

C. THE COMMITTEE BELIEVES, ON THE BASIS OF THE EVIDENCE AVAILABLE TO IT, THAT NO PRIVATE ORGANIZATIONS OR INDIVIDUALS, OTHER THAN THOSE DISCUSSED UNDER SECTION B, WERE INVOLVED IN THE ASSASSINATION OF DR. KING

Since the assassination of Dr. Martin Luther King, Jr., numerous conspiracy allegations have been advanced by authors, independent investigators, attorneys for James Earl Ray and Ray himself. The committee examined these as well as others that were uncovered during a review of agency files or were otherwise brought to the committee's attention during the course of its investigation. Some of the leads merited exhaustive investigation. All were pursued until it was determined to the satisfaction of the committee that there was no link to the King assassination.

1. RIGHTWING EXTREMIST ORGANIZATIONS

The committee investigated rightwing, segregationist, extremist groups and individuals to find out if their outspoken opposition to Dr. King and their demonstrated propensity for violence might have resulted in their involvement in the assassination. FBI files on the Minutemen, Ku Klux Klan, and other extremist organizations were examined, and while the committee found no evidence that these organizations had anything to do with the assassination, the committee did discover conspiracy allegations that warranted additional field investigation beyond that performed in the original investigation.

(a) *The Minutemen*¹

A review of FBI files on the Minutemen revealed a possible plot against Dr. King's life that had received some attention by law enforcement officials shortly before Dr. King's death. On January 15, 1968, Vincent DePalma, a close associate of Robert B. DePugh, the founder of the Minutemen, told a Denver agent of the Bureau of Alcohol, Tobacco and Firearms (ATF) that he had defected from the Minutemen and wished to supply information. (1) DePalma revealed that there were 19 Minutemen strike teams across the United States assigned to assassinate several prominent persons, including Dr. King, in the event DePugh was ever imprisoned. (2) According to DePalma, the Minutemen also planned to incite race riots in the summer of 1968. (3)

After it received this information from the ATF, the FBI attempted unsuccessfully to locate DePalma, who had said he was moving to

¹ The Minutemen organization was fervently anti-Communist. In 1968, it believed that leftist infiltration of the Government had progressed to the extent that America could no longer be saved by the traditional political process. Members were trained in guerrilla warfare techniques. Dr. King was viewed by the Minutemen as a Communist and an enemy of the American people.

The committee found numerical estimates of Minutemen membership in 1968 to be unreliable.

Oregon.(4) As for DePugh, he disappeared in February 1968 following his indictment by a Federal grand jury in Seattle, Wash., for conspiracy to commit bank robbery. The FBI made no further attempts to investigate the threat until shortly after Dr. King's assassination, when one of DePalma's Minutemen associates, Edward Baumgardner, told a reporter that the artist's drawing of the suspected assassin resembled DePalma.(5) Baumgardner was interviewed several times by the FBI. He said that he and DePalma were members of a Minutemen strike team that had been formed at a training camp in Colorado during the summer of 1967. Baumgardner repeated the information that DePalma had provided ATF and said DePalma had been assigned the code name Willard. (James Earl Ray used the alias John Willard when renting a room in a roominghouse in Memphis on April 4, 1968.) (6)

DePalma was located by the FBI several days after Dr. King was killed. He again detailed information on the Minutemen strike teams that had targeted Dr. King and on Minutemen plans to precipitate race riots in the summer of 1968 as a means of facilitating a takeover of the Government.

Work records showed that DePalma was in Newport, R.I., on April 4, 1968. Information he furnished during 3 days of interviews was verified by several FBI offices.(7) DePugh and his chief associate in the Minutemen, Walter Peyson, remained fugitives until their capture in July 1969. There was nothing in the FBI files to reflect they were ever interviewed regarding possible involvement of the Minutemen in the assassination of Dr. King.

The committee found that the DePalma lead had not been fully investigated by the FBI, so it examined it anew. It found that DePalma had been murdered in an unsolved gangland slaying in January 1978 in Los Angeles.(8) The committee did locate and interview four persons who had attended the Colorado training camp in the summer of 1967. Both Jerry Brooks,(9) an associate of DePugh's for at least 12 years, and Mary Tollerton,(10) DePugh's secretary until late 1967, denied knowing of any plot to kill Dr. King. Although Brooks told of other assassination plots by the Minutemen and of intelligence files on Dr. King and other "subversives," Tollerton claimed that these activities were not serious. Tollerton added that DePugh had trouble keeping the organization together in 1968 while avoiding capture, so he could not have been involved in Dr. King's assassination. Walter Peyson(11) and Robert DePugh,(12) brought to Washington under subpoena, testified under oath that they were not involved in any plot to kill Dr. King. They insisted that all discussions of assassination plots and strike teams were mere paper propaganda.(13) Both Peyson and DePugh also explained that because DePalma and Baumgardner were believed to be infiltrators, they were often fed false information.(14)

As a final investigative step, the committee compiled a list of all individuals associated with the Minutemen in the cities visited by James Earl Ray following his escape in April 1967 from Missouri State Penitentiary. This list was cross-checked against a list of known or possible Ray associates. The results were negative.

Based on the testimony it heard, interviews with the assistant U.S. attorney who prosecuted DePugh and Peyson in 1966 and ATF agents who had encountered DePugh, extensive file reviews and the Ray associates name check, the committee concluded there was insufficient evidence to indicate that the Minutemen were involved in Dr. King's death.

(b) Klan organizations

A review of extensive FBI files on a number of Ku Klux Klan organizations revealed approximately 25 Klan-related leads to potential conspiracies in the assassination of Dr. King. Four of them warranted the attention of the committee.

1. Information from a Mobile, Ala., FBI report indicated an informant had told the Bureau that Sidney Barnes² and several others had gone to Birmingham, Ala., in the fall of 1963 to kill Dr. King. (15) The FBI also learned that a secret meeting had been held in Birmingham before the September 15, 1963, bombing of a Birmingham church that left four young Black girls dead. Barnes, William Potter Gale, Noah Jefferson Carden and John C. Crommelin attended this meeting. (16)

The FBI had attempted to determine the whereabouts of the participants in the 1963 Birmingham meeting during the week following Dr. King's assassination. (17) The Bureau files reflected that the FBI ended its investigation of Barnes after it found no indication he was away from his home before or after the assassination. (18)

When the committee approached Barnes for an interview, he refused to cooperate. (19) The committee, however, extensively interviewed an individual who was deeply involved in racial violence in the South in the mid-1960's and who was willing to provide the committee with detailed information. This person, who was considered very reliable by the committee, said he had met Barnes in 1963. He characterized Barnes as an independent rightwinger who, despite deep-seated racial animosity, had never been involved in violence. This source also told the committee he had been in contact with Barnes and Noah Jefferson Carden during March and April 1968, and he recalled no indications of their participation in a conspiracy to kill Dr. King. (20)

Additional interviews (21) and file reviews by the committee failed to reveal evidence that would indicate Barnes was in any way involved in Dr. King's death.

2. In an interview with an agent of the Dallas FBI field office on April 22, 1968, Myrtis Ruth Hendricks, accompanied by Thomas McGee, maintained she had overheard discussions of a conspiracy to kill Dr. King. (22) Hendricks said that while working as a waitress at John's Restaurant in Laurel, Miss., on April 2, 1968, she heard the owner, Deavours Nix, say he "had gotten a call on King." Nix was then head of intelligence and the grand director of the Klan Bureau of Investigation for the White Knights of Ku Klux Klan of Mississippi (WKKKKOM), the most violent Klan organization during 1967

² An extensive committee investigation resulted in no evidence of a direct link between Barnes and any specific Klan organizations. He did have close associates in Klan organizations, however, including the White Knights of the Ku Klux Klan in Mississippi.

and 1968. Hendricks said that on April 3, 1968, she saw in Nix's office a rifle with a telescopic sight in a case, which two men put in a long box in the back of a 1964 maroon Dodge. Hendricks alleged that on the following day, Nix received a phone call announcing Dr. King's death before the news was broadcast on the radio. Hendricks left Laurel shortly after Dr. King's death to join her boyfriend, Thomas McGee, in Texas.³

The Bureau had independently confirmed that John's Restaurant was a gathering place for known Klan members and that members had been there on April 3 and 4, 1968. Nevertheless, it found no corroboration of the Hendricks rifle story. The committee's review of FBI files concerning the White Knights' activities uncovered informant information similar to the Hendricks allegation. In addition, statements attributed to Samuel H. Bowers, the imperial wizard of the WKKKKOM, in John's Restaurant on April 5, 1968, raised the possibility of his involvement in the assassination.(23) As a result of this information and an indication that it was not developed further in the FBI investigation, the committee pursued the lead.

Myrtis Hendricks denied the substance of her allegation when contacted by the committee.(24) While admitting that she had worked for Nix, she said she was afraid of her former boyfriend, Thomas McGee, but refused to elaborate further. The committee's attempt to interview FBI informants who had furnished relevant information was unsuccessful.(25) The informants were either unavailable or uncooperative.(26) Although the committee initially issued subpoenas to Nix, Bowers and McGee, time and cost constraints prevented their appearance in executive session.(27)

The committee was, however, able to question at length a former member of the White Knights who had participated in racial violence in the 1960's. This witness, who was considered reliable and well-informed on the activities of the White Knights, could provide no information to indicate that Bowers or any other member of the White Knights was involved in Dr. King's death. Further, he remarked that it would not have been characteristic for members of the White Knights to leave Mississippi and go to an unfamiliar locale to commit the assassination.

The committee concluded that in light of Hendricks' refusal to repeat her original allegation and the absence of evidence of a connection with James Earl Ray, the lead should be discounted.

3. On June 15, 1968, 1 week after Ray's arrest, a long-distance telephone operator in Racine, Wis., contacted the FBI with information she believed pertinent to the King assassination. She said she had placed calls for an unknown male caller on June 11, 1968, to three numbers in North Carolina.(28) She added that in one call she overheard a man who identified himself as "Robert" ask for his money so he could leave the country immediately.(29) In a separate call, "Robert" referred to the Klan as the source of this money and said he feared that Ray would "spill his guts" when he got back in the country.(30)

³The committee noted that Laurel, Miss., the scene of these alleged activities, lies between New Orleans and Birmingham. James Earl Ray traveled between these two cities in March 1968.

