney for Mrs. King, and asked him to confer with her about her feelings on plea.

He said he would and also would talk to Reverend Abernathy and get back in touch with me. I explained details of plea also to Ellington and Wachtel.

Mr. ADRINE. Thank you.

Now if you can recall, when did the initial plea negotiations commence?

Mr. CANALE. It is my recollection that, as I was trying to recall with you, that it was around the middle or past the middle of February of 1969 when I was approached about whether I would make an offer on a guilty plea.

Mr. ADRINE. Mr. Chairman, could we have the clerk hand the witness what has been previously marked for identification purposes as "Martin Luther King exhibit F-269"?

As she is doing that, I will tell you that this document is a continuation of your handwritten notes.

Mr. Canale, would you read the entry that appears under the date 12/18/68?

Mr. CANALE [reading].

Stanton, Sr., saw me after conferring at length with Foreman, and Foreman had authorized him to make inquiry of me if I would make offer on plea. I advised I did not want anyone to feel I was avoiding a trial to try to suppress the surfacing of any evidence of a conspiracy, but would discuss with Dwyer and Beasley.

Mr. ADRINE. Now can you give the committee some of your thoughts as to what you were writing down that date?

Mr. CANALE. Well, of course we had a lot of talk back then about the fact that it was bound to have been a conspiracy that resulted in the death of Dr. King and I did not have any evidence of a conspiracy, but I was trying to try to protect myself, I guess you would say. If I were going to be accused of concealing a conspiracy situation by accepting a plea, then it would cause me some concern.

Mr. ADRINE. Now there is an entry on that same page dated 12/19/68. Could you read that into the record, please?

Mr. CANALE [reading].

Advised Pollack and Owens of above and significance of a plea such as parole time, what we usually offered in such a case, manner of handling, et cetera. They advised they would discuss and let me know.

Mr. ADRINE. Now could you identify who Pollack and Owens were?

Mr. CANALE. They were with the—I will say the Department of Justice. I know they were here in Washington. I don't think they were with the State Department. I think they were with the Department of Justice.

2

DIST/OFFICE	DOCKET YR.	DOCKET NUMBER	FILING DATE MO.	DAY	YEAR	J	N/S	O	N	R 23	$ DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	DOCKET NUMBER
651/2	76	0449	09	10	76	3	440	1			illegal sur.	5104	D	76	449

PLAINTIFFS

Kendrick, Chan, Ind. and
The American Civil Liberties
Union of West Tennessee

ROBERT M. MORSE, JR.

CLOSED

DEFENDANTS

Mayor Wyeth Chandler and
Police Chief W. O. Crumby

Memphis (Tn.), police(intelligence section), surveilance of Rev. Martin Luther King Jr. until he was shot in, Memphis.

CAUSE [redacted]

ATTORNEYS

Bruce S. Kramer
1105 U. F. Bank Bldg.
Memphis, Tn. 38103

(for Mike Honey)
Alex J. Hurder
1217 - 81 Madison Bldg.
Memphis, Tenn. 38108

Jack D. Novik
~~American Civil Liberties~~
~~Union Foundation~~ 132 West 43 St.
~~22 East 40 Street~~
New York, New York ~~10016~~ 10036
212-944-9800

Clifford Pierce
City Attorney
125 No. Main, Memphis 38103

Arthur J. Shea
Assistant City Attorney
~~Richard Cartwright~~
314 City Hall
125 North Main

CHECK HERE IF CASE WAS FILED IN FORMA	FILING FEES PAID DATE	RECEIPT NUMBER	C.D. NUMBER	STATISTICAL CARD	DATE MAILED
	9-10-76	9097 Thomas Kendrick $15.00	1-98	JS-5	9/11/76
	9-15-76			JS-6	

EXHIBIT-A-20

2

National Archives

Washington, DC 20408

Date : September 25, 1986

Reply to Attn of : NNFJ86J-1123-WDG

Subject : Records relating to Martin Luther King, Jr.

To : J.W. Ryan
P.O. Box 221
Lake Forest, IL 60045

The records relating to Martin Luther King are among the accessioned holdings of the National Archives and Records Administration and are in the physical custody of the Judicial, Fiscal, and Social Branch of the Civil Archives Division, Office of the National Archives. The records are part of the body of records designated Records of the Federal Bureau of Investigation (Record Group 65) and consist of approximately [redacted] of paper documents and tape recordings relating to the FBI's wiretapping and electronic surveillance of Dr. Martin Luther King, Jr., 1963-68.

The records were transferred to the custody of the National Archives and Records Administration by the FBI pursuant to an order issued on January 31, 1977, by the United States District Court for the District of Columbia in Lee v. Kelley (C.A. No. 76-1185) and Southern Christian Leadership Conference v. Kelley (C.A. No. 76-1186). The court ordered that the records "be maintained by the Archivist of the United States under seal for a period of fifty (50) years." The court also ordered that the "Archivist of the United States...shall not disclose the tapes or documents, or their contents, except pursuant to a specific Order from a court of competent jurisdiction requiring disclosure."

Sincerely,

William D. Grover

WILLIAM D. GROVER
Judicial, Fiscal, and Social Branch
Civil Archives Division

EXHIBIT_ -21.

CITY & STATE

Abernathy sharply criticized by blacks for King accusations

The Associated Press

MONTGOMERY, Ala. — The Rev. Ralph David Abernathy has gone insane and possibly "knows something" about Martin Luther King Jr.'s 1968 slaying, Alabama blacks said Friday in attacking a new book by the King aide.

Nearly two dozen activists gathered at King's first church to call for a boycott of Abernathy's autobiography, "And The Walls Came Tumbling Down," which includes a small section saying King had extramarital affairs.

Published this month by Harper & Row, the 623-page book includes two brief sections that say King had encounters with various women the night before his April 4, 1968, assassination at a Memphis, Tenn., motel.

State Rep. Alvin Holmes said Abernathy either was insane, had been forced to write the book, or let someone else write it using his name.

"I think some white folks put him up to it," said Holmes. Holmes, like the others, said he had not read Abernathy's book and knew of its contents only from press accounts.

"Martin Luther King is like Christ. You've got your Judases," said Joe Reed, head of the Alabama Democratic Party's black caucus.

Montgomery City Councilman Mark Gilmore questioned whether Abernathy might have had a role in the killing of King, shot by an assassin as he stood on a motel balcony.

"The gates must be opened back to the case of the slaying of Dr. Martin Luther King to see who led him from that room to that balcony," Gilmore said. "And that makes me believe that maybe Dr. Ralph David Abernathy knows something about the killing of Dr. Martin Luther King."

Gilmore said Abernathy was "so close" to King he must have had knowledge about the slaying, but he denied Abernathy was close enough to King to know whether the Baptist minister slept with women other than his wife.

Abernathy was unavailable for comment, said his wife, Juanita Abernathy. She called the black leaders' claims "the most insane thing" in a telephone interview from her Atlanta home.

Steven Sorrintino, a publicist for Harper & Row in New York, said Abernathy wrote the entire book and was not mentally impaired.

Rumors have circulated for years concerning King's sex life, and other books have accused him of being unfaithful to his wife, but none has provoked the rage that Abernathy's has. Most recently, Taylor Branch's "Parting the Waters: America in the King Years," included stories of King's sexual exploits.

Reed said it was Abernathy's close relationship with King that made his accounts of King's affairs so maddening.

"These other people weren't Doctor King's friend," said Reed.

Parade Magazine, 29 January 1989

, Box 5573, Beverly Hills, Calif. 90210, or phone (213) 651-3375. Full name will be used unless otherwise requested.

Mr. King and wife, Coretta, in 1964: FBI was watching

Q [redacted]

A "Yes" is the answer to both questions. The late J. Edgar Hoover despised Dr. King. He insisted that King, who won the Nobel Peace Prize at age 35, was under Communist influence. In 1963, he pressured U.S. Attorney General Robert Kennedy to approve wiretaps on King's home and office in Atlanta. The FBI then embarked on a rigorous schedule of recording King, who was no angel and in fact had confessed to a friend: "I'm away from home 25 to 27 days a month. [Extramarital sex is] a form of anxiety reduction." In November 1964, an FBI agent sent a package to King at the headquarters of the Southern Christian Leadership Conference. It contained a reel of "sex" tape and an anonymous threatening letter. The package found its way to King's wife, Coretta. She opened it, played the tape and read the letter, which said in part: "King, there is only one thing left for you to do... You better take [your life] before your filthy, abnormal, fraudulent self is bared to the nation."

