

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RECEIVED

AUG 11 1978

JAMES F. DANFEL

.....
: JAMES H. LESAR,
:

: Plaintiff
:

: v.
:

: Civil Action No. 77-0692
:

: UNITED STATES DEPARTMENT OF
: JUSTICE,
:

: Defendant
:
:

MOTION FOR RECONSIDERATION AND CLARIFI-
CATION PURSUANT TO RULES 52(b) AND 59
OF THE FEDERAL RULES OF CIVIL PROCEDURE

Pursuant to Rule 59 of the Federal Rules of Civil Procedure, plaintiff moves the Court to reconsider, alter, and amend the Order and Judgment entered in this case on August 1, 1978 granting defendant summary judgment.

Pursuant to Rule 52(b) of the Federal Rules of Civil Procedure and the requirements established in Schwartz v. IRS, 511 F. 2d 1301 (D.C. Cir. 1975), plaintiff moves that the Court make additional findings of fact and conclusions of law clarifying the Court's Memorandum Opinion entered in this case on July 31, 1978.

With respect to the Court's holding that the Atlanta and Memphis Police Department records obtained by the Office of Professional Responsibility of the Department of Justice are exempt from disclosure under 5 U.S.C. §552(b)(7)(D), plaintiff moves that the Court make the following findings of fact:

1. The Memphis Police Department has not objected to the disclosure to the public of the copies of Memphis Police Department records which the District Attorney General of Shelby Canale provided to the Office of Professional Responsibility.

2. The Atlanta Police Department has not objected to the disclosure of copies of the Atlanta Police Department records obtained by the Office of Professional Responsibility.

3. The FBI has already disclosed certain pages of the withheld Atlanta Police Department records to Mr. Harold Weisberg.

4. There is no evidence that any of the content of the Memphis Police Department records being withheld is not already public knowledge.

5. The evidence produced by plaintiff shows that some--and perhaps most or even all--of the content of the Memphis Police Department records is already in the public domain.

6. The evidence produced by plaintiff shows that the names and addresses of witnesses and others involved in events surrounding Dr. King's assassination are already publicly known.

7. Neither the Atlanta nor Memphis Police Departments has asserted that if their records are disclosed to the public under the Freedom of Information Act, they will refuse in the future to provide their records to the Office of Professional Responsibility, the FBI, or any other component of the Department of Justice.

8. The Court has no factual basis upon which it can determine whether or not the investigation made by the Memphis Police Department was thorough and conscientious.

9. Disclosure of the Memphis Police Department records would assist persons knowledgeable in the facts of Dr. King's assassination in judging whether or not the Memphis Police Department made a thorough and conscientious investigation of the King murder and would also assist them in evaluating the performance of the Justice Department Task Force which reviewed the FBI's investigation of the crime.

10. Upon the present record, the Court has no way of determining whether or not the investigative techniques and procedures em-

ployed by the Memphis Police Department are publicly known or not.

11. The available evidence shows that the District Attorney General of Shelby County has not sought to protect the confidentiality of Memphis Police Department records but has instead used such materials in public lectures.

With respect to the Memphis Police Department records, plaintiff moves the Court to clarify its Memorandum Opinion by stating whether it considers the "confidential source" to be: a) the Memphis Police Department, b) the District Attorney General of Shelby County, Tennessee, or c) the witnesses and informants who provided the information which is contained in the Memphis Police Department records.

Finally, plaintiff moves the Court to alter its conclusions and to rule as a matter of law that the Atlanta and Memphis Police Department records withheld from plaintiff are not exempt from disclosure on a blanket basis under 5 U.S.C. §552(b)(7)(D).

With respect to the Court's ruling on defendant's Exemption 7(C) claims, plaintiff moves that the Court make the following findings:

1. The FBI's campaign to harrass, discredit, and ruin Dr. Martin Luther King is a matter of great historical importance.
2. In matters of great historical importance, the FBI does not excise the names of FBI agents from its records.
3. The excision of the names of FBI agents from the records sought by plaintiff in this case conceals the names of FBI agents who participated in illegal activities against Dr. King.
4. It is in the public interest that the names of those who participated in, or who were aware of, illegal acts against Dr. King be disclosed.

In light of these requested findings, plaintiff moves the Court to amend its conclusions to state that as a matter of law the

public interest in disclosure outweighs any privacy interest which can be justifiably invoked on behalf of FBI agents.

Finally, with respect to defendant's Exemption 1 claims, plaintiff moves the Court for findings that:

1. Defendant has not shown that the original FBI records on which the OPR took notes are themselves properly classified in accordance with Executive order.

2. If the original FBI records are not in fact properly classified pursuant to Executive order, the OPR notes on them are not entitled to derivative protection.

ARGUMENT

In Schwartz v. IRS, 511 F. 2d 1301 (D.C. Cir. 1975), the Court of Appeals held that when district courts decide FOIA cases with brief, conclusory opinions, it is an abuse of discretion for the district court to deny a plaintiff's motion for clarification of an adverse summary judgment order:

[T]he summary judgment orders with which which this Court has been confronted in FOIA cases have almost invariably been "stated in very conclusory terms, saying simply that the information falls under one or another of the exemptions to the Act." Invariably such appeals have resulted in remands for some form of further proceedings or clarification.

* * *

Appellant seeks to short-circuit the requirement for remand by securing a clarification from the District Court before an appeal is taken. In light of our experience with FOIA cases we are convinced such clarification would not only be useful in a case such as this one, but that the denial of such a clarification is an abuse of discretion. 511 F. 2d at 1307. (citations omitted)

Such clarification may be required not only as to the legal basis for the decision, but its factual underpinnings as well. Ackerly v. Ley, 420 F. 2d 1336 (D.C. Cir. 1969).

At the brief status call on July 20, 1978, the Court noted that the Nix case and others of its kind do not have any reasoning in support of their assertion that local law enforcement records are ipso facto exempt under 7(D). However, the Court's Memorandum Opinion cites the Nix case and upholds defendant's claim that the Atlanta and Memphis Police Department records are exempt on the bare conclusion that the Court finds "no substantial countervailing public interest in disclosure" of these police records.

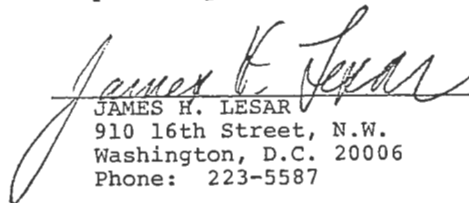
There is no factual underpinning whatsoever for this conclusory disposition of a vexatious issue. There is no finding that the Memphis Police Department insisted that its records not be disclosed. There is no factual finding to support governmental rhetoric that cooperation with state and local law enforcement agencies will be seriously harmed if the records which such agencies provide to the federal government are subject to disclosure under the Freedom of Information Act. The Court does not say who the "confidential source" is. It makes no attempt to specify what considerations impelled its conclusion that there was no "substantial countervailing public interest in disclosure" of these records.