The Bureau identified the subscribers to the three North Carolina telephone numbers as a used car dealer and his two brothers. (31) Local law enforcement officials told the Bureau that a third brother was involved with stolen cars and bad checks. (32) When interviewed by the Bureau, the two brothers had denied any knowledge of the telephone calls or their brother's activities. (33) The FBI found no connection between the subscribers to the numbers and any Klan organizations. No further attempts to pursue this lead were initiated by the Bureau.

The committee decided to examine this allegation further, despite the FBI's conclusions in 1968. An attempt to locate the source of the information through the Wisconsin Telephone Co. revealed that the supposed operator had never been employed by that company. Based on this information, the committee concluded that the lead was not based on credible evidence and not worthy of further investigation.

4. The most significant Klan-related lead involved informant information that implied a financial relationship between Arthur Hanes, Sr., James Earl Ray's attorney in 1968, and Robert Shelton, Imperial Wizard of the United Klans of America (UKA). This information indicated Shelton's Klan organization had contributed to Ray's defense through his attorney and, further, that Shelton had made arrangements with Hanes to review the jury list for Ray's trial in order to identify potentially sympathetic jurors. While neither of these acts were illegal, cooperation between the leader of the UKA and Ray's attorney, if proven, would have raised the possibility of preassassination agreement between the UKA and Ray, especially in light of Ray's choice of Hanes as his attorney following his arrest.

In January 1978, George Wilson, (34) a former midwestern leader of the UKA, told the committee that the UKA had contributed \$10,000 to Hanes when he was representing Ray, under the pretense of paying for Hanes' legal representation of a group of North Carolina Klansmen. (35) Wilson said this payment was mentioned in a speech allegedly made at a Klan meeting by Furman Dean Williams, Grand Dragon of the South Carolina UKA. The statement was made in the presence of other persons whom Wilson also named.

Two documents in the FBI file covering the murder of Dr. King indicated that two sources independently corroborated some of Wilson's information.

Source A alleged that Shelton advised that in August 1968 the defense was in need of money for Ray's defense. Shelton inquiry whether Klan members would be willing to donate money for Ray's defense. Shelton added that he intended to review the jury list in Ray's case when it was available. (36)

Source B learned that a UKA board meeting was held in 1969, and attended by Hanes and Melvin Sexton, the UKA secretary who handled Klan finances,⁴ among others. The meeting was convened to discuss the Klan's national defense fund, a fund to assist members arrested while participating in Klan activities. Hanes' defense of klans-

⁴ The Imperial Board of the UKA consisted of the national officers of the Klan. Robert Shelton, who had begun serving a sentence for contempt of Congress in February 1969, was absent from the meeting. The contempt conviction resulted from Shelton's refusal to testify before the House Un-American Activities Committee.

men in North Carolina for \$12,500 was specifically mentioned. After Hanes left the meeting, Sexton allegedly commented on the King assassination and said he had a piece of paper for Hanes pertaining to the Ray case. (37)

The committee's file review also revealed documentation of a contact between Shelton and Hanes in June and August 1968 relating to legal assistance of Shelton by Hanes. The document did not, however, specifically refer to Hanes' representation of Ray. (38) The committee was unable to locate any FBI documents indicating that the Bureau attempted to interview Hanes, Shelton, Sexton or other principals concerning cooperation between the Klan and Hanes during Ray's trial.

The committee's initial interest in Ray's choice of Hanes as his first attorney following his June 1968 arrest, combined with the FBI informant material, led to an extensive investigation by the committee to ascertain the nature of the Hanes-Shelton relationship. (39) First, George Wilson was interviewed at length. (40) Then, sources A and B were contacted by the FBI and, after giving consent, were interviewed by the committee. The committee found no indication of a motive to lie on the part of Wilson or either of the informants. Further, no financial remuneration was offered in return for information, and there was no sign of a personal vendetta against Hanes, Shelton, or Sexton.

In addition, Shelton, (41) Sexton, (42) Hanes, (43) Williams, (44) and James Robertson Jones, (45) Grand Dragon for North Carolina in 1967 and 1968, testified before the committee in executive session. Williams and Jones stated under oath that they knew nothing of an understanding or agreement between Hanes and Shelton or Sexton for funding or any other assistance for Ray's defense. (46) Hanes, Shelton and Sexton vigorously denied ever considering such an arrangement. (47)

The committee also uncovered discrepancies between the testimony of Hanes and that of Shelton and Sexton. For example, Hanes and Sexton disagreed substantially regarding the duration of their friendship and whether Hanes helped establish the Klan's national defense fund. (48) Further, the Klansmen and Hanes attempted to minimize their association, specifically denying meetings between July 1968 and July 1969 that had been reported to the FBI. While these contacts were important in establishing the credibility of the witnesses, they did not bear specifically on Dr. King's assassination and, therefore, were not pursued further. The discrepancies between the testimony of Hanes and Sexton regarding the duration of their friendship and whether Hanes took part in establishing the national defense fund could have been explained by the lapse of time or by an attempt by Hanes to minimize his relationship with Sexton and the legal work he did for him.

While the committee was unable ultimately to resolve all conflicts in the evidence, it found no indications of an agreement between the UKA and James Earl Ray prior to Dr. King's assassination. The committee concluded that there was no evidence that Ray and members of the United Klans of America entered into a conspiracy to assassinate Dr. King.

(c) J. B. Stoner

J. B. Stoner, a Georgia attorney and virulent segregationist, had represented numerous defendants in racially motivated crimes against Blacks. (49) A founder and leader of the fanatically anti-Black and anti-Semitic National States Rights Party, (50) Stoner frequently exoriated Dr. Martin Luther King, Jr., and his campaign for racial integration in the South.⁵ After Dr. King's assassination, the FBI investigated Stoner's activities on April 4, 1968. (52) Once the FBI established that Stoner had been speaking at an NSRP rally in Meridian, Miss., on that day, it eliminated him as a suspect in Dr. King's murder. (53)

Stoner became James Earl Ray's attorney in 1969, (54) and he represented John L. Ray (55) and Jerry W. Ray (56) in separate criminal matters in 1970. In addition, Jerry Ray was employed as a bodyguard for Stoner in 1969. Based on Stoner's blatant racism and his relationship with the three Ray brothers, the committee decided further to investigate his possible involvement in the assassination.

The committee's review of FBI files on Stoner revealed that, in the late 1950's, Stoner was a suspect in a series of bombings directed against Black and Jewish targets throughout the South. (57) Although no charges had been brought at the time, Stoner was under indictment in 1978 for the 1958 bombing of a Birmingham church. (58) An undercover Birmingham police officer who took part in the bombing investigation said Stoner had a proven propensity for violence. (59) In testimony before the committee, Dr. Edward R. Fields, a close friend of Stoner and a leader of the NSRP, provided the committee with the names of other segregationists with violent backgrounds whom Stoner knew. (60) In addition, Stoner, Dr. Fields, and several co-defendants were indicted in 1963 for obstruction of justice in connection with their efforts to thwart desegregation efforts in Birmingham, Ala. (61) The case was dismissed in 1964 for deficiencies in the wording of the complaint. (62)

Stoner has been extremely active politically. In 1964, he was a candidate for Vice President of the United States on the NSRP ticket. (63) He ran unsuccessful campaigns for Governor of Georgia in 1970, (64) for Senator from Georgia in 1972 (65) and for Governor of Georgia in 1978. (66)

The first apparent contact between Stoner and members of the Ray family occurred following James Earl Ray's apprehension in London on June 8, 1968. (67) Although it has been suggested that Stoner and Ray or other members of the family had contact before the assassination. (68)⁶ The committee found no evidence of such an association. (70) Ray maintained that he first heard of Stoner when Stoner's

⁵ Stoner participated in a July 26, 1964, Klan rally at which Dr. King was burned in effigy. (51) He was also quoted in the NSRP newspaper, *Thunderbolt*, with the following reaction to Dr. King's death: "He has been a good nigger now since 6 or 7 o'clock." (MLK exhibit F-593, VII, HSCA-MLK Hearings, p. 331.)

⁶ Harry Avery, commissioner of corrections for the State of Tennessee in March 1969, claimed that following Ray's guilty plea, Jerry Ray told him that Stoner had been an attorney for Jerry and James 2 years before the assassination. (69) The committee was unable to find evidence to support this allegation.

Patriotic Legal Fund contacted him in London with an offer to finance his defense.(71) Ray refused the offer at the time.(72) Stoner apparently first met with Ray in late 1968 and discussed a civil suit against Time Inc. to stop pretrial publicity.(73) Stoner did not represent Ray, however, until after his March 10, 1969, guilty plea to the murder of Dr. King. Ray retained Stoner as cocounsel in the motion for a new trial.(74)

Stoner had indicated publicly that he had information about a conspiracy to assassinate Dr. King,(75) but when he testified before the committee, he denied any knowledge of an assassination plot.(76) Further, when asked specific questions relating to James Earl Ray and the assassination, Stoner declined to answer, as was his duty on the basis of the attorney-client privilege.(77) (At the time of Stoner's testimony, Ray had executed waivers of attorney-client privilege for all of his previous attorneys except Arthur Hanes, Jr., and Stoner.(78) Ray later executed a waiver for Hanes(79) but refused to waive his privilege for Stoner.)

For several reasons—his relationship with the three Ray brothers, his racist views, his demonstrated propensity for violence, as well as his recalcitrant behavior before the committee—led to a suspicion that Stoner might have had information about the assassination that he would not divulge. The committee found no evidence, however, that Stoner in fact participated in the plot to assassinate Dr. King.