For further details of Dr. King's relationship with the FBI, you may care to read "Bearing the Cross," the comprehensive, Pulitzer Prize-winning book by David J. Garrow. Another excellent King biography is "Parting the Waters," by Taylor Branch.

EXHIBIT-A-22.

rec'd 9/24/90
D.S. Ray

Tapes hint of King, Abernathy affair

ON 11A: Abernathy-King scandal: A new twist

Secret tapes made by the FBI in 1964 might lead to the conclusion that Martin Luther King Jr. and his deputy, Ralph Abernathy, had a homosexual relationship, a forthcoming book alleges.

The book, *Breaking Bread with Death*, a memoir by veteran columnist Carl Rowan of conversation Rowan had with Rooney D-N.Y., the same year the tapes were made. Rowan had just become director of the U.S. Information Agency.

"I am not going to say a word about it. I'm not going to be party to talking about a book that won't even be out in print for [many] months," Rowan said yesterday.

Rooney, who died in 1975, was a friend of long-time FBI director J. Edgar Hoover. He was chairman of the House appropriations committee overseeing both the USIA and the FBI.

"Rooney told me that a lot of congressmen had been inflamed by an alleged FBI tape recording of what Hoover called an orgy in King's suite in the Willard Hotel in Washington," Rowan wrote.

"Hoover said that the FBI had at least 15 reels of tape about sexual entertainment and conversations between King and Abernathy that might lead to the conclusion that there was a homosexual relationship between the two ministers.

"Rooney said Hoover played portions of one tape for him that was designed to create deeper revulsion toward King."

On it, Rowan said he was told, King said to a man identified as Abernathy, his deputy at the Southern Christian Leadership Conference,

"Come on over here, you big black m—f—, and let me [perform oral sex.]"

Rowan said he replied to Rooney that "whenever black men gather in a party, the language flies back and forth, may have no relationship to reality."

Later in the book, however, Rowan speculates why Abernathy, who died in April, might have alleged extramarital affairs by King in his own 1989 memoir.

"Knowing precisely what was on the tapes made at the Willard Hotel in 1964," Rowan wrote, "was Abernathy shielding himself against future revelations that the FBI had accused him of having a homosexual relationship with King?"

About 60 draft copies of the book are already circulating in several cities.

"We're hoping this does create a bit of a stir because that will create readers," said Jennifer Kittredge, a spokeswoman for the publisher, Little, Brown and Co.

Others were not sure Rowan acted responsibly.

"I've known for 10 years that I would one day have to explain where I draw the line," said David Garrow, author of two King books, *The FBI and Martin Luther King Jr.* (1981) and *Bearing the Cross*, winner of the 1987 Pulitzer Prize.

"Should one interpret those statements literally or as humorous joshing?

"The only way you or I can get an answer to that question is to listen to the hotel recordings employing methods that were then and still are as stark and as extreme a violation of privacy as anything that's happened in American history," Garrow said.

In 1977, a federal judge ordered the FBI to turn over all tapes and transcripts gathered in the wiretapping of King to the National Archives and directed that they be kept there under seal for 50 years.

In 1983, as Congress successfully considered making King's birthday a federal holiday, Sen. Jesse Helms, R-N.C., unsuccessfully sought to unseal the tapes.

"There's nothing in those tapes that hasn't already been said," said Lloyd Davis, the executive director of the federal Martin Luther King Jr. Holiday Commission. ■

EXHIBIT-A-23.

79-1887
KNOXVILLE JOURNAL, 1978
FILED
OCT 10 1979
JAMES DAVEY, Clerk
Knoxville Journal July 1978
EXHIBIT A_24.

New King Assassination Hearings To Be Televised

By Paul Scott

WASHINGTON — James Earl Ray, the convicted killer of Dr. Martin Luther King, is going to finally get his chance to tell his story over nationwide TV and radio — that is if he still wants the national forum.

Scott

The House Select Committee on Assassinations is offering Ray the top billing in the days of public hearings set to begin on August 14 into the King assassination and the handling of its investigation by the FBI and local and state law enforcement officials in Tennessee.

Since his public admission of guilt and the sentencing in a Tennessee State Court, Ray personally has hinted in letters to members of Congress, including Sen. James Eastland, D. Miss., chairman of the Senate Judiciary Committee, that others were involved in the King assassination.

When contacted in the past, however, Ray has refused to testify unless allowed to come to Washington and appear publicly before a Senate or House Committee without having to reveal his proposed testimony in advance of the hearing.

With no way to check out the accuracy of what Ray might say in advance of his public appearance, members of Congress including Senator Eastland have shied away from giving the convicted killer a national forum.

Rep. Louis Stokes, D-O., chairman of the Select Committee on Assassinations, has now sent word to Ray that he can testify on his terms. Although Committee investigators have questioned Ray in his prison cell, they still don't have any idea of what he will say.

The Committee's invitation to Ray was indicated in a memorandum which Representative Stokes is circulating to members of Congress. In detailing plans for a series of public hearings in the fall, Representative Stokes reported:

"The schedule now contemplates holding approximately 28 days of hearings into each assassination. The first five days of the public hearings planned are on the assassination of Dr. King. These hearings will commence on the 14th of August. The hearings will be concerned with Dr. King's activities in Memphis in 1968, his assassination and the involvement if any, of Mr. James Earl Ray in the assassination. An effort will be made to secure the testimony of Mr. Ray in public sessions at that time. Other hearings will involve the assassination of President John Kennedy."

OTHER INVOLVED IN SLAYING — By including the words "if any" in the sentence regarding the involvement of Ray in the assassination, Representative Stokes has raised speculation that his committee may be planning to show that others were responsible for the killing of King.

When questioned by several of his colleagues, Representative Stokes refused to confirm or deny whether Committee probers have uncovered new evidence that would involve others in King's assassination. All the Cleveland Democrat will say is that field investigations are continuing.

The Committee's inquiry already has ranged over three continents with investigators retracing Ray's travelings abroad following the King assassination. Ray was arrested in London after returning from Portugal. The Committee's inquiry already has cost more than $2.5 million.

While Committee members have reviewed all of the FBI's [redacted]

A number of these documents and tapes deal with known secret communists, who were closely associated with the Civil Rights leader shortly before his assassination. Since these persons were deeply involved in the planning of King's activities and knew his movements in Memphis, the documents should be examined for possible new leads in the tragic slaying.

The U.S. Federal Court here was petitioned to have these documents and tapes sealed by officials of the Christian leadership conference, which King headed time of his slaying. The reasons they gave for their was that the information involved King's private contacts and was gathered by FBI monitoring.

[redacted]

THE KENNEDY ASSASSINATION — The Stoke mittee has scheduled 18 days of public hearings in Se to consider evidence uncovered in the assassinatio late President Kennedy.

While Chairman Stokes isn't saying anything other committee members reveal privately that non new information obtained by their staff so far up Warren Commission's finding that Lee Harvey Osw the assassin.

The investigations of both the Kennedy and Kin sinations by the Stokes Committee is expected completed by the end of the year. A final report is e to be made to the full Congress early in 1978.

James Earl Ray's public testimony could be a m tor in shaping both the tone and content of the Com final report on the assassination of King.

EXHIBIT--B

EXHIBIT-A-25.

King's womanizing hardly lessens his greatness

CARL ROWAN

WASHINGTON — Poor old Rev. Ralph Abernathy!

He has pulled a sensational sexual skeleton out of the closet of the late Dr. Martin Luther King Jr., and a posse of black leaders is trying to crucify him for it.

Abernathy has written a book in which he deals with King's "weakness for women," reporting that King spent the night before his death in friendly encounters with two women, then had a morning fight with a young woman who was angry that she couldn't find him.

People who knew King barely if at all have leaped forth to denounce Abernathy as a Judas, a bad reporter whose memory has been warped by strokes and brain surgery, or as the tool of some unknown ghostwriter or editor.

Black leaders should have kept their mouths shut.