The issue raised is one of fundamental importance to the construction of the Freedom of Information Act. It deserves both a more carefully developed factual record and greater discussion than it has been given in this case. Did Congress intend to give greater protection to state and local law enforcement records which have become federal agency records than it provided for the FBI's own self-generated records? Can it reasonably be contended that Congress intended "confidential information" and "confidential source" to include information and sources already publicly known?

On this last point, in support of his motion for reconsideration and clarification plaintiff provides the Court with some of

the many public documents which demonstrate that the names and addresses of numerous witnesses to the King assassination are already public, and so is the content of the statements which they have given to the press, the Memphis Police Department, the FBI, and the Shelby County Public Defender's Office. It is suggested by plaintiff that Congress did not intend George Orwell to serve as a guide to the interpretation of the Freedom of Information Act, that Congress did not intend the word "confidential" to include what is already public knowledge, and that therefore there is no justification for withholding the Memphis Police Department records without a showing that the information sought to be suppressed is in fact "confidential."

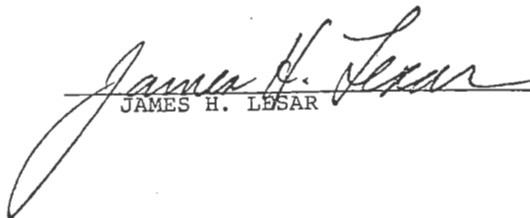
Respectfully submitted,


JAMES H. LESAR
910 16th Street, N.W.
Washington, D.C. 20006
Phone: 223-5587

Attorney pro se

CERTIFICATE OF SERVICE

I hereby certify that I have this 11th day of August, 1978, mailed a copy of the foregoing Motion For Reconsideration and Clarification Pursuant to Rules 52(b) and 59 of the Federal Rules of Civil Procedure to Mr. Dan Metcalfe, P.O. Box 7219, Washington, D.C. 20044.


JAMES H. LESAR

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

.....
 JAMES H. LESAR, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 77-0692
 :
 UNITED STATES DEPARTMENT OF :
 JUSTICE, :
 :
 Defendant :
 :

AFFIDAVIT OF JAMES H. LESAR IN SUPPORT
OF MOTION FOR RECONSIDERATION

I, James H. Lesar, first having been duly sworn, depose and say as follows:

1. In the Memorandum Opinion issued in this case the Court states that upon its in camera inspection of certain Memphis Police Department records on the assassination of Dr. Martin Luther King, Jr., it appears to the Court that the investigation was thorough and conscientious. I do not know any basis upon which the Court could have reached this conclusion, particularly since the Memphis Police Department records examined in camera apparently comprise only 10 percent of the known volume of MPD records on the King assassination, and it seems of dubious relevance in any event.

2. As one familiar with the facts of the King assassination, there are certain witnesses who I would expect necessarily had to be part of any Memphis Police Department investigation of the King assassination, including even one that was not thorough and conscientious. I would anticipate, however, that investigation would include interviews of, and information pertaining to, the State's only alleged eyewitness, an alcoholic named Charles Quitman Stevens. Such an investigation would necessarily include the fact

that Stephens was so drunk fifteen minutes before Dr. King was shot that a taxicab driver, James McCraw, could not get him out of bed and so abandoned him. It would also include the fact that Stephens failed to identify a photograph of James Earl Ray as the man he purportedly saw at the rooming house after Dr. King was shot. Depending on the date of the investigations and the squeamishness of the police, such an investigation should also include inquiries into reports that Stephens killed a woman in a bar while in the "protective custody" of the Memphis police.

3. Attached hereto as Exhibits 4, 5, and 6 are certain materials which comprise part of the belated investigation into the assassination of Dr. King which was carried out by the Memphis Public Defender's Office under the direction of Mr. Hugh Stanton, Jr., who is now the District Attorney General of Shelby County, Tennessee. These materials were introduced into evidence at James Earl Ray's 1974 habeas corpus evidentiary hearing and are thus all a matter of public record. Mr. Stanton was examined about them in some detail at that hearing. They give the names and addresses of many witnesses who were interviewed by the Memphis police, the FBI, and the Public Defender's Office. Many of these witnesses were also subpoenaed to testify at Ray's trial. Under any normal usage of the word "confidential," their names and addresses of a decade ago, as well as the content of what they told the police, the FBI, reporters, and the Public Defender's office, can no longer be considered confidential.

4. The evidence strongly indicates, contrary to the affidavit of Mr. Stanton filed in this case, that the District Attorney's office did not consider all Memphis Police Department information confidential. This is shown by the text of the slide lecture which former District Attorney General Phil M. Canale made to the Bar

Association in 1971. Even the autopsy photographs were shown and commented on by Mr. Canale in his speech. (See Exhibit 10)

5. Attached as Exhibit 11 is a copy of the transcript of James Earl Ray's guilty plea entered on March 10, 1969. This also gives the names and addresses of some witnesses, as well as the purported content of their testimony.


6. Exhibit 1 is a list of FBI Agents with their home addresses and phone numbers. This was provided to Mr. Harold Weisberg during the processing of his request for the Dallas Field Office files on the assassination of President John F. Kennedy. This shows that there is no set FBI policy against disclosing the names of FBI agents in historical cases. This is further shown by Exhibit 2, a letter to a Mr. Emory Brown from former FBI Director Clarence M. Kelley.

7. Exhibit 7 contains a number of FBI reports on or pertaining to Charles Quitman Stephens. They demonstrate what is already public knowledge, and that this information came in large part from the Memphis Police Department. They also show that Stephens failed to identify a photograph of James Earl Ray as the man he saw at the rooming house. An affidavit by Stevens was used to extradite James Earl Ray from London. (Exhibit 9) The FBI reports make it quite clear that Stephens could not identify Ray. Nonetheless, the signed Stephens affidavit was drafted to make it appear that he could. The signed affidavit is a revision of an earlier version drafted by the Civil Rights Division of the Department of Justice which sets forth facts, subsequently eliminated, which show that he could not have identified Ray. (See Exhibit 8)


JAMES H. LESAR

WASHINGTON, D.C.

Subscribed and sworn to before me this 11th day of August,
1978.