(d) William Hugh Morris

J. B. Stoner told the committee in 1978 that William Hugh Morris offered him \$25,000 in the late 1950's to locate a skilled marksman to assassinate Dr. King.(80) Stoner, who had contended repeatedly that the FBI was responsible for Dr. King's death, said he believed Morris was a Bureau informant.(81) Stoner said he told Morris that for \$5,000 in advance, he would kill Dr. King with a bomb,(82) but Morris explained that the persons financing the assassination wanted it done with a rifle.(83) Stoner contended that he asked for the \$5,000 up front to insure his receipt of the money beforehand, although he had no intention of carrying out the assassination.(84) Stoner believed the offer was part of an FBI plot to entrap him.(85)

Stoner testified before the committee that there were no witnesses to his discussion with Morris, but, he said, Morris had approached Asa Carter, a Stoner associate, with the same offer.(86) Carter told the committee that he had been active in white supremacist groups in the 1950's and 1960's, but he denied that he had been offered a contract to kill Dr. King.(87) Carter added, however, that threats on Dr. King's life were commonplace in the 1960's.(88)

In an attempt to resolve the Stoner allegation, the committee reviewed FBI files concerning Morris and questioned him extensively in interviews and under oath. The committee learned that the elderly Morris had been actively involved in Klan organizations most of his adult life and, in 1978, was the Imperial Wizard and Emperor of the Federated Knights of Ku Klux Klan, an organization with over 1,000 members in at least 7 States.(89) Morris' only known criminal conviction had occurred in 1949 when he was charged with contempt of court for refusing to provide a Jefferson County, Ala., grand jury with a list of the Alabama members of the Federated Knights of Ku Klux Klan.

In executive session testimony before the committee, Morris vehemently denied ever engaging in a conversation about a bounty on Dr. King's life with Stoner, Carter, or anyone else.(90) Morris stressed that he was never involved in violence or advocated its use in effectuating the Klan's principles.(91) Nevertheless, in its review of the FBI files concerning Morris, the committee found several FBI intelligence reports, based on informant information, that indicated Morris, at an October 1961 Klan meeting, had said southern racial problems could be eliminated by the murder of Dr. King.(92) Morris then apparently boasted that he had a New Orleans underworld associate who would kill anyone for a price.(93) Under oath, Morris denied making these statements.(94)

For a brief period in the 1960's, while Morris was active in the Klan, he also served as an informant to Federal, State and local law enforcement officials.(95) Although Morris readily admitted this activity, he explained that he had never been paid and that he had never provided original information to any law enforcement agency.(96) Rather, Morris contended that he had been merely a conduit between agencies for information which the FBI, the Alabama attorney general and the Birmingham police obtained from their own independent sources.(97) He claimed his underlying objective in acting as an informant was to ascertain the identities of actual informers in the Klan organizations.(98)

Morris said he believed that Stoner had lodged the allegation to discredit him.(99) He explained that he and an undercover Birmingham police detective had been regarded by the Alabama attorney general's office as key witnesses against Stoner in the 1958 bombing of the Bethel Baptist Church in Birmingham.(100)

The committee uncovered no evidence to support Stoner's allegation against Morris and concluded that Morris was not involved in the assassination of Dr. King.

2. CONSPIRACY ALLEGATIONS: MEMPHIS

(a) *Citizen's band radio broadcast*

At approximately 6:36 p.m. on April 4, 1968, an unidentified citizen's band radio operator in Memphis was heard broadcasting over channel 17.(101) He stated he was pursuing a white Mustang driven by the killer of Dr. King. The CB operator, contrary to lawful radio procedure, never identified himself. He announced that he was chasing the white Mustang east on Summer Avenue from Parkway Street at a high rate of speed and requested a land line to communicate to the police department.(102) The broadcast was made about 33 minutes after the first announcement over police radio that Dr. King had been shot.

A Memphis CB operator, William Herbert Austein, among others, heard the original broadcast. As he was driving through the intersection of Jackson Avenue and Hollywood Street, Austein halted a Memphis police cruiser driven by Lt. Rufus Bradshaw.(103) Austein relayed information received from the unknown CB operator to the police.(104) and for the remainder of the broadcast, Austein received transmissions over the CB unit in his automobile, and they were relayed by Bradshaw to Memphis police headquarters.(105)

Shortly after 6:36 p.m., in response to a request from Austein, the unidentified operator said that he was pursuing the Mustang east on

Summer Avenue from Highland Street. (106) In subsequent transmissions, the operator told Austein he was accompanied by two white males in a blue Pontiac, and they were chasing the Mustang east on Summer Avenue from Waring. They then followed the Mustang north on Mendenhall Road from Summer Avenue. At approximately 6:41 p.m., the chase proceeded north on Jackson Avenue toward Raleigh, a suburb northeast of Memphis, according to the broadcast. (107) At approximately 6:44 p.m., the operator reported that he had just chased the white Mustang through a red light at the intersection of Jackson and Stage Roads at 95 miles per hour. (108)

At this point, Memphis police began to suspect that the broadcast was a hoax. (109) Two units of the Shelby County Sheriff's Department, stationed at an intersection at the very moment the Mustang and Pontiac were supposed to have passed through, informed the dispatcher they had seen no one. (110)

At approximately 6:45 p.m., the unidentified operator broadcast his position as going out Austin Peay Highway and said the occupant of the Mustang was shooting at him. (111) In the CB operator's final broadcast at approximately 6:48 p.m., he said he was approaching Millington Road heading to a naval base from Austin Peay Highway. (112)

In its subsequent investigation of this CB broadcast, the Memphis Police Department concluded it had been a hoax and that the chase had never occurred. (113) The FBI, relying on the field investigation by the Memphis police, concurred. (114)

The committee also concluded that a chase as described in the mysterious post-assassination CB broadcast never occurred and that the broadcast was in fact a hoax. The committee noted first that at approximately 6:44 p.m., the moment the chase was said to have sped through the intersection of Stage and Jackson Roads at 95 miles per hour, officers in two patrol cars from the Shelby County Sheriff's Department, stationed at the intersection, saw nothing unusual. (115)

Further, the committee's examination of a map of the route revealed that the chase covered about 10.5 miles from the first transmission at approximately 6:36 p.m. to the transmission at approximately 6:44 p.m. that described the blue Pontiac passing through the intersection of Jackson and Stage. (116) For the two automobiles to have covered such a distance in that time—10.5 miles in 8 minutes—they had to have averaged a speed of 78 miles per hour. A large segment of the alleged chase route was on a busy artery that was, at the time, crowded with rush-hour traffic. Under such conditions, a high speed chase such as that described in the broadcast would have attracted considerable attention, caused numerous traffic infractions and undoubtedly given rise to citizen complaints. The committee's examination of Memphis Police Department records revealed no supporting evidence of such a chase on April 4, 1968.

Investigative records of the Memphis police and the FBI indicated that an 18-year-old CB enthusiast, Edward L. Montedonico, Jr., was considered the most likely perpetrator of the hoax, although prosecution was not recommended. (117) Memphis police officers chiefly responsible for the investigation told the committee that Montedonico was considered the prime suspect. (118)

The committee's investigation into the identity of the broadcaster, although hampered by Montedonico's refusal to cooperate, (119) revealed that the evidence relied upon by the Memphis Police Department and the FBI in naming Montedonico as the suspect was apparently based on an erroneous interpretation of a key witness statement. (120) Additionally, an extensive background investigation of Montedonico failed to reveal incriminating evidence. (121) Indeed, the committee uncovered specific exculpatory evidence relating to Montedonico as the broadcaster, (122) and the committee's own consultants, Federal Communications Commission engineers, doubted that Montedonico was responsible for the hoax. (123) Ultimately, Montedonico decided to cooperate with the committee, and he denied under oath that he made the broadcast. (124)

Additional possible suspects were identified and interviewed in the course of the committee's investigation of the CB broadcast. (125) The committee also made an effort to pinpoint the broadcast by identifying all operators who had overheard the broadcast and by obtaining technical data concerning their location, their equipment and the strength of the signal they had received. (126) The committee used FCC engineers in an attempt to identify the broadcaster. (127) As stated by the FCC in its report to the committee, (128) however, the interval of 10 years made virtually impossible a task that would have been difficult even in 1968. The committee, therefore, was unable to identify the broadcaster.

The committee considered indications that the broadcast was a conspiratorial act. For instance, the broadcaster asked for a land line relay to police headquarters, a request that shows he wanted the information to get to the police and suggests he had more than a hoax in mind. Further, the broadcaster attempted to lead police to the northern part of Memphis, while the most accessible route out of town from the vicinity of the Lorraine Motel was to the south, the direction the committee believed James Earl Ray did indeed follow.

Although its failure to identify the broadcaster prevented the committee from determining definitively whether the broadcast was in any way linked conspiratorially to the assassination of Dr. King, several factors indicated it probably was not a conspiratorial act. The broadcast came a full 35 minutes after the assassination, so it could not have assisted in the immediate flight of the assassin out of Memphis. A description of the suspected assassin's white Mustang had been broadcast over the police radio at 6:10, so a CB operator who had been monitoring police calls would have had the description of the automobile. Moreover, the broadcaster did not use the best means of penetrating the police network. He used channel 17, one of the lesser used CB frequencies. Consequently, while the identity of the CB operator remained undetermined, the committee found that the evidence was insufficient to conclude that the Memphis CB broadcast was linked to a conspiratorial plot to kill Dr. King.