Why should black leaders leap up in concert as though they think Abernathy has so tarnished King as to wipe out his place in history?

If King had "a weakness for women," so what? Men from Eve's Adam, to Delilah's Samson, to Jacqueline's JFK to the Monkey Business' Gary Hart have shown that a "weakness for women" is almost universal — especially from men who've been told that power is the greatest aphrodisiac.

One prominent male who did not manifest a weakness for women was J. Edgar Hoover, the late FBI director who tried to destroy King by planting women, bugging hotel rooms in which King held parties and by disseminating to presidents, congressmen, editors, columnists and others leaks designed to convince them that King was a "moral degenerate."

That ploy failed because hundreds of the men to whom Hoover was leaking had their weaknesses for women and knew they were compromised in Hoover's secret files.

Abernathy has told only a smidgen of what he could have revealed. Abernathy has not seen the 50,000 or so FBI documents that I have read showing that when leaks about sex failed, Hoover and his top aides began a systematic campaign to use whatever methods they could to destroy King.

This is history that must be told. The bit told by Abernathy cannot diminish the magnitude of King's contributions to America, even when some blacks raise that gossip to the level of nation-shaking truth.

Most everybody knows that Martin Luther King Jr. was no saint and that he was not infallible in his political judgments. But he was one hell of a leader. He may have had feet of clay, but his head and heart were above every mountaintop.

[redacted]

Meanwhile, it can serve no good purpose for blacks to lynch Ralph Abernathy verbally. In

claimed under Act could best be determined after an in camera inspection which would fully disclose nature of materials involved and enable court to balance public interest against those strong considerations of policy underlying exemptions claimed. 5 U.S.C.A. § 552(b)(1, 2), (b)(7)(C–E).

5. Records ⇐14 *

Records of local police agencies detailing various threats on life of Dr. Martin Luther King, Jr. by named individuals and tips or other information from Dr. King's entourage concerning threats or suspicious activity and covering immediate investigation of killing and subsequent investigation of leads and suspects were exempt from disclosure under Freedom of Information Act where FBI cooperation with state and local law enforcing agencies would be seriously impaired if material from cooperating agencies was not treated as "confidential source" data and no substantial countervailing reason for disclosure is shown. 5 U.S.C.A. § 552(b)(1), (b)(7)(D); Executive Order No. 11652, 50 U.S.C.A. § 401 note.

See publication Words and Phrases for other judicial constructions and definitions.

6. Records ⇐14 **

Public interest requires that cooperative arrangement of FBI with local police not be breached under compulsion of Freedom of Information Act where cooperative agencies have objected and by affidavits continued to insist upon confidentiality. 5 U.S.C.A. § 552(b)(1), (b)(7)(D); Executive Order No. 11652, 50 U.S.C.A. § 401 note.

7. Records ⇐14 ***

Materials which related primarily to the assassination of Dr. Martin Luther King, Jr. and to which were classified in strict compliance with Executive Order 11652 in order to protect the identity of confidential intelligence sources, including sources in contact with foreign establishments with and without United States, and sources which had penetrated the domestic organizations controlled by foreign powers that were targets of national security investigation were exempt from disclosure under Freedom of Information Act. 5 U.S.C.A. § 552(b)(1), (b)(7)(D); Executive Order No. 11652, 50 U.S.C.A. § 401 note.

8. Records ⇐14

Fact that certain documents on assassination of Dr. Martin Luther King, Jr. in form of notes taken from classified documents in preparation of a task force study were not immediately classified and lay dormant and unclassified until a request for disclosure was made did not mean that documents were subject to disclosure under Freedom of Information Act where they were otherwise entitled to an exemption. 5 U.S.C.A. § 552(b)(1), (b)(7)(D); Executive Order No. 11652, 50 U.S.C.A. § 401 note.

9. Records ⇐14

Exemption claimed under Freedom of Information Act for deletion of symbol numbers from documents otherwise supplied with respect to assassination of Dr. Martin Luther King, Jr. would be sustained where there was no legitimate public interest in releasing such symbols and release would aid identification of informers and significantly harm governmental interests. Executive Order No. 11652, §§ 4(A), 6(B), 50 U.S.C.A. § 401 note; 5 U.S.C.A. § 552(b)(2).

10. Records ⇐14

Exemption claimed under Freedom of Information Act to protect certain aspects of privacy of family of Dr. Martin Luther King, Jr. and identity of persons connected with FBI investigation into assassination of Dr. King where privacy interests were involved would be sustained as there was no reason to question bona fides of such deletions. 5 U.S.C.A. § 552(b)(7)(C).

11. Records ⇐14

Fact that an expert can piece together identifying data did not make identifications in question automatically part of the public domain so as to require disclosure under the Freedom of Information Act. 5 U.S.C.A. § 552(b)(7)(C).

12. Records ⇐14

As to nonname information deleted from materials released with respect to as-

* [redacted].
** [redacted].
*** [redacted].

EXHIBIT-A-26.

National Archives

Washington, DC 20408

July 11, 1986

Mr. James E. Ray, #65477
Station-A
Nashville, TN 37219-5255

Dear Mr. Ray:

This is in response to your letter of June 26 regarding the Records of the U.S. House of Representatives Select Committee on Assassinations.

The House transferred to the National Archives [redacted] of textual materials and several hundred audio or video cassettes relating to the case involving the death of Dr. Martin Luther King, Jr.

Sincerely,

DAVID R. KEPLEY
Chief, Reference Branch
Legislative Archives Division

EXHIBIT-A-27.

NASHVILLE "TENNESSEAN, NOV. 24, 1981.

4 State Penitentiary Inmates Testify to Horrors Behind Walls

ANGELS TO

THE "ANGEL" ?

...WHILE KING and Ms. Mots... time in the shower, he said there ...monitored adequately, though ... hospital beds ... were ... guards around ... an... result of staff shortages. King ... used for healthy inmi... force that ran... or to prevent ... said. "They are subject to injury as ... Ms. Motsinger ... the rape ... great degree of danger ... terms ... the lack of guidance ... Asked by plaintiffs' attorney ... complications not being noted ... provided its employ... plied ... NURSES ARE being ... they had the diag... I DIDN'T know w... Approximately every hour or ... said ... get what I needed a... hour-and-a-half ... sometimes ... to when I didn't get ... longer than that ... make recommendations ... ed," she said ... that there's staff increases only ... King ... when ... EARL HICKS JR., who is ser... exactly because I know it ... only nurse on duty ... book to look at to ta... ing a 20-year sentence at the ... money," said King, who ... main prison for armed robbery ... was appointed by an Oklahoma ... call, what to do, whe... testified there were no guards ... judge to monitor that state's im- ... asked and I didn't get it." ... around when he was stabbed ... provement of its prison health ... During cross-examinati... three times one afternoon last ... care system ... however, Ms. Motsinger adm... January ... but I think some increases ... ted she has not seen the hospital ... "Approximately ... minutes ... are necessary to protect life ... staffing patterns for procedure... elapsed between the first stab- ... MS. MOTSINGER told of being ... since her resignation in 1980 ... bing and the last," said Hicks, ... asked one day by a licensed prac... step she took because she felt the... who testified that he was in the ... tical nurse to check ... patient ... prison was making no progress ... office he uses ... in its goal for upgrading ...

EXHIBIT-A-28.

Death Row Once Had Open Sewer

NASHVILLE "TENNESSEAN" JULY 14, 1984

July 14, 1984 Nashvil

Harries Stole Memo to Warden Saying So

2/27/74

Ray's New Trial Petition Is Dismissed By Judge

By MICHAEL LOLLAR

...rather than pursue further appeals ... death sentence. Nixon said he likely ... matter late next week ...

[The odors from this grate are also becoming ... part of the air that is circulated in the fair ... conditioning] system in the unit."

The memo, signed by Fred Takacs, a physi... and a Dr. Akhtenni, recom... ...mended ...

... is competent to make ... about whether to pu... sentence ...

Harries, 33, was st... chair June 13 for the ... Kingsport, Tenn., of ...

...ge". The police sketch of "Raoul" is on the right.

...ction's health care budget ... But the state h... ...procedure for the "enormous ... no progress" ... ...ations" in medical expendi... said ...

ATLANTA JOURNAL 6-5-81

Ray chained to bed while recovering from stabbing

decide for himself that he p...