NOTARY PUBLIC IN AND FOR
THE DISTRICT OF COLUMBIA

MY COMMISSION EXPIRES DEC. 14, 1981

My commission expires _____

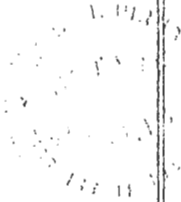


EXHIBIT 5

MEMO, ALL EMPLOYEES

November 22, 1963

EMPLOYEES, DALLAS DIVISION

OFFICE: 12th Floor, 1114 Commerce St., Dallas, Texas 75202 TEL: RI 1-1211

NAME ADDRESS TELEPHONE

SUPERVISORY STAFF:

Shanklin, J. Gordon, SAC	6419 Preston Rd., Apt. 8	LA 1-5831
Clark, Kyle G., ASAC	6250 Konwood	TA 7-4754
Loeffler, Joseph J. #1 Supv.	10433 Sinclair	DA 7-7561
Howe, Kenneth C. #2 Supv.	3816 Bryn Mawr	EM 8-5969

HEADQUARTERS AGENTS:

2. Abernathy, Joe B.	4150 Willow Grove Rd.	FL 2-5760
4. Almon, John V.	11360 Gatewood	DA 8-1133
3. Anderson, Robert J.	1734 Loree	DA 7-5317
4. Anderton, James W.	8871 Liptonshire Dr.	DI 8-4215
1. Barrett, Robert M.	3314 San Marcus St.	BR 9-5887
2. Bookhout, James W.	7048 Cornelia Lane	TA 3-5846
1. Bray, Allan D. (On transfer in from New Agents' Training)		
1. Brown, Charles T., Jr.	916 Beechwood Dr. RICHARDSON	AD 5-3016
4. Brown, W. Harlan	3142 Satsuma Dr.	CH 7-7816
4. Butler, Robert P. (On transfer in from Denver) <i>8660 Lyman Ave. AD 1-46</i>		
1. Clements, Manning C.	3736 Glencoe, Apt. 104	TA 4-4354
1. Drain, Vincent E. J.	5031 Cedar Springs, Apt. 101	LA 6-0210
5. Eckenrode, Raymond C.	11027 Genetta	BR 9-7135
3. Ellington, Alfred C.	613 Aqua Drive	DA 7-0058
3. Gemberling, Robt. P.	7106 Clomson Dr.	DI 8-3906
3. Griffin, Will Hayden	3228 Perryton	FE 7-7440
2. Hall, C. Ray	6542 Ellsworth	TA 3-5616
2. Hanley, Joseph J.	2014 W. Five Mile Parkway	FE 9-9896
2. Harrison, Richard E.	9016 Hackney Lane	DI 8-6895
4. Heitman, Wallace R.	1110 Elizabeth Lane, RICHARDSON	AD 5-0926
3. Horton, Emory E.	807 Blue Lake Circle, RICHARDSON	AD 5-8662
4. Hosty, James P., Jr.	11018 Gonetta	BR 9-4084
4. Kuykendall, Edwin D.	7428 Wentwood Dr.	EM 1-5803
1. Lee, Ivan D.	9640 Livenshire Dr.	DI 8-0373
3. Lish, Robert C.	6930 Kenwood	TA 4-387C
4. Neeley, Alfred D.	7403 Centenary	EM 1-4574
2. Newsom, Milton L.	605 Greenleaf Dr., RICHARDSON	AD 5-6492
4. Odum, Bardwell D.	8727 Fawn Dr.	DI 8-3165
2. Perryman, Curtis L.	8118 Garland Rd.	DA 7-1393
2. Pinkston, Nat A.	2106 Van Cleave	FR 1-8325
1. Robertson, Leo L.	3533 Greenbrier Dr.	EM 8-5780
1. Swinford, James W.	7216 Gaston Ave., Apt. 123	DA 7-4491
3. Thompson, Gaston C.	6312 Overlook Dr.	EV 1-2011
2. Underhill, Carl E.	3711 Cragmont	LA 8-9876
3. Williams, J. Doyle	3307 Lancelot Dr. <i>89-03-5612</i>	FL 2-6472
1. Wilson, Gary S.	3309 Santa Teresa	BR 9-1509
3. Wulff, Paul E.	4159 Willow Grove Rd.	FL 1-0929

Number by name indicates supervisory desk to which Agent assigned.

All addresses at Dallas unless name of city set out in address.

*H. J. ...**...*

OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

September 17, 1976

Mr. Emory L. Brown, Jr.
82 Squankum Road
Howell, New Jersey 07731

Dear Mr. Brown:

This is in reference to your letter dated August 23, 1976, regarding FBI laboratory documents which were furnished to you concerning the John F. Kennedy assassination.

Enclosed are undeleted copies of those pages which contained excisions. In those FBI investigations which are not historical in nature, we normally delete this information pursuant to the Freedom of Information/Privacy Acts (FOI/PA) by the following subsections of Title 5, United States Code, Section 552:

- (b) (2) materials related solely to the internal rules and practices of the FBI;
- (b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would:
 - (F) endanger the life or physical safety of law enforcement personnel.

The assassination of John F. Kennedy, of course, is historical and this information should not have been deleted since it is already a matter of public record.

In reference to your question regarding the bullets recovered from the body of Dallas police officer J. D. Tippit, the only metal fragments examined by neutron activation analysis were specimens Q1, Q2, Q4, Q5, Q9 and Q14. You have previously received copies of these examinations.



BS 157-644

PAGE TWO

POSSESSION WHAT WAS REFERRED TO AS FBI FILES IN ORDER TO
CONDUCT ITS PROSECTUTION OF RAY AND HE HEARD RUMORS
FROM SOURCE, NOW UNRECALLED, THAT THOSE FILES WERE MADE
AVAILABLE TO AUTHORS GERALD FRANK AND WILLIAM HUIE BY STATE
OR COUNTY PERSONNEL. AS A RESULT OF THESE RUMORS,
MC MILLAN FELT THE FILE WOULD ALSO BE MADE AVAILABLE TO HIM.
WHEN ASKED IF ANY TENNESSEE STATE OR LOCAL OFFICIAL
OR PERSONNEL EVER OFFERED TO MAKE THE FBI FILES
AVAILABLE TO HIM, MC MILLAN REPLIED BY SAYING HE REFUSES
TO ANSWER THAT QUESTION.

LHM WILL BE SUBMITTED.

END

JXS FBI HQ CLR FOR 2

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 10 1974
Don
TELETYPE

NR 024 BS PLAIN
10:13 PM NITEL MAY 10, 1974 JWH
TO - DIRECTOR (44-38861)
MEMPHIS (44-1987)
FROM BOSTON (157-644)

MURKIN

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

Spur

Mr. [Signature]
[Signature]

RE BOSTON NITEL TO BUREAU, 5/8/74.

GEORGE MC MILLAN INTERVIEWED THIS DATE IN OFFICE OF HIS ATTORNEY, JOHN T. WILLIAMS, OF FIRM HAUSSERMAN, DAVIDSON AND SHATTUCK, 1 BOSTON PLACE, BOSTON, IN PRESENCE OF WILLIAMS.

MC MILLAN ADVISED HE HAS NEVER SEEN OR HAD ACCESS TO ANY FBI FILES OR PORTIONS THEREOF, CONCERNING THE JAMES EARL RAY CASE OR ANY OTHER CASE. ALSO STATED THAT NO FBI PERSONNEL ANYWHERE EVER INDICATED THEY WOULD MAKE SUCH AVAILABLE TO HIM.