(b) *John McFerren*

The committee's review of Memphis FBI files revealed that John McFerren approached agents on April 8, 1968, with information concerning the assassination. (129) McFerren said that on the afternoon of April 4, 1968, while he was shopping at the Liberto, Liberto, and

Latch Produce Store in Memphis, he overheard a "heavy set white male," later identified as Frank Liberto,⁷ the company's president, talking on the telephone. (130) McFerren asserted that Liberto indicated that his brother in New Orleans, La., was going to pay \$5,000 to someone to kill a person on a balcony. (131) After hearing of Dr. King's death later that day and observing a sketch of the assassin in the newspaper the following day, he felt an individual that had been employed at Liberto, Liberto and Latch Produce during the last year might be the fugitive assassin. (132) Based on McFerren's story, a writer, William Sartor, hypothesized that organized crime was responsible for the King assassination. In his investigation, Sartor attempted to connect Frank Liberto with organized crime figures in Memphis and New Orleans. (133)⁸

In its 1968 investigation of McFerren's allegation, the FBI and Memphis Police Department interviewed Liberto and members of his family in New Orleans, and James W. Latch, vice president of Liberto, Liberto, and Latch Produce. All those interviewed denied any involvement in, or knowledge of, Dr. King's assassination. Both Frank Liberto and his business partner, Latch, however, admitted making disparaging remarks about Dr. King in the presence of their customers. (134)

Because Liberto lived in the Memphis area and because of reports that he had displayed pronounced racial bias, the committee determined that McFerren's story warranted additional investigation. It conducted extensive interviews of Liberto, (135) members of his family, (136) neighbors (137) and business associates, (138) in addition to checking the backgrounds of Liberto and his brother through the FBI and municipal police departments. Liberto and members of his family provided the committee essentially the same information they had given the FBI in 1968. Liberto stated under oath that, while on occasion he had made disparaging remarks concerning Dr. King, he did not recall making the April 4, 1968, statements attributed to him by McFerren. (139) Although an indirect link between Liberto's brother, Salvatore, and an associate of New Orleans organized crime figure Carlos Marcello was established, (140) no evidence was found to substantiate the claim that Frank Liberto or Carlos Marcello were involved in the assassination.

In its attempt to evaluate McFerren's credibility, the committee interviewed local police and FBI agents who had received information from him. McFerren had a reputation for furnishing the officials with information that could not be substantiated. (141) The committee noted, however, that this evaluation by law enforcement officers may have been tainted by McFerren's work as a Black civil rights activist who frequently lodged complaints of police brutality.

Extensive interviews of McFerren by the FBI in 1968 (142) and the committee (143) revealed inconsistencies in his basic allegation that could not be reconciled. For instance, McFerren had told the original investigators, as well as the committee, that James Earl Ray had worked at the Liberto produce company before the assassination,

⁷ The committee received additional allegations with respect to Frank Liberto from Morris Davis (see sec. IIc(5)(a) *infra*).

⁸ See text, *infra*, at subsection IIc(3)(a) for a discussion of Sartor's information.

either in the fall or early winter of 1967.(144) McFerren also told members of the committee staff that at this time, Ray had "jungle rot" on his cheek and neck.(145) The committee, however, had no evidence of Ray's presence in Memphis during the period alleged by McFerren, and persons who had seen Ray during that period did not recall a similar skin disease.

McFerren also claimed he had positively identified James Earl Ray to the FBI as the individual who worked at the produce company before the assassination.(146) An FBI memorandum concerning this incident revealed that McFerren eliminated all photographs (including one of Ray) of Bureau suspects that he reviewed. McFerren only claimed that Ray closely resembled the person who worked at the market after a picture of Ray was pointed out to him.(147)

On the basis of witness denials, lack of corroborating evidence and McFerren's questionable credibility, the committee concluded that his allegation was without foundation and that there was no connection between his story and the assassination of Dr. King.

3. CONSPIRACY ALLEGATIONS: NEW ORLEANS⁹

(a) *William Sartor*

Writer William Sartor, in an unpublished manuscript, advanced the possibility, among other allegations, that organized crime participated in Dr. King's assassination. The committee focused its attention on Sartor's contention that, in New Orleans in December 1967, James Earl Ray met with Charles Stein and three persons who were connected with organized crime and white supremacist groups.(148) The meeting allegedly was held at either the Town & Country Motel, owned by New Orleans Mafia boss Carlos Marcello, or the Provincial Motel, where Ray stayed from December 17 to 19, 1967.(149)

Sartor, who died in 1971,(150) had provided no information about how he discovered that such a meeting occurred, and he wrote that he was not aware of the subject of the meeting.(151) In support of his speculation that this meeting was in some way linked to the assassination of Dr. King, however, Sartor pointed to the following considerations:

The proximity in time between the meeting and the assassination;

The occurrence of the meeting in a city Sartor described as a bastion of racist thinking;

The location of the meeting at either one of two hotels that Sartor suggested were guest houses for an underworld clientele; and

Ray's statement to author William Bradford Huie that he left New Orleans with \$2,500 cash and the promise of \$12,000 more for doing one last big job in 2 to 3 months.(152)

Sartor wrote that Sam DiPianzza, Sol La Charta and Lucas Dilles were also at the meeting. DiPianzza and La Charta were described by Sartor as involved in organized crime, as well as avid racists. Dilles,

⁹ A staff report, *An Analysis of James Earl Ray's Trip to New Orleans, December 15-21, 1967*, appears in XIII Appendix to the HSCA-MLK hearings (hereinafter referred to as staff report: New Orleans trip).

also a racist, was allegedly connected with the late Leander Perez, Louisiana political boss and virulent segregationist. (153)

Further investigation by the committee revealed that the correct spelling for names of the persons alluded to by Sartor was Salvatore "Sam" DiPiazza, Dr. Lucas A. DiLeo, and Salvatore La Charda.

Sartor also speculated that Ray may have been told during this meeting that Carlos Marcello would protect him after the assassination because Sartor believed both DiPiazza and La Charda had direct ties to Marcello. (154)

The committee checked the backgrounds of the three persons named by Sartor. DiPiazza, a suburban New Orleans resident, was a gambler and bookmaker with reputed connections to Marcello and other underworld figures. Approximately 3 weeks before the alleged meeting, DiPiazza was sentenced to 10 years in prison on a gambling conviction. Although he was free on bond at the time of the alleged meeting, he denied in a committee interview ever meeting with Ray. (155) DiLeo, a practicing physician in a New Orleans suburb, had a record for such minor offenses as disturbing the peace, resisting arrest, and assault. When questioned by the committee, he maintained that he never had heard of the Provincial Motel but admitted he was familiar with the Town & Country Motel where he had stayed once 20 years earlier. He stated that he had never met or spoken with Ray or Marcello. (156) Salvatore La Charda, formerly Chief Juvenile Probation Officer in the St. Bernard Parish Sheriff's Office, committed suicide in June 1968. He had no criminal record. (157) DiLeo and DiPiazza were unable to account for their whereabouts on December 17 through 19, 1968.

A review of the Provincial Motel records indicated that the persons named by Sartor had not registered at the motel while Ray was there. Town & Country records were no longer available. Both Charles Stein¹⁰ (158) and Carlos Marcello (159) told the committee they knew of no such meeting with Ray or the others.

In his manuscript, Sartor named two sources of his information. Carlton Pecot, the first Black police officer in New Orleans and the director of a Federal education program aiding minority students in 1978, appeared to be the primary source of Sartor's New Orleans information. When questioned under oath by the committee with regard to Sartor's reliability and the accuracy of his notes, Pecot claimed, however, that he was unfamiliar with most of the facts and statements in Sartor's manuscript. (160) Pecot did recall meeting with Sartor five to eight times to assist with his investigation of relevant leads in the King case. (161)

Robert Lyons, another purported Sartor source, told the FBI in 1968 that Sartor had attributed false information to him that in reality originated with Sartor. (162)

The committee found no support for Sartor's contention that Ray met with persons involved in organized crime in New Orleans before the assassination.

¹⁰ A major field investigation of Charles Stein was performed by the committee in light of his association with Ray in California and on the New Orleans trip. The committee concluded that Stein was not involved in the assassination. (See staff report: New Orleans, XIII, appendix to the HSCA-MLK hearings, par. 10.)

(b) Raul Esquivel

In 1969, Charles Stein gave Dave Larsen and Jerry Cohen, investigative reporters for the Los Angeles Times, a New Orleans telephone number that Stein said was Ray's contact number for his alleged criminal accomplice, Raoul. Larsen and Cohen discovered that the subscriber to the number was Troop B of the Louisiana State Police. Assigned to that suburban New Orleans barracks was trooper Raul Esquivel. The reporters theorized that Esquivel might be the Raoul to whom Ray had referred.

In an attempt to determine whether Stein actually received this number from Ray or merely represented it as Ray's contact number so he could sell it, the committee reviewed the entire FBI investigation of the information and the FBI interviews with Larsen, Cohen, and Stein. Larsen and Cohen were interviewed by the committee, and Stein testified in executive session.

The committee received several different accounts about how Stein originally obtained this number and the conversations that led Larsen and Cohen to believe that the number belonged to a Ray contact. There were allegations that the phone number was in Ray's handwriting; (163) that the phone number was in Stein's handwriting; (164) that Ray gave Stein the number and told Stein it was where he could be reached; (165) that Ray told Stein he could get a weather report at the number; (166) that Ray never gave Stein the number but Stein saw the telephone number on a paper in Ray's car and copied it; (167) that Stein never gave the reporters the number at all because they only offered him \$15 or \$20 for the note; (168) and, finally, that Stein obtained the number of a highway patrol office from a service station attendant to check road conditions.

Although the committee could not find satisfactory proof that this number actually came from Ray, it conducted a full investigation of Raul Esquivel's background and his whereabouts on the dates in 1967 and 1968 that Ray alleged he met with Raoul.¹¹ The committee found that Raul Esquivel was not the Raoul implicated in the assassination by Ray. Criminal indexes of Federal and local law enforcement agencies failed to reveal any intelligence data indicating that Esquivel had a criminal background. His record as a Louisiana State trooper was unblemished except for one complaint of use of excessive force, a charge later found by the office of the U.S. attorney to lack prosecutive merit. (169) Work records for 1967 and 1968 indicated that Esquivel could not have met Ray at the times and places Ray alleged he was with Raoul. Moreover, in a sworn statement to the committee, Esquivel denied ever having met with Ray, or with a person using any of Ray's known aliases, or with Charles Stein. (170) Finally, Esquivel did not fit any of the physical descriptions of Raoul provided by Ray. (171) The committee concluded that there was no evidence linking Esquivel with Ray or the assassination of Dr. King, and that the Larsen-Cohen theory was unsupported by fact.

¹¹ A similar investigation had also been conducted by the FBI during the 1968 investigation.