Ray spent a "quiet night" in his hospital bed Thursday night, Barbara Washburn, ...sman for Oak Ridge Hospital, said. ...d his wife, Anna Sandhu Ray ...

... a white — were suspects, and a fifth person in the library during the melee was questioned. No charges had been filed today.

Carson identified three members as John W. Partee of Nashville; Jerome N. Ransom of Chattanooga, Tenn., and Doc Walker of Memphis, Tenn.

STATE OF TENNESSEE
DEPARTMENT OF CORRECTION
DIVISION OF ADULT SERVICES
SOUTHEASTERN TENNESSEE STATE
REGIONAL CORRECTIONAL FACILITY
ROUTE 4, BOX 600
PIKEVILLE, TENNESSEE 37367

MEMORANDUM

TO: James Ray #65477, Unit #1

FROM: Virginia Lewis, Health Administrator

SUBJECT: Examination by Your Private Physician

DATE: October 6, 1987

You may have your private physician come to STSRCF to conduct an examination with the approval of the Warden. You would be responsible for paying your private physician for the examination and any other expense that your private physician might have in regards to your examination such as, travel costs. The place of the examination would be determined by the physician. If the area up in Unit 1 designated for examinations could not be equipped to meet the physician's needs, then you would be brought to the clinic for your examination.

You will be handcuffed in accordance with the security requirements for a maximum security inmate. You will have two guards with you at all times whether you are in the treatment area in Unit 1 or in the clinic. It is your choice whether or not you have STSRCF nursing personnel with you at the time of the examination; however, according to Policy 113.17, Dr. Anderson will have the final say in any medical recommendations of the private physician. Please send me the name, address and telephone of your private physician. After I receive the name of your physician I will contact the Warden for his approval/disapproval in this matter.

If you are currently having a problem, I would recommend that you sign up on sick-call so the nursing staff could refer you to Dr. Anderson. Dr. Anderson would probably be able to take care of your problem and also save you some expense.

If you have any further questions, please let me know. If not, I will be waiting on the name of your private physician.

VFL/saf

xc: Suspense file

EXHIBIT-A-29.

FIG-1.

Journey into MADNESS

The True Story of Secret CIA Mind Control and Medical Abuse

Gordon Thomas

Published-1989

BANTAM BOOKS
NEW YORK • TORONTO • LONDON • SYDNEY • AUCKLAND

FIG-2.

that had rebuffed the CIA. The Agency had tried to persuade Dr. Donald Hebb, the head of the psychology department at McGill, to pursue still further his own pioneer work in extra-sensory deprivation. Dulles, encouraged by Dr. Gottlieb, believed the technique was perhaps the source of mind control.

[redacted] and the Canadian Department of Defense, and had used the money to convert a room in his laboratory into an isolation box into which volunteers were placed, fully briefed as to what was involved. They were encased in high-altitude flying suits and wore goggles and earmuffs. The air in the box was filtered to remove smells, and from time to time the subjects were exposed to a constant bleeping sound. Each volunteer was told he would be released as soon as he pressed a panic button. No one, whether he wished to or not, had been allowed to remain in the box for more than six days. The Agency, working through Dr. Monroe, had tried to persuade Dr. Hebb to go further, to keep volunteers for lengthier periods in isolation and to give them drugs. Dr. Hebb had flatly refused to entertain such proposals.

Morse Allen had persuaded Dr. Maitland Baldwin at the National Institutes of Health to try his hand at what Allen's report to Dulles suggested could be terminal type experiments. Dr. Baldwin had come to the Agency's attention after he had himself kept an Army volunteer in an isolator for forty hours. The soldier had broken out and in Dr. Baldwin's account, "He began to cry and sob in the most heartbreaking way."

[redacted] Allen had chaired a number of meetings within the Agency to see how best to fund Dr. Baldwin. The Society for Human Ecology would not be a suitable conduit in the circumstances, in view of the potential terminal nature of the research. Even a dead expendable on American soil could lead to awkward questions and would expose the carefully nurtured cover the society had built up to protect, among others, Dr. Cameron. But before a satisfactory way of funding was agreed, Dulles had ordered the project abandoned as too

EXHIBIT-A-30

FIG-3.

of the standard methods of behavioral control known in the West.

Their report to Dulles—so sensitive that it would never be fully declassified—led to a conclusion only remarkable to those unfamiliar with the director's thought process. In the years he had spent in wartime Europe—his daily life filled with spies and counterspies, secret police, emigrés and exiles, saboteurs, professional assassins, agents provocateurs, Fascists and anti-Fascists, Nazis and anti-Nazis, Communists and anti-Communists, all being encouraged by him to intrigue against and, where need be, kill each other—Dulles had survived by following one rule: Nothing is what it seems.

The director was convinced that neither neurologist had fully understood what happened in North Korea. Accepting that the Communists did not depend on known behavioral methods of mind control, Dulles had persuaded himself that the enemy must possess a method unknown in the West. It was therefore all that more urgent to move forward on that assumption.

Dr. James Monroe was told to set up a research foundation to provide a cover for further clandestine research involving doctors and scientists. It would be called the Society for the Investigation of Human Ecology and was headquartered in a townhouse on East 78th Street in New York, close to Cornell. Dr. Wolff agreed to be the new foundation's president, lending it immediate prestige and removing it from any suggestion of suspicion. Dr. Monroe was the executive secretary. With a staff of four bureaucrats, he would handle the administration of funds, laundering them through the foundation so that they could not be traced back to the Agency.

Finally, Dr. Cameron had been asked by Dulles whether there was any way he could help. It was not an order, or even a request. Long ago, the director, like many others, had realized Dr. Cameron was not the sort of man who could, in the slightest way, be coerced. Rather, it was if anything an old friend diffidently asking for assistance in difficult times.

[redacted]

FIG-4.

brought another important discovery: The science that could be applied to behavior made it respectable to manipulate his patients.

Viewed through the prism of his tests, those patients came into sharper focus. A disproportionate number were foreign-born, from Eastern Europe, human flotsam who somehow ended up in Manitoba—Poles, Russians, Bulgarians and Lithuanians and Russians who had fled the Revolution. They had found life in the new world equally hard and broke under the strain. Clearly, he saw that his tests could be extended to immigration screening, to keep out such people before they infected the community. He became fervent in his belief that science—especially psychiatry—could be used to identify and remedy the problems of society. This could all be changed by a radical approach to treatment. Brandon was a good place to begin, to test out his beliefs on those who had no future. The helpless would help him create the New Jerusalem.

He began to publish in the journals, coolly reasoned papers that suggested that if North America had been able to create affluence out of poverty, enlightenment out of ignorance, and citizens out of the dispossessed, so could mental health be structured out of illness. Because so little had been achieved, he believed that the mandate for reform was unlimited. He dusted off the principles laid down at the first Conference of Race Betterment at Battle Creek, Michigan, in 1914, where many of his aging peers had gathered to endorse resolutions that the future of mankind depended on robust attention to the mentally ill—their brain cells must be aroused to activity and restored to their normal freedom. This would only be achieved, in Dr. Cameron's view, by earlier intervention. Nor was Freud the answer; every city may have its psychoanalytic clinic, but psychoanalysis was only a weapon in the attack he envisaged. No condition—whether it was irregular menstrual syndrome or migraine—was described without a reminder that proper scientific management was the only solution. In those dust bowl years at Brandon, he laid down another tautological rule: [redacted]

In the cold winter nights of Manitoba he continued to read about how such control could be attained and justified. Taylor

EXHIBIT-A-30.

FIG-5.

banquet given by the American Psychiatric Association: Dr. William Sargant. The *Post* had carried an item that he was in town to attend a medical conference. Just as the capabilities of her other guests would have astounded her, so she would have been amazed to learn that among his other skills, the strong-faced Dr. Sargant was regarded by her husband as Britain's leading medical expert on [redacted].

Nor, of course, did Clover know that Dr. Sargant did not approve of all the techniques of Dr. Cameron—for example, his idea of keeping patients asleep for weeks at a time, during which they were regularly electroshocked, often twice a day, in an effort to restructure their minds. Dr. Sargant had sharply expressed his disapproval of such medical madness. Despite such disagreements, the two most renowned psychiatrists in the English-speaking world remained good friends, often sharing the results of each other's research into mental illness.