MC MILLAN FURTHER ADVISED THAT THE TENNESSEE STATE ATTORNEY GENERAL'S OFFICE IN MEMPHIS HAD IN ITS
END PAGE ONE

REC 107

114-38861-5944

MAY 15 1974

Handwritten notes and signatures at bottom right.

AIRTEL

5/14/74

To: SAC, Memphis (44-1987)

REC 107

From: Director, FBI (44-38861) - 5944

1 - Mr. McDonough

MURKIN

ReBStel 5/10/74.

If not already done, the Memphis Office should contact appropriate current and former Tennessee State authorities to ascertain if they have any information that FBI files previously in possession of state authorities were made available to Frank and Huie or anyone else by state or county personnel.

1 - Boston (INFO) (157-844)

MAILED 7
MAY 14 1974
FBI

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

EJM:bap (5)

76
70 MAY 23 1974

MAIL ROOM TELETYPE UNIT

Ex EXHIBIT 4

Civil Action No. 77-0692

1. Residence address and telephone number.
2. Business address and telephone - hours of work.

<u>NAME</u>	<u>ADDRESS:</u>
Henrietta Hagemaster	Rebel Motel
Charlie Quitman Stephens	336 Washington
Rev. Sam B. Kyles	2215 S. Parkway
Guy Warren Canipe, Sr.	1078 Brower
Julius Leroy Graham	804 No. 5th Street
Barnell Finley	1468 Kyle
Ralph M. Carpenter	4844 Durbin
Bessie Ruth Brewer	49 So. Cooper St.
Carroll Satchfield	196 So. Cooper St.
William H. Austein	703 No. Holmes
Mrs. Peggy Hurley	3812 Christy Cove
Charley Hurley	3812 Christy Cove
Mrs. Francis Thompson	Route 1, Box 47, Nesbitt, Mississippi
Ivan B. Webb	2569 Faxon Avenue
David M. Wood	3639 Townes
Gilbert S. Cupples	632 So. Graham
James E. Walker	1066 Poplar Avenue, Apt. 3

NAME

ADDRESS:

Kenneth W. Foster

3972 Willow Road, Apt. 9

Mrs. Elizabeth Copeland

984 Wilbec

Officer Horace A. Embrey

(All
c/o
Police
Department)

Lt. B. W. Bradshaw

Capt. Jewel Bay

Lt. James V. Papia

Insp. N. E. Zackary

Capt. R. L. Williams

Barney G. Wright

T. N. Landers

Louis McKay

E. E. Douglass

Lt. Glenn King

Dep. J. H. Holmes

(Shelby County
Sheriff's Office)

Sgt. J. E. Ghormley

(Shelby County
Sheriff's Office)

V. V. Dellohite

(Shelby County
Sheriff's Office)

NAME

ADDRESS:

Lt. Geo. W. Loanske

(Memphis Fire
Dept.)

Dr. J. T. Francisco

(Univ. of Tenn.)

Robert Jensen

(F.B.I.)

Robert Fitzpatrick

(F.B.I.)

Arthur C. Holbrook

(City Engineers)

Harold "Cornbread" Carter

"Dewneck"

(cab driver)

Harvey Ale Locks

Det. Willie B. Richmond

1210 Dunavant, Apt. 10
Res. 966-6755

(Memphis Police
Dept.)

MEMORANDUM OF INVESTIGATION OF
STATE OF TENNESSEE

VS

JAMES EARL RAY

SUBMITTED
BY

W. OTIS HIGGS

FEBRUARY 13, 1969

STATEMENT OF FLOYD NEWSOME

Floyd Newsome, former Negro fireman with the city of Memphis Fire Department, presently employed by the Mahalia Jackson's Chicken Systems, Inc., was interviewed at 7:00 p.m. on the night of February 12, 1969, at Mahalia Jackson's Chicken Systems, Inc., on South Parkway. Mr. Newsome stated that his last day to work at Fire Station #2 located at Main and Butler was on the morning of April 2, 1968. He states that his regular day off was on April 2, 1968, and that he did not go to work that particular day. He further states that on the night of April 3, 1968, he attended a meeting and returned home to prepare to go to work on the night of April 3, 1968, but was informed by his wife that he had received a telephone call from his Fire Station asking him to report to the Frayser Fire Station instead. He reported to the Frayser Fire Station.

Moreover, Mr. Newsome states that he has never at any time been in the Main and Butler Fire Station at the same time that Detective Redditt was there. He further states that he has never had any conversation with Detective Redditt on any subject. He denies to any name calling of Detective Redditt, etc.

Mr. Newsome further states that the only time that he had seen Detective Reddit during the period preceding and following the death of Dr. King was at a mass meeting several days before the death of Dr. King.

Mr. Newsome admits visiting 422 1/2 South Main on two (2) or three (3) occasions prior to the death of Dr. King. However, he states that these visits were regular ambulance calls to that address, and he was always accompanied by two (2) other white firemen.

STATEMENT OF FLOYD NEWSOME
CONT'd
PAGE 2

He does not know why he was moved from the Fire Station at Main and Butler and subsequently inquired of his superiors, but was never furnished a satisfactory answer. He did not know that Detective Redditt was assigned to the Fire Station.

Mr. Newsome refused to make a written statement indicating that it was not necessary.

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STATE OF TENNESSEE vs JAMES EARL RAY

Memorandum to Investigators for interviews of prospective witnesses in the State of Tennessee versus James Earl Ray.

Present in a fire station at Main and Butler were several firemen and a few policemen. We would like to know the names of all such who were present, where they were and their opportunity for observation.

Also, certain Negro firemen, customarily stationed at that point, were removed upon the arrival of Dr. Martin Luther King at the Lorraine Motel. A news article in the Memphis Commercial Appeal on the morning of January 29th, 1969, suggests that these Negro firemen were removed so as not to alert the Negro community of the precautions being taken by the Police and F.B.I agents to protect Rev. Martin Luther King, during his stay in Memphis on April 3rd and 4th.

It is believed the firechief has authorized his fire personnel to talk to anyone who inquires about the facts of this case.

This memo is believed to have been sent on September 10th, 1968, from Fire Department Headquarters to the aforesaid Fire Station No.2. On this same date three

Item 1

*Item 2
Interviewed
them?
Determine
who they
were?*

1 of the firemen from this station were transported to
2 the offices of Attorney General Phil Canale and spent
3 the afternoon talking with Assistants Attorney General
4 Dwyer and Beasley and with Mr. Canale himself.

5 The names of these firemen, then of Station No.2,
6 are:

Item 3

- 7 (1) Pvt. Charles E. Stone, 584 Orchard.
- 8 (2) Pvt. William B. King, residence address
- 9 unknown.
- 10 (3) Lt. George W. Loenneke, 1390 Smythe.

11 I believe you will be able to establish from either
12 one or all of the above three names, the following facts:

- 13 (1) That two Negro police detectives were
- 14 assigned to the station that day, their
- 15 names being Detective Richardson and
- 16 Detective Reddick.