(c) Reynard Rochon

According to author George McMillan's unpublished notes from interviews with Jerry Ray, James Earl Ray had a New Orleans drug contact named "Eddie." (172) McMillan made the notes while working on "The Making of an Assassin," a biography of James Earl Ray. While McMillan's notes were unclear, it appeared that Jerry Ray told McMillan that James made money on drugs he secured from "Eddie" and then delivered them to Los Angeles. (173) Jerry recalled that James asked him to contact this person in New Orleans and tell him that James had not disclosed their relationship to authorities, which Jerry claimed he did. (174)

In notes of a much later interview, McMillan noted that Jerry referred to "The Fence" in New Orleans and suggested to McMillan that James carried drugs for this person to Los Angeles. (175) Jerry seemed to indicate "The Fence" was Reynard J. Rochon and that he had twice met with Rochon. (176) Jerry claimed he received money each time he met Rochon and implied, according to McMillan's notes, that the money was paid to induce James not to expose his relationship with "The Fence." (177) Jerry told McMillan that "The Fence" knew James as Harvey Lowmeyer but was unaware that James intended to kill King. (178)

It was unclear from McMillan's notes whether "Eddie," "The Fence" and Reynard J. Rochon were supposed to be the same person. As a result, the committee asked McMillan, but he could not recall with any certainty whether Jerry was using "Eddie" and "The Fence" as nicknames for Rochon. (179) McMillan said that after he learned from his own investigation that Reynard Rochon was a postal worker, he dropped the matter. (180)

The committee, although able to confirm Jerry's presence in New Orleans on the dates he purportedly met with this person, (181) uncovered no evidence that the meetings he described took place. A complete background check on Rochon was conducted through the Drug Enforcement Administration, (182) the FBI (183) and the New Orleans Police Department; no records were found indicating any criminal activities. Finally, the committee deposed Rochon, a successful Black accountant in New Orleans, concluding he had never met with James Earl Ray. (184) Rochon vigorously denied that he had been known by the nicknames "Eddie" or "The Fence" (185) or that he ever trafficked in narcotics. (186)

The committee was unable to ascertain why either James Earl Ray or his brother, Jerry Ray, might choose to implicate Rochon in Ray's 1967 and 1968 activities. The committee concluded that there was no connection between Rochon and either Ray brother and that the allegation was without foundation.

(d) Herman Thompson

James Earl Ray maintained that, following his October 6, 1967, departure from Birmingham, he drove through Baton Rouge, La., and called a telephone number he had been given by his mysterious co-conspirator, Raoul. The subscriber to this number, according to Ray, was to give him instructions about his next rendezvous with Raoul. (187)

The committee hoped to identify and locate the subscriber to that Baton Rouge telephone number. Ray's conflicting accounts about this part of his journey, however, cast doubt on the Baton Rouge story.

In a March 3, 1977, interview with CBS reporter Dan Rather, Ray indicated that his destination was New Orleans when he left Birmingham, Ala., in October 1967. (188) Ray claimed he called the number Raoul had given him when he reached Baton Rouge and the party that answered told Ray his next meeting with Raoul had been changed to Nuevo Laredo, Mexico. (189)

During the committee's third interview with Ray 6 weeks after the Rather interview, he indicated, however, that he knew his destination was Nuevo Laredo when he left Birmingham. (190) Ray said he called a number given him by Raoul while driving through Baton Rouge, but he never spoke with the subscriber of the number because the line was busy when he made the call. Ray later received more detailed instructions concerning his next meeting with Raoul by calling a New Orleans number Raoul had given him. (191)

Ray told the committee that he had the name of the subscriber to the Baton Rouge number. (192) At the time he called the number, he said he was unaware of the subscriber's identity, but he later discovered the name by spending several hours skimming through a local telephone book in a Baton Rouge motel. (193) Once he found a number ending with the correct last two digits, he explained, he looked at the whole number until he found the one Raoul had given him. (194) Ray's efforts ultimately led him to the name Thompson. (195) Ray contended he had never spoken with Thompson and never mentioned Thompson's name to Raoul. (196)

The person Ray identified was Herman Thompson. Thompson had been an assistant chief criminal deputy of the East Baton Rouge Sheriff's Department for 26 years. In 1978, Thompson resided at the same address and had the same telephone number as in 1967. (197)

Thompson was a cooperative committee witness, who submitted to a deposition following an interview. He stated under oath that he never knew anyone named or nicknamed Raoul. (198) Although he had heard of James Earl Ray in connection with the King assassination, he denied ever meeting or speaking with Ray or anyone using Ray's known aliases. (199) The committee did attempt to determine whether Ray may have maliciously implicated Thompson as a means of settling a grudge or aiding a fellow inmate. Thompson could not recall ever arresting, incarcerating or transporting any person who had contact with either Leavenworth Federal Penitentiary or Missouri State Penitentiary where Ray had been an inmate. (200)

Thompson stated that he was never a member of any white extremist organization (201) and that he never had any unusual complaints or disciplinary actions filed against him while he worked with the sheriff's department. (202) Thompson's former employer confirmed his statements to the committee.

The committee found no evidence to indicate that Herman Thompson was involved in the assassination or with an individual named Raoul. The committee concluded, further, that Ray's allegation was merely an attempt to gain credence for his Raoul story and to raise an implication of official complicity in the assassination.

(e) Jules Ricco Kimble

In June 1968, The Toronto Star named Jules Ricco Kimble as a possible criminal associate of James Earl Ray in 1967. (203) A reporter for the newspaper wrote that Kimble, a member of the right-wing Minutemen, had lived within a few blocks of Ray's 1967 Montreal residence and had met Ray in both Montreal and New Orleans. (204)

Upon receipt of this information following the assassination, the FBI reviewed its files on Kimble. They reflected that Kimble had an extensive criminal record and associations in 1967 with the Ku Klux Klan. (205) The files did not establish ties between Kimble and the Minutemen. (206)

In light of Kimble's criminal background and his possible presence in Montreal during the period Ray resided in the city, July and August 1967, the committee decided that the allegation warranted further investigation. The committee interviewed Toronto Star reporters André Salwyn (207) and Earl MacRae, (208) who had developed this lead, and reviewed an investigative report on the Kimble lead prepared by the RCMP. The reporters recalled the story in detail. Their recollections, however, as well as the version of the allegation that appeared in the RCMP report, (209) differed on several major points. For instance, Salwyn alleged that MacRae got the lead from author, William Bradford Huie, for whom he was doing research in 1968, (210) and MacRae said that Salwyn received the information from a police contact in Montreal. (211) RCMP files, however, indicated that a newspaper article regarding James Earl Ray's residence in Montreal aroused Salwyn's curiosity, and the reporter subsequently discovered Kimble had lived in the same area. (212) Salwyn wrote that a person whose name was actually Raoul drove a white Mustang with Louisiana plates, equipped with guns and a police radio. (213) RCMP files indicated that this person, named Kimble, made daily calls to New Orleans, listened to police broadcasts, carried guns and made racist comments. (214)

The committee performed a thorough background check of Kimble. Files from the offices of Jim Garrison, New Orleans district attorney in 1968, Joseph Oster, a former investigator for the Louisiana Labor-Management Commission of Inquiry, the FBI, and the CIA reflected that Kimble had an extensive criminal background, including active participation in the Ku Klux Klan in 1967. (215) There was no indication, however, that Kimble was involved in narcotics smuggling and gunrunning, the criminal activities that James Earl Ray attributed to his contact, Raoul.

Extensive interviews with Oster, who was familiar with Kimble's history, (216) and Kimble's former wife (217) indicated that Kimble was in New Orleans in December 1967 when Ray visited that city, although he apparently did not visit Montreal until after Ray had left that city in August 1967. Although generally uncooperative during his interview, Kimble confirmed that he did not go to Canada until September 1967. (218) Kimble also denied meeting Ray or a person using any of Ray's aliases. (219)

The committee found no evidence to support a Ray-Kimble connection or to indicate that Kimble was involved in any plot to kill Dr. King.

(f) Randy Rosenson

In a 1977 interview with the Canadian Broadcasting Co., James Earl Ray intimated that Randolph Erwin Rosenson might have information about Raoul, the mysterious figure who Ray maintained was responsible for the King assassination. Ray asserted that while cleaning his Mustang when he was in Mexico in November 1967, a few weeks after Raoul had been in the car, he found a business card with Rosenson's name on it. (220)

Although Ray apparently withheld this information for 10 years and was elusive about the nature of Rosenson's possible involvement, the committee conducted an exhaustive investigation of Rosenson's background, associates and movements in the 1960's. It uncovered evidence indicating that Rosenson and Ray had had several opportunities to meet prior to the assassination of Dr. King.

Evidence developed by the committee showed that Rosenson had traveled to Mexico in late 1965 and early 1966. (221) According to Ray, Raoul was dealing in unspecified contraband, perhaps narcotics or stolen cars, in Mexico in late 1967. In addition, Rosenson's operation of a traveling carnival business gave him mobility. (222) The committee surmised that he may have been in some of the same cities Ray visited after escaping from the Missouri State Penitentiary in 1967. For example, Rosenson often traveled to New Orleans to visit friends and relatives, although the committee found no evidence that he was in New Orleans in December 1967 when Ray drove there from Los Angeles and allegedly met Raoul. (223) The committee did establish, however, that Rosenson was in Los Angeles and Birmingham, Ala., at the same time as Ray in 1967. (224) Rosenson and Ray used the same Birmingham bank. (225) Rosenson was also in the Birmingham area in March 1968 when Ray was purchasing the murder weapon there. (226) Finally, Rosenson traveled in many of the same New Orleans circles as Ray's associate Charles Stein, a former New Orleans resident who lived in Los Angeles in 1967. Both Rosenson and Stein were known to the New Orleans Police Department for similar criminal conduct. (227) They also had mutual acquaintances, frequented the same bars, and had retained the same lawyer. (228)

Rosenson was interviewed by the committee on at least six occasions, and he appeared before the committee in executive session. He repeatedly denied knowing Ray, any Ray family members, or any known Ray associates, including a Raoul, or Charles Stein. Further, he emphatically denied any involvement in the King assassination and could provide no reason why Ray would implicate him. (229)

Despite the opportunities for Ray and Rosenson to have met, an extensive field investigation, including interviews of Rosenson's relatives, friends, business associates, criminal contacts, and numerous law enforcement officials, failed to establish a definite link between Ray and Rosenson. (230) The committee concluded that Rosenson was not involved with Ray in a conspiracy to assassinate Dr. King.