On this visit to Washington Dr. Cameron had told the Englishman that government was making the usual wooing sounds for him to get involved. Naturally, understanding how such matters worked, Dr. Sargant assumed that Dr. Cameron's invitation to the Dulles party was part of that courtship. In Dr. Sargant's mind there was "no doubt that Ewen was being fished for by the CIA."

Like most Washington weeknight parties, the Dulleses's gathering was over by ten-thirty; government went to bed early and rose accordingly.

Clover was therefore surprised to see her husband lead Dr. Wolff and Dr. Cameron to his den after arranging for another guest to give Dr. Sargant a lift back to his hotel. The two doctors were then joined by Dr. Monroe, Dr. Gottlieb, and Richard Helms.

After nibbling at one or two dishes while Natalie organized the hired help to tidy away, Clover retired to bed, unaware that her husband had found the answer to his problem.

The Agency doctors would continue committing serious breaches of their sacred oath; would still, if need be, use treatment methods that were reckless and dangerous to life; and would, in the final analysis, be present at, take part in, or even be solely responsible for bringing their work to a terminal stage—medically killing under the cover which the CIA

FIG-6.

ticated enough to measure minute involuntary responses—body temperature, the electrical conductivity of the skin, and pulse rate. It could also calibrate and analyze variations in the pitch and delivery of words. It was the latest refinement of the equipment that Jan Zielinski had monitored in the institute basement.

Over a period of hours Nosenko was polygraphed. The conclusion was that Nosenko could be using sheer willpower to defeat the lie detector.

Once more he was strapped about the chest. One of the Agency psychiatrists told Nosenko to breathe deeply—and the pens had, for a moment, careened quickly over the paper. The variations were noted. They were a bench mark for the interrogators.

[redacted] The same questions were put to him as those Dr. Cameron had asked Madeleine Smith. At exactly the same point as before in his interrogation, Nosenko was asked to breathe deeply. The graph measurement was compared with the earlier one—to see if solitary confinement had affected him. It had not. The Agency team decided that, if Nosenko was lying, he was doing so superbly.

For a whole month the questions had droned on, alternating with periods of ever-lengthening isolation. The very techniques Dr. Wolff and Dr. Hinkle had posited for Dulles as those used by the Communists to obtain their confessions were being used to try and break the defector.

The unfolding strip of sensitized paper was endlessly evaluated. Every night one of the team summarized the spiked chart and reported personally to Helms.

The director spent many hours sitting in his office—the only light coming from a lamp—staring at the findings.

Alternately, Helms was convinced that Nosenko was telling the truth about the Oswald file—a prospect which made the lines around the director's jaw tighten—or that the KGB man was a plant. The uncertainty grew more troubling.

After three months, Helms gave an order to increase the

EXHIBIT-A-30.

FIG-7.

thrombosis, tumor, and psychoneurosis caused high anxiety in patients, so he felt a similar response to the words Dr. Cameron used for psychic driving. They worried Dr. Cleghorn because they formed a nonsense language to describe a treatment that had been cobbled together from numerous sources: the Linguaphone Company and the improvisations of the medically unqualified Leonard Rubenstein.

Something else concerned Dr. Cleghorn. Two years earlier, at the annual conference of the American Psychiatric Association, Dr. Cameron had promoted psychic driving through the columns of *Weekend Magazine*, a mass circulation tabloid normally preoccupied with the lives of movie stars and household hints. He had referred to the technique as "beneficial brainwashing." Accompanying the interview was a photograph of a young woman wearing headphones and the caption described her listening to her repeated confession. Dr. Cameron was credited with inventing "a daring idea designed to help neurotic patients by using a modified form of brainwashing." He had added he was confronted with "the same problems as professional brainwashers" because his patients, "like prisoners of the Communists, tended to resist and had to be broken down."

Dr. Cleghorn and many of his colleagues were horrified at such sensational statements. But was that, Dr. Cleghorn had since wondered, really how Dr. Cameron viewed his treatment—as beneficial brainwashing? It was indeed troubling if that was the case.

[redacted] Dr. Cleghorn saw no long-term benefit for a treatment in which a patient was first put to sleep for three days and then, still comatose, given between thirty to sixty electroshocks over a short period and, in between, doses of 1,000 milligrams of Largactil, a powerful tranquilizer, to combat anxiety. What especially disturbed Dr. Cleghorn's sense of medical propriety was that when he finally queried the total amnesia the treatment produced, Dr. Cameron had simply said the patients' families would have to "help them build a scaffold of normal events."

Those sentiments had not improved the cooling relationship between the two most senior doctors in the hospital.

FIG-8.

* * *

The head nurse on South-Two, Peggy Mielke, a trim, vivacious twenty-four-year-old who had circumvented Madeleine's questions about why patients wore football helmets, sometimes wondered if her reluctance to discuss with anybody what went on in the Sleep Room—the dormitory of twenty beds, always filled and kept in continual semidarkness, and situated at one end of the wing—was her own concern at being unable to find an answer to a nagging question. Had she spent her years of training to end up working in this strange twilight world supervising a treatment she had never read about in her textbooks or seen in any of the other psychiatric hospitals where she had nursed?

From beyond the closed door of the dormitory came the sounds of the institute settling into its early morning routine. The first of several hundred tablets were being dispensed and swallowed; the contents of scores of ampoules were being drawn up into syringes before being injected into veins and muscles; gel was being smeared on temples; electroshocks were being administered and the first patients of a new day were being rendered unconscious by electricity. It was a world Nurse Mielke understood.

[redacted]

Nurse Mielke stood inside the dormitory door, adjusting her eyes to the gloom and her nose to the smell of chemicals and human odors. The patients looked like aliens from another planet. Some lay inert, listening to instructions endlessly repeated from speakers under their pillows. Sometimes they whimpered unintelligibly at the sound of their own recorded voices or that of Dr. Cameron. Others had been aroused by the night staff and shuffled around the dormitory wearing the specially adapted football helmets. A few sat at the table in the center of the room, being spoon-fed by nurses and oblivious of anything except the tapes being played through their helmets.

It was those helmets that had first given rise to Nurse Mielke's doubts. What also concerned her was that Leonard Rubenstein and Jan Zielinski were allowed to come and go as they pleased, to replace tapes or fit a helmet on a patient. When she had queried this arrangement, she was told that

EXHIBIT-A-30

FIG-9

13

Edge of Darkness

Madeleine Smith had been transferred by Dr. Cameron from the institute to a Montreal neurosurgical unit to undergo a prefrontal lobotomy, and the night before a nurse had shorn her hair with shears and lathered her scalp with a shaving brush before using a barber's cutthroat razor to leave her head shiny and bald.

After forty days in the isolator followed by a further period in the Sleep Room, her chronic schizophrenia was to be treated by a surgical procedure Dr. Cameron still called the new psychiatry, a description coined by the *New England Journal of Medicine* in 1949. His decision came at a time when many psychiatrists had concluded that such operations did not alleviate the illness. Despite some apparent immediate improvements, patients usually relapsed. Further brain surgery resulted in them becoming more confused and incontinent, alternating between inertia and stubbornness. Many developed alarming symptoms: overeating and childlike emotional crushes on nurses and doctors, rolling on the floor, and alternately weeping and laughing for no good reason. Lobotomized patients generally lived out their lives in asylums.

Medical experts had increasingly turned away in horror from what many saw as a surgical treatment of last resort. But there had been one exception, Walter Jackson Freeman, the most radical neurosurgeon in the United States. A goateed, flamboyant antiestablishmentarian, he was also a genuine eccentric. As professor of neurology at George Washington University his demonstrations of anatomy had included on-the-spot dissection of one of the human brains he always

FIG-10

carried around in a pickling jar. He used a sharp-pointed wooden stiletto—which he kept in his breast pocket—to expose centers of brain cells and nerve pathways. He also wrote simultaneously with both hands to illustrate the anatomy of the nervous system. He had fathered four children in forty months of marriage and, when the youngest was four, Dr. Freeman had made them climb with him to the top of Mount Washington, the highest point in the eastern United States.