Item 4

17 That Negro fireman Floyd Newsome was transferred
18 that day to another station, to-wit, the fire station
19 in Frayser. It is my understanding that Floyd Newsome
20 may have moved to Nashville and may now be employed
21 by the Minnie Pearl Fried Chicken franchise. Please
22 establish this, if true, and ascertain his address in
23 Nashville.

24 It is believed that Detective Reddick received

1 several threatening 'phone calls over the pay 'phone
2 in this station. The suspicion is that Fireman Floyd
3 Newsome furnished the information that Detective
4 Reddick was there at Station No.2.

Item 5.

5 In the window in the back of the Firestation was
6 covered with newspaper in which two holes were cut,
7 through which the detectives kept watch on the door and
8 balcony leading to the room of Dr. Martin Luther King.

9 That Detective Reddick left this post at some time
10 before 6 p.m. (Question) When did he leave? Who
11 relieved him?

Item 6

12 That Detective Richardson was at the post and was
13 watching the door and Dr. King at the precise moment
14 of the shooting and observed the reaction of Dr. King
15 at the impact of the bullet. We need details from
16 Richardson. Also, his full name, residence address
17 and telephone number. It is highly likely that
18 Richardson will not talk with you. Advise him that
19 you are making this investigation for the Defendant.
20 Ask if he would talk with the District Attorney and
21 if he has done so. In other words, lay a predicate
22 for bias, animus and interest.

23 Pvt. Charles E. Stone, above, heard Richardson say,
24 "There comes King" upon hearing which, Stone jumped up

1 on the locker, looked out the window, and saw - and
2 likewise saw Dr. Martin Luther King shot.

*cont'd
Stone 6*

3 Mr. Stone has heretofore said of the shot: "It
4 sounded like the shot came from the parking lot".

5 If he does not presently recall that it did sound as
6 though it came from the parking lot, ask him if he has
7 heretofore told anyone that it did sound as though it
8 came from the parking lot.

IT

9 There was a Police Tactical Force (a car) parked
10 in front of the station, Firestone No.2. at that time,
11 gassing up. There may be additional such cars. In
12 fact, it is believed that there were three such cars
13 and twelve or fifteen officers at the Firestation.
14 If possible, get the names of all who were present.

Stone 7

15 You may need be patient with Stone. He has a
16 tendency to get confused. Let him read everything you
17 have written down, correct any mistakes in his own
18 handwriting that may appear in the written statement.

19 Stone knows the alcoholic derelict, Charles Stevens,
20 He knows that Stevens came by the station every night
21 in an intoxicated condition. I think that you can
22 establish that he customarily came by about 6 o'clock
23 p.m. At any rate, ask him about this.

24 It maybe that King and Loenneke are also familiar

1 with these drinking habits, of Stevens.

Item 8.

2 Find out who else was on duty at Firestation No.
3 2 at the time of the shooting besides Stone, King,
4 Loenneke and if possible get their home addresses,
5 names and telephone numbers.

6 - - - - -

Item 9

7 An elderly gentleman, between seventy and eighty
8 years, who lived at 422.1/2 South Main Street, in
9 the third or fourth room from Charles Stevens, could
10 be an important witness.

11 His name is believed to be:

12 Harold ("Cornbread") Carter.

→

13 There is a back stair leading to the ground at
14 422.1/2 Main Street. Carter and others living at
15 422.1/2 Main, had a habit of going down this back stair
16 and lounging on the side of the steps leading from the
17 ground level of South Main Street, approximately thirty
18 or forty feet towards the parking lot level of the
19 Lorraine Motel. There were trees and bushes in this
20 area.

21 Mr. Carter is believed to have been alone at 6 p.m.
22 at this point on April 4th when a man came up fired
23 the shot and then ran so fast he kicked gravel on
24 Carter. Naturally, Harold Carter, can be a very

1 material witness.

2

3 Another name, (1) Guy Warren Canipes, ~~Senior~~,
4 Canipes Music Company, 424 South Main. Residence 1078
5 Brower Road, Memphis, Tennessee.

Item 10

6 It was in the offset doorway of Mr. Canipes place
7 of business, just under 422.1/2 South Main, that
8 various personal items including a bag with clothes
9 in it; a rifle wrapped in a green bedspread; a binocular
10 case (without straps) and perhaps other items were left.

11 Mr. Canipes has heretofore estimated the age of
12 this man as between twenty and thirty years. (James
13 Earl Ray is forty.) Get as detailed description as
14 possible, including weight, type clothing worn, height,
15 and any other personal description as Mr. Canipes
16 remembers this man to have been.

*Sort of late
not to have
answer to
this!!*

17 Also, if Mr. Canipes examined the property left
18 in his doorway, get a detailed inventory of what he
19 remembers it to have been. What was in the satchel,
20 bag or suitcase? What direction did the person who
21 left the property in his doorway take after leaving the
22 property.

23 Was the property laid down gently or was it thrown.

24 Get us as full a word picture as possible of everyth

1 he observed.

2 Also, ask Mr. Canipes what he knows of the drinking
3 habits of one Charles Stevens. Is he an habitual
4 drunkard? Does he drink all day or is his drinking
5 confined to afternoon and evening. What are his
6 habits with reference to being intoxicated around 6
7 p.m. daily.

Item 11

8 Get the names and address, if he knows, of two
9 Negro boys who are supposed to have been in Canipes
10 place of business, buying used records at the time
11 the personal property was left outside the front of the
12 Canipe store. These names are believed to be: (1)
13 Bernell Finlay aged forty, and (2) Julius Graham aged
14 twenty four, both of whom live at 804 North Fifth.

Item 12

Bernell Finlay

15 They were supposed to have been looking at some
16 record racks with their backs to Main Street and should
17 not have had any opportunity to see anyone drop the rifle
18 etc., and proceed in either direction on Main towards
19 the Mustang.

20 Ascertain whether this be true.

21 - - - - -

22 Mr. Lloyd Jowers, 418 South Main. Mr. Jowers
23 operates an integrated beer saloon bar known as Jim's
24 Grill at 418 South Main, Memphis.

Item 13

See Item 13 (6) page 11

1 He has information as to how cars were parked in
 2 front of his place of business. Perhaps the color.
 3 The car alleged to have been driven by James Earl Ray
 4 was a white Mustang. There is some suggestion from
 5 other witnesses present that there were two white
 6 Mustangs. What is Mr. Jowers recollection on this car.

Item 13

7 Did he hear a shot?

8 Did he see anyone drive off in a white Mustang
 9 after the shot.

10 What does he know about the drinking habits of
 11 Charles Stevens? Is he habitually intoxicated around
 12 6 o'clock in the evening?

13 Has anyone connected with either the Memphis Police
 14 Department; the F.B.I; the Attorney General Office, or
 15 any other branch of law enforcement paid any bills of
 16 Charles Stevens at Jim's Grill since April 4th, 1968?