4. CONSPIRACY ALLEGATIONS: ATLANTA

(a) Edna Mathews Lancaster

Edna Mathews Lancaster told the committee in late 1977 that she was associated with a group of people, including James Earl Ray, who met at a laundry where she worked in Mableton, Ga., to plot the assassination of Dr. King. (231) According to Mrs. Lancaster, this group, which she called "the secret American Revolutionary Army," not only planned but carried out the assassination. (232) She claimed she had met James Earl Ray in the early 1950's when he and her husband were stationed in the Army in California. (233)

The committee reviewed FBI files concerning this allegation in an attempt to check Lancaster's story. The files reflected that after providing a similar, although not identical story, Lancaster had named several persons who allegedly could verify certain aspects of her account. (234) When subsequently interviewed by the FBI, each person had denied any knowledge of the discussions, and most characterized Lancaster as an unbalanced person with an overactive imagination. (235) During interviews conducted by the committee, Lancaster's husband (236) and former employees (237) of the Mableton laundry reported that she had a severe drinking problem and was generally unstable. In addition, they denied any knowledge of an assassination plot.

The committee found that Edna Mathews Lancaster was not a credible person. Its investigation revealed substantial variations in her story over the years to accommodate new revelations about the CIA, FBI, and prominent figures associated with various assassinations and government scandals. (238) A further indication of Lancaster's lack of credibility was her son's statement to the committee that his mother had convinced him that James Earl Ray was his father. (239)

The committee concluded that Lancaster's story was not worthy of further investigation.

(b) Claude and Leon Powell

In January 1976, Leon Powell contacted the FBI about a possible conspiracy involving the King assassination. In February 1978, he testified before the committee concerning the details of the allegation. (240) According to Powell, he and his brother Claude Powell were in an Atlanta bar known as "Pete's," or "Pete Bailey's," in the fall of 1967 when Arnold Ray Godfrey, a mutual friend, told them he could put them in touch with a person who would pay a large sum of money to anyone willing to kill Dr. King. (241) Several days later, at the same bar, Claude and Leon were approached by a white male who introduced himself only as Ralph. (242) After indicating that he was the person to whom Godfrey had referred, Ralph displayed an open briefcase full of money. (243) Ralph said it contained \$25,000 and promised that if they took the job, they would receive \$25,000 more when it had been completed. (244) The Powells hesitated to accept the offer, and Ralph closed his briefcase and left the bar. (245) Leon said he never saw or heard from this person again. (246)

In its investigation of the assassination of Dr. King, the FBI interviewed Claude Powell, who essentially corroborated his brother's story. The FBI also conducted polygraph examinations of both brothers. (247) Leon's examination was inconclusive, (248) while responses by Claude to questions about the assassination plot indicated his responses were not deceptive. (249) After a full investigation of the Powell allegation, the FBI was unable to corroborate or discredit the story. The matter was turned over to the Department of Justice for possible submission to a Federal grand jury. No further action was taken by the Department. (250)

After reviewing FBI files concerning the Powell brothers, the committee conducted an extensive field investigation. It interviewed the FBI agent who first received this information (251) and also made an effort to locate "Ralph" through interviews of associates of Arnold Ray Godfrey and of customers of Pete's Bar. (252) In addition, a composite drawing of Ralph was released by the committee to national news organizations; it did not lead to his identification.¹² The committee investigated several possible links between Ralph's offer to the Powells in Atlanta and John Sutherland's offer to Russell Byers in St. Louis, primarily because of their similarity and proximity in time.¹³ Nevertheless, the committee found no evidence linking the two offers.

The committee was unable to locate any witnesses to the alleged Ralph offer other than the Powell brothers. Thus, their credibility became a crucial issue. Both brothers had a history of alcohol abuse and a reputation for violence. (253) Annie Lois Campos, Leon Powell's former wife, testified in executive session that Leon told her about the offer in 1973 or 1974 when he was under the influence of alcohol. (254) In executive session testimony before the committee, Arnold Ray Godfrey flatly denied ever discussing the assassination with the Powells. (255) Claude Powell resisted the committee's subpoena, indicating he feared for his life, and subsequently pleaded guilty to contempt of Congress for his refusal to testify.

As a result of Claude's refusal to cooperate and the absence of corroborating evidence to support the allegation, the committee was unable to investigate this allegation further. Although the committee concluded that the Powell brothers' story was credible, it was not able to uncover any evidence that would link it to the assassination of Dr. King.

(c) *Robert Byron Watson*

Robert Byron Watson maintained that on March 28, 1968, exactly 1 week before the assassination, he overheard a conversation concerning a plot to kill Dr. King in Memphis on April 4, 1968 in Magellan's Art Gallery in Atlanta, Ga. (257) Watson, then 14, worked at the gallery after school. (258) He identified those involved in the discussion as Harold Eugene Purcell and Jerry Adams, co-owners of the gallery, as well as their associates, Lawrence Meier and Bayne

¹² The committee noted that the composite was released along with several unrelated photographs and another unrelated composite. Within days, individuals in the photographs were identified. No identification of either composite was made.

¹³ The Sutherland offer to Byers is discussed in sec. II B of this report.

S. Culley. Several other persons were also present. (259) According to Watson, Jerry Adams emphasized that the date and time of the assassination attempt would be "exactly 1 week from then and about the same time of day." (260) Adams further said he had just learned King would be in Memphis. Purcell allegedly made reference to "framing a jailbird," as in the assassination of President John F. Kennedy. (261)

Watson said he told his mother that afternoon where and when King was to be murdered but withheld the details from authorities until after the assassination. (262) Lawrence Meier allegedly confronted Watson after James Earl Ray's arrest and threatened him with violence if he talked about what he had overheard. (263)

Watson outlined his allegation in numerous letters to the committee. In order to evaluate Watson's credibility, as well as his story, the committee reviewed all available documents on the allegation.

Watson's allegation had been covered extensively in the Atlanta newspapers and was investigated by the Atlanta Police Department, but the police found no evidence to substantiate it. (264)

In its review of Atlanta police files, the committee noted that in 1970, Bernard Fensterwald, an attorney for James Earl Ray during his habeas corpus action, looked into Watson's allegation. Fensterwald's investigator, Ken Smith, verified some aspects of the allegation but could not produce any reliable documentation to support key elements of the story. (265) Subsequently, Fensterwald commissioned Cleve Backster, an established polygrapher, to examine Watson about the allegation. The results indicated Watson was 90-95 percent truthful. (266)

The committee's review of the FBI's assassination investigation revealed that in April 1971, Watson admitted fabricating the Magellan Gallery story about a plot to kill Dr. King. (267) Watson made the story up because he believed someone at the Magellan Gallery had defrauded his mother of \$50,000. (268)

Watson told various accounts of the plot to the committee and to other sources. (269) He vacillated significantly on the time of day of the meeting, and, in November 1977, Watson revealed for the first time that the conspirators mentioned Ray's name. (270)

Finally, the committee noted that Dr. King did not publicly announce his decision to return to Memphis until March 29, (271) the day after Watson allegedly overheard the conversation.

The committee concluded that Watson was an unreliable witness and that his story was false.

5. CONSPIRACY ALLEGATIONS: BIRMINGHAM

(a) *Morris Davis*

In early 1977, Morris Davis provided the committee with information that Frank Liberto, two members of the SCLC and others were involved in a conspiracy to kill Dr. King. (272) Davis claimed that in 1967 or 1968, he became acquainted with Dr. Gus J. Prosch, (273) a Birmingham, Ala., doctor who in 1970 was convicted for possession of a large cache of illegal weapons and for income tax evasion. (274) According to Davis, he often met Prosch in early 1968 at the Gulas

Restaurant in Birmingham. During one of these meetings, Prosch allegedly introduced Davis to an associate, Frank Liberto. (275) Davis said he witnessed a meeting in Gulas' parking lot of Prosch and Liberto with Rev. Ralph D. Abernathy, a close friend of Dr. King, and Rev. Fred Shuttlesworth, also a friend of Dr. King. (276) A week later, Prosch and Liberto again met at the Gulas Restaurant, this time with a man introduced to Davis as Eric Galt. Davis also asserted that he saw a subsequent meeting of these persons at the restaurant on March 29, 1968. (277)

Davis maintained that on April 3, 1968, he met Prosch at the Gulas Restaurant and agreed to drive with him to the Aeromarine Supply Co. (Ray bought the weapon used to kill Dr. King at Aeromarine on March 30, 1968.) Prosch allegedly went in the store and returned 15 minutes later with a large wooden crate that he put in the trunk of the car. (278) They then drove back to the restaurant where, in the parking lot, Prosch opened the crate and showed Davis a rifle inside. (279) Davis claimed that Prosch told him that he and Liberto had accepted a contract from Abernathy and Shuttlesworth to kill Dr. King for \$265,000 and that this weapon would be used in the killing. (280) Eric Galt, who had already purchased a similar rifle at Aeromarine, was to be the decoy. (281) Galt was to meet Liberto in Detroit after the assassination and collect \$25,000 as payment for his participation in the murder. (282)

Davis told the committee that Prosch often used the name John Willard at the Gulas Restaurant to avoid being recognized as a doctor. (283) Davis also claimed that the Eric Galt he met was identical to photographs he had seen of James Earl Ray. (284)

Davis, who had a background of supplying reliable information to the Drug Enforcement Administration, told the committee he had approached the FBI several times with this information since 1970. (285)¹⁴

A review of the FBI file concerning the murder of Dr. King revealed a December 1976 interview with Davis during which he supplied similar information. In light of Davis' background and the serious nature of the allegation, the committee conducted a thorough investigation of his story. Davis and those persons named in his allegation were extensively interviewed by the committee.