His fascination with nature in the raw was something he shared with Dr. Cameron. On occasions they disappeared into the wilds to pit themselves against the elements, telling no one what they did or spoke about. At medical conferences the two men—each normally so acerbic and opinionated—listened respectfully as, in turn, they presented papers in a dramatic, self-assured, and well-organized way.

Dr. Freeman had long been the acknowledged expert in North America on leucotomy. He perfected his technique by practicing on formalin-fixed brains from the morgue. He had promised his first human patient, a woman with a fine head of hair, that he would preserve her curls. At the last moment he had shaved her head. But, as he told Dr. Cameron, afterward she no longer cared.

Since then Dr. Freeman had performed over 4,000 further lobotomies, using the technique to destroy the brains of those suffering from apprehension, anxiety, depression, compulsions, obsessions, as well as drug addicts, sexual deviants, and of course schizophrenics. He was convinced the frontal lobes of the brain were somehow responsible for aggression or, ultimately, a patient's refusal to cooperate in what he termed an acceptable way.

Dr. Freeman most probably would have found Madeleine fit that criteria. In her drugged condition she had made sounds in the isolator that the voice analyzer in the Radio Telemetry Laboratory had identified as "father," "want baby," and "father." Transferred back to the Sleep Room, she had somehow found the strength to use her helmet to butt a nurse. Such behavior came well within Dr. Freeman's guidelines for those who could benefit from psychosurgery.

Madeleine would undergo what Dr. Freeman had defined, with a high sense of medical and social mission, as "the appropriate destruction of brain tissue to disconnect one part of the brain from another with the intent of altering behavior."

EXHIBIT-A-30.

FIG-11.

In the halcyon period between 1944—when the first patient from the institute had been referred for psychosurgery—and 1960, over 100,000 such operations had been performed in North America. The figure for Europe was similar. Tens of thousands of lobotomies had also been carried out in the Pacific Basin, mostly in Japan and India. The technique used there was more primitive than even Dr. Freeman recommended. Patients were generally wheeled fully conscious into the operating room and given an electroshock to render them unconscious; it was cheaper and quicker than using an anesthetic. A trocar, a gradated instrument rather like a miniature ice pick, was driven through the bony orbit behind the eye socket and tapped gently with a surgeon's mallet to destroy brain cells and nerve fibers. Three or four patients could be handled in an hour. It was a bloodless but horrific experience that left them deprived of a significant part of their intellectual capacity.

Despite a growing hesitation among his peers, Dr. Cameron regularly still sent patients to be lobotomized. There were even more theories than methods and, like electroshock, no one knew exactly how psychosurgery worked. Dr. Cameron had once told Dr. Roper that it didn't really matter how the result was achieved.

A theater porter wheeled in Madeleine and he and the nurse transferred her from the trolley onto the operating table. Madeleine wore only a surgical gown. She stared, fully conscious, into the powerful overhead light.

The radical lobotomy would be performed under a local anesthetic so that the surgeon could immediately judge her disorientation, indicating how successful was his severing of her frontal lobes. Until he observed the required signs, he would continue to destroy that portion of Madeleine's brain.

Dr. Cameron arrived in the theater and began to scrub alongside the surgeon and his assistant. The psychiatrist frequently attended the lobotomy of what he called his more interesting cases.

The surgeon fitted an eye shield over Madeleine's brow to protect her eyes while he swabbed her scalp with antiseptic. The skin gleamed under the powerful light. The surgeon called for a scalpel and, using the blunt end, drew a scratch mark around the area to be incised.

The resident handed the surgeon a syringe filled with a

FIG-12.

local anesthetic. He injected around the circle. The surgeon was handed a second syringe of anesthetic and injected this in the same area. It would act as a hemostat, reducing bleeding when the cutting started.

"Do you feel anything, lassie?" Dr. Cameron always asked.

Madeleine mumbled.

Blood marked the knife's progress. The resident used a curved forceps to hold back the skin flap. The only sound was of a discarded instrument being dropped into the bucket.

The nurse had laid her instruments out in a preordained pattern. Dominating the trolley was the steel brace for drilling through Madeleine's skull. The surgeon continued to use a retractor to peel another portion of scalp from the bone.

"All right, lassie?"

The surgeon turned to the metal basin and dipped his gloved hands in an antiseptic solution. He found it easier to work with damp gloves; they clung better to his hands and gave more sensitivity to his fingers.

The resident sluiced the operative area with an antiseptic solution. The nurse handed the surgeon the brace with its bit already in place.

He drilled for a few moments and a fine spray of bone shavings spumed into the air. The surgeon asked for a dural hook, an instrument very similar to the one dentists use to locate tooth cavities, and probed the hole. If he detected a crack he knew he had gone through the skull. There was no crack. Madeleine had a thickish skull. The drilling continued through the bone. After he finally retracted the brace, the resident collected the skull shavings from Madeleine's head and placed them in a small gallipot. The dust would be used to fill up the burr hole at the end of the operation. The surgeon used a syringe to wash the cavity clean.

Next he asked for a tenotome. The nurse handed him the small scalpel with its finely honed blade. He snipped a corner of the dura mater, the tough membranous covering of the brain. Then, using a dural scissors, he began to cut away the skin, fraction by fraction.

Madeleine's brain was exposed, milky pink in color.

The surgeon asked for a long steel spatula that had replaced the wire stylet Dr. Moniz had used as a leucotome in his first operations; the stylet had proven not to be stiff enough, and the wire had a tendency to bend in a patient's

EXHIBIT-A-30

FIG-13.

brain, traversing through blood vessels and tissue not meant to be destroyed. The journals had been filled with accounts of patients who had started to have epileptic seizures and other serious complications caused by the wire. The spatula was an altogether more sturdy weapon.

"Lassie, count to ten."

A series of grunts came from Madeleine.

The surgeon inserted the spatula into the burr hole. He worked to a definite routine: down a few centimeters, then a pause to move the instrument a few centimeters laterally. Each move destroyed more of Madeleine's brain.

"Can you sing your favorite song?"

A strange moaning came from Madeleine.

The surgeon drove the spatula further into her brain, extending and widening the wound, from which blood oozed. The resident wiped the area clean. The surgeon asked for a suction tube to go even deeper into her brain. Every few centimeters he wiggled it around to widen the path of destruction.

"Lassie, count to ten."

There was a grunt from Madeleine.

The surgeon continued to destroy her brain.

"Do you feel sleepy?"

She gave the same response.

The surgeon withdrew the tube and asked for a cannula, a heavy-gauge hypodermic needle. He inserted it in the hole and, using steady pressure, drove it down to the spheroidal, the bony ridge at the base of her skull. The cannula was then withdrawn. Once more he inserted the spatula, and swung its handle upward, so that the blade could be drawn along the base of her skull and a cut made as far to the side as possible in her brain. The spatula was pulled out and the burr hole rinsed of the oozing fluid. In all, four cuts were made, two to each side of the hole.

Dr. Cameron continued to ask questions. They were part of what he termed the disorientation yardstick—his means of knowing how much brain destruction was being achieved. The surgeon continued his work, poking and cutting.

"Lassie, speak to me."

A further grunt.

The surgeon continued, crushing forever Madeleine's prime areas of emotional responses. Finally, she made no more sounds, closed her eyes, and fell into a stupor.

FIG-14.

The surgeon started to close up. Dr. Cameron bent over Madeleine. Removing the eye shield, he lifted one and then another of her eyelids. She stared vacuously back at him.

"Lassie, it's all over, no more pain."

He left the theater to return to the institute for his morning ward round.

Later that day Madeleine was transferred to St. Jean de Dieu Hospital, to enter the custodial care of the religious sisters who maintained a number of zombies like her.

Her visions of the Wise Men and the Sloth may have continued to appear to her in spite of her irrevocably destroyed brain. She might still have incestuous thoughts about her dead father. No one would ever know. The surgeon's instruments had affected her speech. She could babble incoherently; usually she gave only simian grunts. She had lost the ability to read and write.

Her husband, Eddie, like everyone else, would never know when Madeleine might have stopped hoping to be cured, or if she ever did. He had remarried and lived in Detroit. He sent Madeleine a Christmas card every year. Her family had long given up visiting her at the institute after Dr. Cameron told them it was pointless, as she was an incurable schizophrenic and would remain all her life in an institution. They did not know she had been lobotomized, nor was it legally required that they should be told. Her consent form covered all treatment eventualities. After the operation her case no longer appeared in Dr. Cameron's reports to the Society for the Investigation of Human Ecology. No one there asked what had happened to her.