17 Who else was present in Jim's Grill, if he remembers
 18 on the evening of April the 4th.

** See 19 (Take Hugh Stanton, Jr., with you when you
 Page 11 20 go to talk to Jowers.)

Item 14

21
 22 Bertie Reeves. This man is seventy four years old
 23 and lives at 422.1/2 South Main and has lived for eight
 24 years and he was at home at 6 p.m. on the 4th of April

1 and in his room.

2 This man made a statement on September the 12th
3 including these words, "There was a shot fired in the
4 neighborhood at that time. The best I can tell, that
5 shot was not fired from the building. I mean that it
6 did not sound like it came from the bathroom on the
7 other side of the hall. It could have come from the
8 parking lot out there.

stem
14

9 I was in the lobby about three o'clock that day
10 when some man rented a room but, I could not identify
11 him now, I just didn't pay any attention to him."

12 If the above is still his recollection, it should
13 be included in the statement.

14 - - - - -

15 Mr. and Mrs. Short, whose names appear in the
16 Memphis Telephone Director, but whose first names are
17 presently unknown, are the owners and operators, (but
18 not resident managers) of the hotel and rooming house
19 at 422.1/2 South Main Street.

stem
15

20 They should know the present whereabouts of Bessie
21 Brewer whose husband is Frank Brewer and whose name
22 and address appears on the witness list as 422.1/2
23 South Main, Memphis, Tennessee but they are not at
24 this address. Bessie Brewer is an important witness

1 and we should locate her if possible.

2 Please find out from Mrs. Short if it be true,
3 that Charlie Stevens stole a piece of furniture when
4 he moved out of 422.1/2 Main. Ascertain what date
5 and hour he moved and whether or not the Police helped
6 him carry out a piece of furniture. It is called a
7 wardrobe, "chifforobe"? He is alleged to have sold
8 this stolen piece of furniture for ten dollars.

Item 15

9 Also ask Mrs. Short if she had requested permis-
10 sion of the Fire Department to be permitted to lock
11 her back entrance because of transients coming in.
12 Check this with the Fire Department. It is alleged
13 that they would not let her lock it but after the shooti
14 did let her lock it.

15 -----
16 There is a cab driver whose nickname is "Dewneck"
17 who hangs around the Green Beetle, 325 South Main.
18 This man has not been interviewed but is alleged to
19 have information.

Item 16

20 -----
21 Also, there is an individual named:

22 ✓ Paul Gargus,
23 Tayloe Paper Company,
24 2521 Thompson,
West Memphis.

Item 17

1 who is familiar with the way cars were parked between
2 5 and 6 p.m. on the evening of April the 4th, 1968.
3 He left about fifteen or twenty minutes before the
4 shooting. It is barely possible that he may have seen
5 two white Mustangs as reported by Solomon Jones.

Item 17

6
7 Mr. Vic DuPratt is manager of the Rebel Motel
8 where James Earl Ray registered some time on April
9 3rd, 1968, and from whence he checked out some time
10 on April the 4th. It is reported that Mr. DuPratt
11 is unwilling to talk with any person connected with
12 the defense because of an understanding he has from
13 having been told by the representatives of the Attorney
14 Generals Office that the order of Judge Battle about
15 discussing the case will make him (DuPratt) liable to
16 Contempt of Court and jail. Explore this avenue and
17 find out who gave him this idea.

Item 18

18 Also carry a copy of the order with you showing
19 that it does not apply to witnesses talking to the
20 defense attorneys or their investigators.

21
22 ** Jowers: Also ask Mr. Jowers if Lt. Glen King of
23 the Homicide Department of the Memphis Police Department
24 told him to let Charlie Stevens have anything he wanted

Item #13 (6)

1 and the Police Department would stand good for it.

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Did you ask James anything
about a Court Stepten had made
against Basil James that he
would kill her? = That one
thing that worried his name
Man he heard the story was
that Stepten had worried out
his throat

King & Cole (29)
See Attached
July 1 - 1969

MEMORANDUM TO INVESTIGATORS:

The following witnesses should be interviewed; and, if possible, a written signed statement, preferably sworn to, taken. I have undertaken to outline what I believe are some of the material facts within the knowledge of each such witness. Some of them have heretofore made statements to Mr. Renfro Hayes, but these statements are not available.

At the beginning of each statement, please take the permanent residence address of the witness, as well as the address and telephone number of any known relative or friend who would be able to locate the witness, should a considerable time elapse.

JAMES McCRAW

A cab driver, formerly driving for Veterans Cab Company, now believed to be driving for Southland Cab Company, and address 946-6446
2181 So. Bellevue; Home Telephone 278-7837.

James McCraw customarily picked up Charles Stephens at 422 1/2 So. Main Street. He was engaged to pick up Stephens at approximately 5:45 on April 4th, and went to 422 1/2 So. Main Street for that purpose, however, Stephens was too intoxicated and James McCraw refused to pick him up because of his drunken condition.

The time is important here, also any other knowledge of the drinking habits of Charles Stephens. Specifically, did James McCraw

(50)

drive him to liquor stores, what type liquor did he drink, did he drink more after receiving his disability checks on the 1st and 15th than at other times, etc.

SOLOMON JONES, JR.
347 Vance Avenue
Memphis, Tennessee

This man was chauffeur for Dr. Martin Luther King on the day of his death and prior thereto. Later he was chauffeur for Dr. Ralph Abernathy. For awhile he was at headquarters of S.C.L.C. in Atlanta. Later he had a job, after Resurrection City in Washington. We are advised he is back in Memphis. He formerly drove an ambulance for the funeral home that handled the body of Dr. Martin Luther King on the night of his assassination. They will probably know where he can be located.

Questions to be asked Solomon Jones, Jr.:

1. Exactly where were you standing at the time of the shooting?
2. Were you on the balcony with Dr. King?
3. Were you on the ground?
4. Where, in your opinion, did the sound of the shot originate?
5. Was it near ground level?
6. Did you see anyone run from the bushes, if so, describe such persons.
7. In your own words give the best recollection of whatever occurred from a few moments before the shooting until a few moments thereafter.

8. Please give us your plans for work and where you will live for the next three weeks.

Also, the one person who can always tell us where you are. Give us that person's name and telephone number.

WALTER L. BAILEY
406 Mulberry Street
Memphis, Tennessee

Mr. Bailey is either the owner or manager of Lorraine Motel as of April 4, 1968. Is he still?

Get all of the information available from Mr. Bailey:

- 1 Any advanced registration for Dr. Martin Luther King?
- 2 When did he first arrive at the Lorraine?
- 3 Who made arrangements for his room?
- 4 Had he gone to any other hotel on the April 3rd and 4th trip?
- 5 If so, what were the circumstances of his changing from any other hotel to yours?

→ Can you give us the present residence and working address of Delores Lee, who was switchboard operator at the Lorraine?