During executive session testimony, Dr. Ralph B. Abernathy denied any knowledge of such a plot. (286) Rev. Fred Shuttlesworth also said he knew of no such conspiracy to kill Dr. King. (287) Frank Liberto stated under oath that he had never been to Gulas Restaurant in Birmingham and never had met Prosch, Abernathy, or Shuttlesworth. (288)

The committee questioned Donald Wood of the Aeromarine Supply Co. about Gus Prosch. (289) Wood recalled that Prosch was a regular customer at Aeromarine from 1968 until 1970. When Prosch was arrested for possession of illegal weapons, Wood pulled all invoices and receipts pertaining to Prosch's purchases, made copies of them and set them aside. (290) A review of these receipts by the committee indicated the purchase of two pistols on March 25, 1968, and a purchase

¹⁴ Davis explained he had been arrested and imprisoned shortly after the assassination and not released until 1970.

of a semiautomatic rifle on April 5, 1968. There is no record of Prosch buying any weapons on April 3, 1968. (291) Wood mentioned that a customer would use a large wooden crate only if buying more than one rifle. All single rifles were packed in cardboard boxes.

The committee then located and interviewed Prosch. (292) He denied involvement in any plot to kill Dr. King and denied knowing any of the persons connected with the allegation, including Davis.

As a result of its investigation, the committee called into question Morris Davis' credibility. Further interviews with Davis revealed basic inconsistencies in his story that could not be reconciled. (293) Davis additionally claimed that various Government agencies and prominent individuals associated with Government scandals were involved in the assassinations of President Kennedy and Dr. King. (294) Davis refused, however, to provide the committee with the source of this information.

After a thorough field investigation, the committee was unable to corroborate Davis' allegation and found that his allegation was false.

(b) *Walter Maddox*

Walter and Virginia Maddox owned and operated the South Birmingham Travelodge Motor Inn (295) when James Earl Ray registered there as Eric Starvo Galt on March 29, 1968. When questioned by the committee concerning Ray and his alleged companion Raoul, Walter Maddox recalled that at approximately that time there were three men living at the motel, one of whom was called Raoul by his companions. (296) Maddox added that one of the men was named Billy Fisher and that they resided there for almost a year and that they left without paying \$1,500 room rent. (297) ¹⁵

The committee reviewed the financial records of the motel in the Travelodge executive offices and found that Billy E. Fisher had stayed at this motel between May 1965 and February 1966. (298) Fisher was subsequently questioned by the committee and admitted that he and two companions, Jack Cunningham of Biloxi, Miss., and Leroy Roell of Jackson, Miss., had spent considerable time at the Travelodge Motor Inn during this period. (299) Fisher said the three were attempting to obtain financial backing in Birmingham to purchase a motel in Huntsville, Ala. (300)

Leroy Roell, who in 1978 owned two Travelodge Inns in Jackson, Miss., was questioned by committee staff and confirmed Fisher's story. (301) Roell stated he had lost \$30,000 in the venture and therefore had a vivid recollection of it. (302)

Although attempts to locate Jack Cunningham were unsuccessful, both Fisher and Roell stated they assumed the Raoul referred to by Walter Maddox was actually Leroy Roell. (303) Given this explanation and the 2- to 3-year difference between Roell's residence and Ray's stay at the motel, as evidenced by motel records, the committee concluded there was no connection between the three men and James Earl Ray.

¹⁵ The committee noted that the person referred to as Raoul by Ray allegedly spent substantial time in Canada, Mexico, and New Orleans, while Ray never indicated he stayed in Birmingham for more than brief periods. The committee believed, nevertheless, that the lead warranted investigation.

6. CONSPIRACY ALLEGATIONS: LOUISVILLE

(a) Clifton Baird

A former Louisville, Ky., police officer, Clifton Baird, raised the possibility of FBI complicity in Dr. King's assassination. He testified before the committee in 1977 that, on September 18, 1965, another Louisville police officer, Arlie Blair, offered him \$500,000 to kill Dr. King.(304) Blair allegedly told Baird that an organization he belonged to was willing to pay someone to assassinate Dr. King.(305) Baird refused the offer.(306) The next day he overheard several Louisville police officers and FBI agents discussing the offer at Louisville police headquarters during afternoon rollcall.(307) In an effort to document this apparent conspiracy, Baird tape recorded a conversation on September 20, 1965, in which Blair again referred to the \$500,000 bounty.(308) Baird turned this recording over to the committee.¹⁶

Blair testified under oath that he had no recollection of offering Baird any money to kill Dr. King and denied he had been a member of any organization seeking to assassinate Dr. King.(309) Blair did not deny, however, that his voice was on Baird's recording, and he explained his inability to recall the conversation was the result of a general physical and mental deterioration caused by alcoholism.(310)

Baird told the committee the names of five other police officers and three FBI agents he believed participated in the conversation he overheard on September 19, 1965.(311) Each police officer named was questioned either by deposition or in executive session. Each claimed to have no knowledge of any meeting or discussion concerning an offer to kill Dr. King.(312)

Special Agent William Duncan, FBI liaison with the Louisville Police Department in 1965, testified in executive session that he did remember the discussion of an offer to assassinate Dr. King.(313) According to Duncan, however, the discussion was part of a practical joke initiated by Sgt. William Baker of the Louisville police.(314) Duncan testified that sometime in the midsixties, he was at police headquarters when Sergeant Baker asked him to help "put some boys on."(315) Duncan agreed. At Baker's direction, he went to the roll-call area and confirmed a rumor that there was a reward of \$250,000 or \$500,000 on the head of Dr. King and that the Ku Klux Klan or the Communist Party was the source of the offer.(316) Duncan recalled adding that Special Agent Robert Peters and Special Agent-in-Charge Bernard C. Brown would confirm the offer.(317) Duncan testified that he made this statement concerning verification solely to lend credence to the story.(318) Duncan followed this description of the offer by mentioning to the committee the poor relationship between FBI Director J. Edgar Hoover and Dr. King.(319) Duncan recalled that he made his statement to a group of three to six people, primarily uniformed officers, whose identities he could not recall.(320) He did not remember any other remarks and said he left the room almost immediately after he made the statement.(321) Although he

¹⁶ The tape was transcribed by the committee. It contained references to a previous discussion about "knocking off" Dr. King.

did not know to whom the joke was directed, Duncan testified that he believed it was a gag and characterized Baker as a practical joker. (322) He was certain that no one connected with the FBI urged that he make this remark (323) and testified that no other FBI agent was present during his statement about Dr. King. (324)

The committee interviewed three other FBI agents from the Louisville office, Special Agent Robert Peters, Special Agent Warren L. Walsh (retired), and Special Agent-in-Charge Bernard C. Brown. Each denied any knowledge of an offer to kill Dr. King. (325) Peters, who testified in executive session, stated that in his opinion Sergeant Baker would not have concocted such a story even as a joke. (326) Since Baker had since died, it was difficult for the committee to determine his motive or whether he actually knew of an assassination conspiracy.

Retired Louisville police officer Vernon Austin, in a designated counsel statement, maintained that he did not know of such an offer but added that he believed Baker was capable of fabricating this information. (327).

The committee conducted a thorough background investigation of Clifton Baird, including a review of medical and criminal records. (328) It concluded that Baird was highly credible. Results of a technical evaluation of Baird's tape conducted by the FBI indicated that it was consistent with those known to have been used in 1965. (329) The committee reviewed the personnel files and attendance records for all the officers allegedly involved. The documents indicated that all but two officers were on duty on September 19, 1965. (330) Both officers, however, testified that it was possible they came into the office on their designated day off. (331)

Duncan's testimony supported a finding that the 1965 conversation did take place. It may be that someone hearing such an offer, such as Baird did, would consider it serious. There was no evidence, however, to support a finding that an actual conspiracy existed or that the events in Louisville in September 1965 were in any way connected with the assassination in Memphis in April 1968. The committee concluded that both Duncan and Baker purposefully circulated a rumor of an offer to kill Dr. King. Their conduct reflected, in the committee's view, an absence of professionalism. The committee found no evidence contrary to Duncan's statement that he acted alone and not at the direction of any FBI official or agent.

(b) Charles Lee Bell

Charles Lee Bell claimed in an interview with the committee that Albert Ridley and Bishop Eubanks Tucker allegedly told him in 1967 and 1968 that Louisville, Ky., was an alternate site for the assassination of Dr. King, if the attempt in Memphis failed. Ridley was to funnel Cuban money from a man named Cordova, an underworld figure, to Louisville police and to an FBI agent assigned to Louisville to insure that protection was withdrawn from Dr. King when he came to Louisville. (333) Bell claimed that Bishop Tucker learned of the plot from Reverend A. D. King, Dr. King's brother, who in turn was told by a Black director of safety for the city of Louisville. (334)

Bell told the committee that a number of persons, including Huey Newton and Stokely Carmichael, knew of the conspiracy, (335) since

Black militants were receiving aid from the Cubans and wanted Dr. King killed because of his commitment to nonviolence. (336) Bell added that he had worked as an FBI informant for years (337) and was certain the FBI did not kill Dr. King. (338) He also provided elaborate details of an alleged 1977 plot to kill Ambassador Andrew Young, again involving Ridley and Cordova. (339)

Bell came to the attention of the committee when his attorney, James Skinney, notified the committee that Bell had information on the King assassination. Despite a long criminal history (340) that cast doubt on Bell's veracity, the committee staff questioned him twice while he was incarcerated in Georgia (341) and reviewed a 23-page account of the allegation that he provided. (342) Although Bell recounted contradictory details in several different versions of his story, the committee attempted to verify the information he provided.