President Eisenhower returned to Washington from Paris publicly humiliated. Khrushchev had roundly abused him at the summit before striding from the Elysée Palace, having canceled Eisenhower's invitation to visit Russia. The summit had ended in unprecedented disarray among the Allies, with de Gaulle making plain his rage over the U-2 flights.

Lesser men would have wilted under the crisis. Dulles met it head-on. Eisenhower had barely recovered from jet lag before the director was closeted in the Oval Office. After quickly dismissing what had happened in Paris and Tokyo as Soviet mischief, Dulles warned the president that the Russians were moving into Africa, working through the most hotheaded black politician on the continent, Patrice Lumumba.

EXHIBIT-A-30.

FIG-15.

military service for neuropsychiatric reasons. In all, two million of the fifteen million inducted into the U.S. Armed Services would be rejected on such grounds—almost twenty percent. No other nation in World War II would have such a poor record.

For Dr. Cameron the solution was clear. Not only did such rejects require treatment, but there was an urgent need to further prepare the ground for his ideas of psychiatric evangelism. He began a series of genetic, biochemical, intercultural, and neurological studies designed to identify the electrochemical processes in the brain that could offer a solution to mental illness. [redacted]

It was the Age of New Light—of new labels, new theories, and a new jargon that turned the unscientific and unsystematic into a lingua franca designed to confuse and keep at bay those not within the magic circle. Psychiatric screening procedures became standard; symptoms and definitions proliferated. No ailment was too great or small to study or argue over in the academic journals. Nowhere were the battle lines drawn more than in psychiatry, and especially in the study of schizophrenia; endless attempts were made to define, specify, and categorize the illness. Dr. Cameron had little interest in such debate. For him, his research showed that in schizophrenia the patient *was* the disorder.

The first years of war saw huge strides in the assessment of all the depressive disorders. There was a coming together of the psychological, psychiatrical, and medical support industry, of the manufacturers of electroshock machines, of restraint jackets, of drugs and chemicals. The distinctions between voluntary and coerced treatments were blurred and often merged. Almost every month further syndromes, symptoms, and mental illnesses entered the professional catalogue. There was little time, or patience, for controlled studies into treatment methods. Psychiatry, like everything else, was subservient to the cry, "There's a war to be fought." Mentally ill people had, if at all possible, to be gotten back to the shop and factory floor and the front line. The scientific measurement Frederick Winslow Taylor had created thirty years earlier was implemented with a ruthlessness that might even

FIG-16.

Both men were still furious over the Agency's involvement in a Navy experiment the previous summer. Project Chatter had made Dr. Gottlieb wince. The project was the brainchild of Dr. Richard Wendt, chairman of the psychology department at the University of Rochester, who had received $300,000 worth of Naval Intelligence money to investigate mind control. After two years' research Dr. Wendt told his controller in Washington that he had created a potion that could make anyone talk. The Navy had informed the CIA. The Agency asked for the ingredients. Dr. Wendt refused, except to say his concoction was "so special that it could make a dumb man talk." It was hardly the sort of scientific judgment to endear the psychologist to Dr. Gottlieb, but no amount of pressure by the Agency could persuade the diminutive, middle-aged Dr. Wendt to reveal the contents. Dulles finally ordered it should be tested on expendables, those who could be terminated. The director, in a moment of pique over Dr. Wendt's behavior, ordered the operation to be renamed Project Castigate.

Because of its ultrasensitivity—all those involved on the Agency side had accepted this would probably end up as a terminal job—it was decided to conduct the tests abroad. West Germany was chosen because, in the words of a memo, "there is the proximity of subjects." [redacted]

On the point of departure, the Agency team received an astonishing demand from Dr. Wendt. Perhaps emboldened over his success in keeping secret the contents of the drug, he insisted that his beautiful young assistant accompany him to Frankfurt. Morse Allen, who had moved on from promoting electrosleep as a means to brainwash and had been placed by Dulles at the head of Project Castigate, was outraged. There were numerous heated telephone calls from Washington to Dr. Wendt. He was adamant; he would not make the trip without his assistant. Once more, in spite of increased misgivings, the Agency gave way. In the utmost secrecy, the psychologist and his companion flew with the Agency and Navy teams to Germany.

EXHIBIT-A-30.

22 JUN 78 00 02Z

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OF INVESTIGATION
COMMUNICATIONS SECTION

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FM LONDON (88-228)

TO DIRECTOR FBI (~~62-117290~~) PRIORITY ~~ROUTINE~~ 630

BT

UNCLAS E F T O

MURKIN, ALEC

ALEX EIST, FORMERLY NEW SCOTLAND YARD - COMPLAINANT.

REFERENCE IS MADE TO COMMUNICATIONS IN BUFILE, HOUSE SELECT COMMITTEE ON ASSASSINATIONS. (BUFILE 62-117290) (HSCA).

ON 6/20/78, ALEC EIST, OWNER GREEN MAN PUBLIC HOUSE, SIX MILE BOTTOM, CAMBRIDGESHIRE, ENGLAND, TELEPHONE 247, TELEPHONED AMERICAN EMBASSY, LONDON, ASKING FOR FBI. CLAIMED WORKED WITH LEGAT OFFICE WHEN WAS WITH FLYING SQUAD OF NEW SCOTLAND YARD (NSY). AS SUCH WAS IN ON APPREHENSION OF JAMES EARL RAY IN LONDON AND WAS WITH HIM THEREAFTER CONTINUALLY. KNOWS THERE IS CERTAIN CONTROVERSY IN THE CASE AND LOTS OF NEWSPAPER REPORTING CONCERNING RAY. HE IS ABOUT TO MAKE A MOVE IN THIS MATTER, "A FINANCIAL" MOVE BUT WANTS TO TALK TO SOMEONE FROM LEGAT OFFICE FIRST OUT OF LOYALTY. REFUSES TO COME TO LONDON.

ST-131 REC-79 44-38861-6262 22 JUN 27 1978

EIST WELL KNOWN TO NSY, FORMERLY WITH FLYING SQUAD AND BELIEVED PARTICIPATED IN RAY ESCORT. SUSPENDED FROM NSY AND RECENTLY ACQUITTED OF CORRUPTION CHARGES. CONSIDERED CONTROVERSIAL AND

70 JUL 10 1978

Asst. Dir.: Adm., Dep. AD Inv., Asst. Dir.: Adm. Serv., Crim. Inv., Ident., Intell., Laboratory, Legal Coun., Plan. & Insp., Rec. Mgmt., Tech. Servs., Training, Public Affs. Off., Telephone Rm., Director's Secy

Hal Hetterhoff DIIG Advised 6/22/78

EXHIBIT-A-31.

PAGE TWO

DISAFFECTED. NSY DOES NOT CONSIDER HE COULD HAVE INFO OF VALUE AS NOT PART OF INTERROGATIONS, [redacted] AND ANYTHING OF INTEREST WOULD HAVE BEEN FORWARDED IN REPORTS FURNISHED AT THE TIME.

CONSIDERED HE HAS SOME SORT OF INFORMATION DEROGATORY TO NSY WHICH WILL TRY TO PEDDLE TO LEGAT OR PRESS.

NEVERTHELESS UACB WILL BE CONTACTED AND ADVISED TWO LEGAT PERSONNEL WILL MEET WITH HIM IN CAMBRIDGESHIRE.

NO INDICATION THIS RELATED TO PROPOSED HSCA VISIT TO LONDON. MATTER WILL BE COORDINATED WITH NSY.

CIRRECTION - FIRST LINE OF MESSAGE - NAME IS ALEC NOT "ALEX"

BT

Anthony Eist, is saying he was

Ray closely [illegible] during the weeks of his imprisonment in London and thus became somewhat of a friend of the fugitive.

At another point, Eist said: "He was telling me that after the shooting when he left this place he panicked and threw the gun away. . . I mean, there isn't any doubt, from the conversation that he told me that he was admitting to me that he had done the murder."

Asked if Ray expressed a hatred of blacks — something Ray has long denied — Eist said: "There wasn't any doubt at all. He just hated black people. In fact, he said he was trying to go to Africa to try to shoot some more (when he was arrested at London's airport on June 5, 1968)."