(This lady is supposed to have served a meal to Dr. Martin Luther King in his room) Also, she was the switchboard operator at the Lorraine. Also, she is supposed to have seen Dr. Martin Luther King walk out on the balcony at the time he was shot. If she did, we would like a description of any movements of his body, that is, did he stand erect, did he lean over, and if she does not know, that is a valid answer.

Can you, Walter L. Bailey, give us the present residence and
→ working address of Ceolar Shivers. She was a maid at the Lorraine
on April 4th, and is reported to have been walking toward Dr. King with
an armful of bedsheets at the time he was shot. Anything she saw, in
detail, is important. Also, had there been any other conversation or
contact between her and Dr. King at any time on the 3rd or 4th of April?

In addition to whatever items suggested, ascertain from them
the names of any other witness present at the time, immediately
before and immediately after the shooting, and the location at the scene
of any such witness.

STATEMENT OF RENFRO HAYES

This statement was taken at the office of C. M. Murphy, on January 31, 1969. Hayes lives at 31 North Evergreen, Apartment 8, and has no telephone. He may generally be reached by contacting Attorney Walter Buford.

James Earl Ray purchased a .22 caliber or .223 caliber Hornet rifle at the Aqua Marine in Birmingham, Alabama on March 31 or April 1, 1968. He exchanged this rifle in the company of another man for a Remington Sportsmaster 30 06. He bought a box of military or copper jacketed cartridges.

Ray spent the night of April 3, 1969, at the Rebel Motel, having spent the previous night in a motel in Mississippi, just over the state line, which flew a rebel flag so it may have been the Mineral Wells Motel on Lamar Avenue. Ray was never seen again in the Rebel Motel after he registered. He paid in advance and apparently never checked out.

Charles Stevens is the only person who can put James Earl Ray in Memphis after registering at the Rebel Motel.

Mrs. Short, Atlas Employment Agency, owns the apartments at 422 1/2 Main. Her husband works as a Dock Foreman (checker) at Gordon's Transports. Charles Stevens stole some furniture from her.

Mrs. Bessie Brewer, age 40-50, told Mrs. Short and Judy Guin that she would not identify the rentor of the room at 422 1/2 Main at about 3:00 P.M. on April 4, 1968. She told the newspaper people that she could not identify the tenant who rented apartment number five. She described the tenant as being between 25-30 years of age and stated that she would never forget his smile, but that she could not identify him. Her husband is Frank Brewer and is an alcoholic and trouble maker. Bobby Guin is a son of Judy Guin and is presently on bond. M & M Bonding Company may have been the bondsman who would have a current address on Bobby Guin. Mrs. Guin is a cafe manager and formerly worked at the White House Cafe. Bessie Brewer

had a bank account in the name of Bessie Yarbrough and it may be in Jackson, Tennessee, under that name.

Bertie Reeves, age seventy (70) lives at 422 1/2 Main.

He was in the lobby at 3:00 P.M. when Mrs. Brewer rented apartment number five to someone. He was shown pictures of James Earl Ray by police and would testify that James Earl Ray was not the man who rented the apartment number five. The new tenant was much younger. The lobby is next door to apartment five. Bertie Reeves was in his room at the rear of the other apartment building and heard the shot. His room overlooks the backyard. He says that the shot came from the bushes above the wall. He is alert despite his age.

Hayes spent some time with Reeves before he would talk to him.

Harvey (Ace) Locke is a shoe repairman and has worked for the Lee Shoe Shop behind the Jefferson Cafe at Jefferson and Third. He is an alcoholic. Charles Stevens was permitting Ace Locke to stay in apartment number 5 without anybody's permission. Stevens lived in apartment number 6 which is immediately east of five. Ace Locke receives a V.A. pension which is mailed to a sister somewhere in Kentucky. He saw three men in apartment 5 between 3:00 and 4:00 P.M. on April 4, 1969, when he came home. He can identify James Sanders as one of the three and a blond as the other. Ace is 46 years of age, five feet two inches or five feet three inches, bald with a grayish, reddish fringe of hair and generally wears a hat.

Willie Auschultz, approximately sixty years of age, big stature, was living at 422 1/2 and still lives at 422 1/2 Main, in the apartment west of number five, which would be four. He works for Duvall Freight Line and

is mentally defective. He has a slight speech impediment and a slight german accent. He left at about 5:00 P.M. on April 4, 1969 on foot. He arrived at 422 1/2 Main, "towards 6:00 P.M." He saw nothing unusual, and went to the bathroom, but found the door to be locked. He asked Grace Hays Walden who was in the bathroom and she told him the new man. He went back to the room and left the door cracked 4 to 8 inches. He heard a shot, which he thought came from the bushes, not from down the hall in the bathroom. He saw a dark form go by the crack in his door. He could not tell if the person who went by the door was white or colored, man or woman, thought it to be dressed in dark clothes. He shut his door and forgot it. He did not say anything to anybody, but simply shut his door. A deaf and dumb woman lives in the apartment at the end of the hall west of Auschutz. Auschutz sleeps with her. Harvey (Ace) Locke may have moved in with the deaf and dumb woman.

On April 4, 1968, at 6:00 P.M. the "B" shift was on duty at Fire Station # 2. Fourteen men were on the shift. Four men were at the rear of the Station, which faces the parking lot of the Lorraine Motel including Lt. George W. Loenneke and Private Charles E. Stone. Lt. Loenneke is presently with the Fire Station at South Parkway and Kansas, Stone is still at fire station number 2. Floyd Newsom was a negro militant. He is a militant type trouble maker, but was on "B" shift. Two negro city policemen named Richmond and Reddick were at the Station at the time King was killed. They put a newspaper over the back door glass, cut two holes in the newspaper so that they could see. Next to the door is a high window over lockers, out of which one could see by standing on the lockers. Newsom was transferred to Frayser on the morning of April 4, 1968, after having make remarks such as police stooge and Uncle Tom to Reddick. Reddick got threatening telephone

calls on the pay phone at the station. Reddick left to protect his family after receiving such calls and was not there at 6:00 P.M. Policeman Richmond and four firemen, including Stone and Loenneke, were at the rear of the Station at 6:00 P.M. standing near the rear door. Richmond says "He's coming out" and the four firemen jumped up on Lockers and saw King bend over and get shot. He was bending way over the rail. Immediately after King was shot Richmond put a dime in the wall phone and made a phone call. At the time King was shot police were in front of the fire station. Richmond pulled his pistol and ran to the wall. The major portion of the above testimony came from private Stone, but was also verified by Loenneke and one of the other two firemen who was at the rear.

Lt. Loeneke may have been the person who talked to the little Negro boy who is supposed to have seen a man jump from the wall and have run to the fire station. Police took the boy away in a squad car.

422 1/2 Main was inspected by a Negro fireman about four to fifteen days before King was killed who arrived in a Cadillac also inspected the rooming house. One of them may have been Solomon Jones.