The committee identified and interviewed the only Black Director of Safety in Louisville's history, A. Wilson Edwards. (343) Edwards, who knew both Bishop Tucker and Reverend A. D. King, denied knowing Bell and further stated that he did not live in Louisville from 1968 through 1970. (344)

The committee also interviewed Thomas Kitchen. According to Bell, Kitchen was an FBI agent assigned to Louisville and an alleged participant in the conspiracy. Kitchen told the committee he had not been assigned to Louisville until 1972, and he had served there as special agent-in-charge until 1975. (345) Kitchen denied knowing Bell, Ridley, or Cordova, but admitted they may have known him as the special agent-in-charge in Louisville. (346)

The committee attempted to locate other persons who Bell said could verify the conspiracy, but efforts to find them failed. (347) Both Reverend A. D. King and Bishop Eubanks Tucker had died before the committee's 1977 probe of the Bell contention. Given the lack of witness corroboration of this allegation, the death of two central figures and Bell's questionable background, the committee concluded his story was not credible and did not merit further investigation.

7. CONSPIRACY ALLEGATIONS: ST. LOUIS

(a) *Delano Elmer Walker*

Delano Elmer Walker told the committee that some time in 1965, he received a \$500 down payment from three unidentified white men for his participation in a plot to assassinate Dr. King. (348) Walker alleged that the men approached him with this offer in St. Louis, Mo., while he was under the influence of alcohol. (349) Only after discussing the proposition with his wife, Ruth Ann, did Walker decide to report the plan to Sheriff Ken Buckley in Farmington, Mo. (350) Walker asserted that his meeting with the sheriff and an FBI agent ended when they decided he was insane. (351) Soon afterward, according to Walker, he was committed to a mental health facility. (352) Walker was sentenced to 18 months in Missouri State Penitentiary in October 1967, following an assault conviction. (353)

In June 1968, Walker's physician, Dr. C. W. Chastain, contacted a San Francisco magazine and reported that the FBI had questioned him extensively in 1965 regarding Walker's allegation. (354) After

learning of that contact, the committee located Dr. Chastain and verified this FBI questioning. (355) Dr. Chastain explained that, in 1977, Walker and his wife had described the King offer in detail. (356). Dr. Chastain mentioned that Sheriff Ken Buckley of Farmington, Mo., believed Walker's story. (357)

The committee interviewed both Delano (358) and Ruth Ann Walker (359) about the allegation and received substantially different accounts from each. While Walker said that he had offered to use his gun to murder Dr. King. (360) his wife explained that he did not purchase the weapon until 1970. (361) Mrs. Walker stated that Delano told her the assassination offer was initiated at their house in Elvins, Mo., not at a tavern in St. Louis. (362) She also said she did not see the down payment money that Delano supposedly showed her on the day of the agreement. (363) Walker could not locate the documents that he said would support his allegation, specifically a card noting the name of the tavern where the offer was made, and his wife did not know of such a card. (364)

The inconsistencies in details of Walker's story, his inability to provide leads to the identities of those who made the offer, and his mental problems led to the committee's conclusion that this allegation was not worthy of further investigation.

8. CONSPIRACY ALLEGATIONS: MIAMI

(a) *William Somersett*

The committee explored a conspiracy allegation that originated with William Somersett, a long-time informant in Miami who died in 1970. (365) Somersett had worked with various law enforcement agencies, including the FBI and the Miami Police Department. (366) He achieved notoriety with his story that, just weeks before the 1963 assassination of President John F. Kennedy, he received information that the President would be killed by someone in an office building with a high-powered rifle.¹⁷

According to an article in Miami Magazine Somersett attended a National Labor Relations Board meeting in Washington on April 1, 1968, at which he overheard a conversation among long-shoremen and sanitation workers indicating that Dr. King, on his next visit to Memphis, would be killed for meddling in the sanitation strike. (367) Somersett reportedly told a Miami police officer of the death threat on April 3, 1968, the day before the assassination. (368)

A review of FBI and Miami Police Department files on Somersett revealed a career of supplying law enforcement officials with valuable and reliable information since the 1950's. (369) In the early 1960's, however, the FBI discontinued Somersett as an informant because of his increasing unreliability. (370) The files showed Somersett had repeatedly supplied information about political assassinations. (371) In addition to the Kennedy and King death threats, he also reported to the FBI and the Secret Service alleged conspiracies to kill Presidents Johnson and Nixon. (372) These allegations had been investigated and found to be unsupported by independent evidence.

¹⁷ Somersett did not pass this information to authorities until after the President's assassination.

The committee sought to verify Somersett's story by interviewing the Miami police officer to whom he said he allegedly reported the King death threat. Detective Sgt. Charles Sapp was questioned under oath by the committee. He said he remembered receiving the information on April 3, the day before the assassination. (373) Further, an April 25, 1968, memorandum he wrote (374)¹⁸ (the earliest documentation the Miami Police Department could locate pertaining to the matter) was not the first document he had prepared concerning Somersett's information on the King assassination. He maintained that an earlier departmental memo would reflect his receipt of the information prior to the assassination.

Following Sapp's deposition, an earlier police memorandum by Sapp, dated April 17, 1968, was discovered in the files of a former prosecutor in the State attorney's office. (376) The document indicated that on April 16, the State attorney's office asked Sapp to contact Somersett to determine if he had any information pertaining to the King murder. (377) The memo indicated further that Sapp contacted Somersett on April 17, 1968. Somersett told him that he had learned of a death threat against Dr. King "on the eve of his death." (378) When questioned about this document, Sapp insisted that there was still an earlier memorandum, dated April 14, 1968, that would reflect Somersett's transmittal of the information to him before the assassination. (379) No additional reports, however, were discovered by the committee. In addition, the clear implication of the April 17 memorandum was that Sapp contacted Somersett for the first time on that date. The committee concluded, therefore, that, despite Sapp's recollection, he did not receive the information from Somersett until a week after the assassination of Dr. King.

The committee also questioned several other police officers to whom Sapp said he relayed Somersett's information prior to April 4. (380) These individuals, however, did not recall receiving the account before the assassination. (381) The committee believed that these veteran police officers would have recalled receipt of the information before the assassination, had it in fact been received.

The committee also attempted to determine whether there was an NLRB meeting on April 1, 1968, in Washington. Several agencies and labor organizations, including the NLRB, were contacted. The committee discovered that available files did not reflect such a meeting. (382)

Further, the committee found a number of inconsistencies between the police reports and Sapp's recollection. Thus, the committee concluded that Sapp did not know of Somersett's story before Dr. King's death, but learned of it after the assassination, probably on April 17, 1968.

The committee was unable to uncover any evidence supporting the purported plot described by Somersett to Sapp. Indeed, the committee found it improbable that sanitation workers would plot to kill Dr. King, a supporter of their strike. In view of Somersett's background of informing law enforcement officials of unfounded assassination

¹⁸ The April 25, 1968 memorandum reflected Sapp's receipt of information on the King assassination from Somersett, but the implication of the memorandum was that Somersett did not provide the information to Sapp until days after the assassination.

plots and the lack of evidence to corroborate his allegation, the committee found that Somersett's information was without substance.

9. CONSPIRACY ALLEGATIONS: TEXAS

(a) *Otis Moore*

Otis Humphrey Moore alleged that, while he was stationed at Fort Hood, Tex., in April 1965, (383) an unnamed white male offered him \$50,000 to assassinate Dr. King. (384) The conversation took place in an unknown bar outside Temple, Tex. (385) Moore said when he returned to the bar shortly after Dr. King's murder in April 1968, a new building stood in its place. (386)

Also present at the bar during the 1965 conversation, according to Moore, was a man he described as a "million dollar" lawyer from Dallas. (387) Moore believed the prominent attorney's presence in the run-down bar indicated his involvement in serious plans to kill Dr. King, although the supposed lawyer did not participate in the conversation. (388) Moore, however, could give no leads to identify the man. (389)

The committee interviewed Moore after he wrote that he had "certain information that, I am sure, will give a clue to the people really involved in the conspiracy * * *." (390) Moore provided the committee with a detailed narrative and records of attempts he made to tell his story to, among others, the FBI, (391) the Senate Select Committee to Study Government Operations with Respect to Intelligence Activities, (392) Senator Edward M. Kennedy, (393) and the Board of Ebenezer Baptist Church, Atlanta, Ga., the church of Dr. King's father, Rev. Martin Luther King, Sr. (394)

In an attempt to evaluate Moore's credibility, the committee reviewed relevant FBI files on him and discovered that Moore's wife had said he was extremely drunk on the night he returned home with the assassination story. (395)

The vagueness of Moore's allegation and the interval since he allegedly came upon the offer made corroboration of this story virtually impossible. Further, the lack of geographical and time proximity to the assassination of Dr. King in Memphis in 1968 reduced the significance of Moore's allegations. No further action was taken on the lead.

10. CONSPIRACY ALLEGATIONS: NEW YORK

(a) *Myron Billett*

Myron Billett, a convicted felon, claimed that in the spring of 1968, during a meeting he attended of organized crime figures Sam Giancana and Carlos Gambino, as well as CIA and FBI agents, an offer was proposed for the assassination of Dr. King. (396) Billett said he drove Giancana to this meeting at the Skyview Motel near Binghamton, N.Y. (397) Martin Bishop and Lee Leland, allegedly of the CIA, offered Giancana and Gambino money to kill King. (398) Giancana and Gambino refused because, as Giancana supposedly commented, the CIA had messed up the assassination of President John F. Kennedy. (399) Billett also claimed he had been to a similar meeting attended by Giancana, Lee Harvey Oswald, Jack Ruby and others in 1963 in Dallas, Tex., where an offer to kill President Kennedy was made. (400)

Billett originally came to the committee's attention when a Washington, D.C. newspaper printed a story concerning his conspiracy allegation. At the time Billett was interviewed by the committee, he was in prison for armed robbery and manslaughter convictions. Although cooperative with the committee, Billett changed important details of his story several times. (401)

In its investigation of Billett's story, the committee tried to verify the names of the alleged CIA and FBI agents. None of the alleged agents existed. (402) Although Billett said he had a close relationship with several persons involved in organized crime, he could not supply details that would enable the committee to verify these associations. (403) Giancana and Gambino were dead in 1977 when this allegation was investigated.

The committee found that Billett's story about the meetings involving the assassinations of President Kennedy and Dr. Martin Luther King was not credible. (404)