RAY, Page 16

BOSTON "GLOBE" 19 AUGUST 1978, p 1 & 16.

Ray confession reported by Scotland Yard guard

RAY
Continued from Page 1

"He was telling me," Eist went on in the interview, "that for him to have shot a black man of note in certain parts of America would make him into a national hero anyway. He seemed absolutely mad about publicity. He really wanted it."

Eist said Ray predicted that he would make $250,000 to $500,000 for the killing, because "he would have no shortage of friends, no shortage of fund-raisers. He would get them to go on TV and . . . he could write books."

(AP

committee's record, Ray was asked to respond. He said: "That is probably the most damaging statement made against me. . . It is false." Then he charged that the interview was evidence that the panel "intends to crucify me."

6 March 1986

Office of the Atterney General
State of Tennessee
450 James Robertsen Parkway
Nashville, Tennessee. 37219.
(Certified)

James E. Ray # 65477
Station-A
State prisen
Nashville, Tenn. 37219.

re: Statements

Dear Sir:

Periedically I file a disclaimer with politicans in authority denying I have made any type admissions er "confessions" te convicts er whem ever in connections with the Rev. Martin Luther King jr., homicide. And while I understand a bogus "confession" attributed te me would have little significance legally speaking since the Media Moguls Judges don't have the fortitude te grant a trial in the King case, there is another reason for the disclaimer: one of the Moguls tactics in promoting government criminal cases where a convictiom is necessary is to publish articles quoating the defendant as "confessing" te what ever the government wants confessed after the defendant is dead or otherwise can't defend himself. The recipient of the statement is naturally an inmate informant or some similar type vermin.

In a related matter, I have reason to believe that for the past several months certain conversations I have had have been recorded. This belief is reinforced by one of the Guard's (a Cpl. Biddix), practice of making hand or head signals to convey threats rather than speaking. Apparently the intent is to get my respence on tape. As to tapes, obviously they can be spliced in order to get the type of respence desired.

In concluding, this tape game has been played in Unit-six before. Sometime ago an inmate name Ron Harris & his lawyer discovered a tape recorder in a small room adjacent to where they were confering. It was discovered when they heard it activate.

ly:

James E Ray

PS Form 3811, July 1983 447-846 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1, 2, 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.
1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to: Attorney General — State of Tn. 37219

4. Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail
Article Number: 99-999-660-[illegible]

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X

6. Signature – Agent
X [signature illegible]

7. Date of Delivery
3-10-86

8. Addressee's Address (ONLY if requested and fee paid)

EXHIBIT-A-32

TELEGRAPH 24 SEPT '89

TV HIGHLIGHTS

BBC1, 9.30 pm, Inside Story: Who Killed Martin Luther King?

Inside Story: Who Killed Martin Luther King?
BBC1: 9.30 – 10.35 pm
This painstakingly researched John Edginton film might be described as the standard 1980s documentary about the assassination of liberal leaders in the United States of the 1960s. The official line on the Kennedy killings, as well as the King murder, was that they were down to lone nutters. Television documentaries show, convincingly or otherwise, that there was a conspiracy leading back to Washington. In the King case the supposed killer James Earl Ray is still in jail and willing to protest to any passing television investigator that he did not pull the trigger. The case for conspiracy now looks unanswerable. Ceefax.

THE DAILY TELEGRAPH,

27 September 1989

INSIDE STORY — Who Killed Martin Luther King? An investigation into the assassination of the civil rights leader in 1968 which seeks to prove that James Earl Ray, who was found guilty of the murder and sentenced to 99 years imprisonment, may be innocent or at worst just a small part of a conspiracy. There are so many different and conflicting strands to the story that it is difficult at times to follow any clear trail, but at the end of the day it seems that orgaised crime might well have had a hand in it. The film includes interviews with Ray in his Tennessee jail, where he still proclaims his innocence, and with Dr King's son, Martin Luther King III (Ceefax).

SPORTSNIGHT, including Football, highlights of first-round second-leg matches in the European competitions; Rugby League, preview of next week's World Club Challenge. 12.5 - 12.10 a.m. Weather.

INDEPENDENT 23 SEPT 89

WEDNESDAY INDEPENDENT.

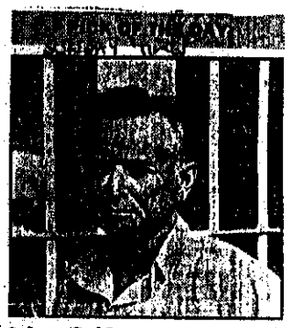
Inside Story (9.30 BBC1) has a bad attack of conspiracy theory as it trawls for the answer to who killed Martin Luther King. James Earl Ray, convicted in 1969, muddies the water in a prison interview and a host of shadowy

Mafia men and CIA freelancers let slip more than their paymasters might wish about security service involvement.

OBSERVER 24 SEPT 89

9.30-10.35 Inside Story (BBC1): 'Who Killed Martin Luther King?' A small-time crook called James Earl Ray was the man arrested, though to this day he protests his innocence. The story is complicated, involving a New Orleans connection with the Kennedy assassination and the false identities borrowed by Ray from look-alikes, who (conspiracy theorists claim) must have been found for him by some sort of organisation . . . like the CIA.

SUNDAY TIMES 24 SEPT '89.



● *James Earl Ray: a pawn in someone else's game? (BBC1, 9.30pm)*

Inside Story
9.30-10.35pm BBC1
Doubts about the identity of the assassin of John F Kennedy have also led to questions about the killing of Martin Luther King, for which James Earl Ray is serving a 99-year sentence. Paul Hamann's film claims to have found "key witnesses", plus evidence of "startling new allegations" involving a "conspiracy" on the part of the CIA and FBI. One such witness includes Ray himself, a man whose previous criminal record consisted only of driving offences and small-time robberies. Another is a fireman who watched the whole incident and claims the logistics and ballistics rendered Ray's offence impossible. Also called to testify are a man called Raoul, who admits he was part of the assassination plan, and a witness whom the Memphis authorities kept in protective custody at the time, but who was apparently too drunk to identify anybody that day. It is a fascinating film.

SUNDAY CORRESPONDENT 24 SEPT '89

Inside Story
BBC1, 9.30pm
James Earl Ray — another convenient "lone-nut" assassination suspect — was convicted of shooting Martin Luther King in 1969, after a trial lasting just two-and-a-half hours. This complex but logically argued and important film shows that the verdict reached was questionable at the very least, suggests that a conspiracy involving Government agents was at work and ringingly calls for the re-opening of the case. Ray was almost certainly implicated but it seems unlikely that he actually pulled the trigger. There are many pertinent questions posed: who, for example, gave the mysterious order to call off King's Memphis Police

Dec-28-1989

King series eyes DeSoto courthouse

MEMPHIS, TN.

By Patti Patterson
The Commercial Appeal

The DeSoto County courthouse has been chosen for the filming of a television miniseries on a fictitious trial of convicted Martin Luther King assassin James Earl Ray. County supervisors have not decided whether they will rent space to an English production company, though.

Kenneth Herman, a Memphis private investigator, has requested the use of the courtroom for three weeks in March. Herman said he represents Bill Pepper, Ray's attorney, who now lives in London. In a letter to county administrator Ken Murphree, Herman said the production company would need only one courtroom and that it would not interfere with courthouse activities.

The DeSoto County Board of Supervisors discussed the request last week, but postponed a decision until they have heard court officials. Board President Eulo Loyd said he would not recommend use of the courtroom unless it was agreeable with all judges, Chancery Clerk Sluggo Davis and Circuit Clerk Jeanette Martin.

Ray, 61, is serving a 99-year sentence in the state prison near Petros. He pleaded pleaded guilty in 1969 to the April 4, 1968, shooting death of Martin Luther King Jr. in Memphis. He recanted his confession, but courts have rejected his appeals for a trial.

The film is going to be made as if the U.S. Supreme Court had ordered a trial, Herman said. "We point fingers," he said. "This movie is going to bring out the real facts."

Herman is among those who think that Ray was framed.

"We might be able to prove that to the public," Herman said. "It's about the only way to do it. You can't do it through the courts."

EXHIBIT--