Charles Stevens, is presently living at 336 Washington and has protection custody from two city policemen. He lives at the back apartment upstairs. Stevens is a World War II veteran and receives \$105.00 V.A. disability check on about the first of each month. He has previously been convicted on two occasions for Assault to Murder in Shelby County. Judge Beverly Boushe remembers him as a regular drunk in the City Court.

Charles Stevens has a brother named Jim Stevens who works for the Salvation Army. Charles lived with Grace Hays Waldon for a year or two prior to

April 4. Charles had beaten Grace Hays Walden up some time before. Grace had gone to John Gaston Hospital , was released and on April 4, was in apartment # 4 at 422 1/2 Main in bed with an infection from her recent skin graft. She and Stevens had been drinking dark port wine with "Commodore" and the number five tenant, Ace, for sometime prior.

At 3:00 P.M. on April 4, 1969, Charles Stevens saw someone in or near apartment 5 who he will identify as James Earl Ray. At 6:00 P.M. he told newspaper men he was fixing a radio and told attorney, Harvey Gipson, he was fixing a hot water heater. A cab was called which arrived shortly before 6:00 P.M. on April 4. This was a Yellow Cab and was driven by James McCraw, who was formerly with Veterans Cab and who is now with Southland Cab Company. Lloyd Jowers will know his whereabouts. McCraw will testify that Stevens was too drunk to be hauled by him.

James McCraw left and went to his cab and received a call to Frankie and Johnny's Boat Store at the foot of Union Avenue, where he picked up two fares and heard on the radio that King had been killed.

The police did not investigate the rooming house until 10:00 or 11:00 P.M. on April 4, except perhaps one policeman who went up the back stairs prior to that time.

Lawrence Sneider, a driver for Yellow Cab Company , states that F.B.I. agents pulled some time sheets from the files of the Yellow Cab Company for which receipts were not given by Ham Smythe, the president.

Grace and Charles Stevens were both taken to the police station. Charles Stevens was not questioned that night. However, Grace did give a statement to police on the night of April 4. She signed a two or three page statement.

Wiley Smith, photographer, whose studio is located at Madison and Cooper, took pictures of the palm print in the bathroom and of Charles Stevens on April 5, 1968. The palm print picture is supposedly good enough to be used for comparison. He wants \$50.00 for his pictures.

Ernest Withers, negro photographer, with the studio on Beale Street, Ernestine Cofield, St. Louis Sentinel, 3700 Eastern Avenue, St. Louis, Missouri, and Marvin Scott, Mutual Broadcasting Company, New York, New York, went into Stevens room on April 5, early in the morning. They questioned Stevens who did not even know that anyone had been shot, according to Ernest Withers.

A reporter from the London Times paid Charles Stevens two or three days later \$200.00 (?) and got a story from him about a man dressed in a black suit with a black tie, which is essentially the description that had been given by Bessie Brewer. It was after this story that Stevens became a vital witness and was again questioned by police.

Vester Moore, 3977 Hemingway, on April 4, was a park policeman. He was on duty during the period following April 4, at Handy Park. He made an arrest and was fired because he violated orders by transporting a prisoner. During the one to three weeks following April 4, he was on duty at Court Square. He saw Charles Stevens in Court Square and Stevens told Vester Moore that "they don't want me", I was too drunk ". Moore called Homicide who said we don't want him, let him go. Moore had heard a call over the radio for Charles Stevens and it was for that reason that he had stopped him.

John Hughes, a Memphis Airport Policeman, was also told by Stevens that he (Stevens) did not know anything. Stevens was taken in protective custody after Ray's arrest.

Harvey Gibson represented Stevens before Judge Bill O'Hearn on a Petition for a Writ of Habeas Corpus. Hayes had gotten his brother, Jim Stevens, to hire Gibson. Gibson made a contract with Charles Stevens to receive one-half of the \$100,000 reward money. Gibson told Hayes that he would give him \$25,000.00 to ease up. Hayes has never talked to Stevens. Gibson says Hayes pulled a pistol on him after the \$25,000.00 offer.

Mildred Slaughter, who lives on Tutwiler, and spends her time in such places as are frequented by Stevens was cut on the arm by Stevens after he was released. This was done in the presence of two policemen. He was never charged.

Virginia _____, lived with Charles Stevens at 336 Washington (red brick building). They went to Leon's Cafe frequently. The police officers paid his rent. Hayes met her at Young's Cafe on Poplar near Lauderdale and took her to his house in October or November of 1968. After talking to her he took her home and let her out around the corner from 336 Washington. She and Charles Stevens had a fight in front of Young's Cafe. Three or four hours later she was dead. Stevens hit her with a tire iron, causing a blood clot. Her mother is chief of police in Paris or some town in that area. He is still under guard of two policemen who witnessed the fight and separated them. Charles Stevens was never charged in that incident. Virginia _____ was about 40 to 45. Virginia walked away from the fight, but died later.

Lloyd Jowers, owns and operates Jim's Grill, age approximately 50. He was formerly with Yellow Cab before he purchased Jim's Grill. Around April 4, he came in at 4:00 P.M. daily. On April 4, 1968, at about 4:00 P.M. Jowers had parked his white Cadillac as close to a white Mustang which was parked in front of his place of business, as was possible in order to be away from the fire plug which is in front of 422 1/2 Main. Both vehicles

were parked on the East side of Main headed North. Jowers front bumper on his Cadillac was close enough to the rear bumper of the Mustang as to obscure from view the license plate, unless one was standing directly over it. Jowers says the Mustang license plate was an Arkansas one. After Jowers arrived at work, a man whom he had never seen before introduced himself and seemed to make a point of making himself known. This man was Jim Sanders. Grace Hays Walden identified pictures of Sanders as the man seen in the apartments at 6:00 P.M. Jowers and cab driver, Harold Parker, were seated together in a booth when Jowers heard the shot fired. He first thought it was something falling in the kitchen and went in the kitchen to investigate. He came out and went to the front door. The Deputy Sheriff immediately came in the front door. He saw another sheriff run down Main Street toward Canipe.

Guy Canipe, Sr. says the man who dropped the gun dropped it fifteen (15) minutes before the sheriff came into his place of business. Canipe did not hear the shot fired. Canipe went to tell the person who had dropped the rifle, but saw that it was in a Browning Shot Gun box and said he was going to leave it there ten or fifteen minutes and if the man who dropped it did not return that he would pick it up and use it himself. He is sure that the rifle is there ten to fifteen minutes before it was picked up by the sheriff.

The police radio tapes will show that the rifle was found at about 6:05 P.M. Jowers told police that immediately after the shot was fired Sanders ordered a beer. He told police no one left after the shot was fired. Sanders was seated on a stool at the bar close to the door. Jowers now says that Sanders may have left. He doesn't know. Sanders was there after the police arrived and locked the door, and may have left the place after the first sheriff entered. Sanders remained in the back drinking his beer after all the rest of the customers ran to the front to look out the window after the place had been locked.

(41)

HUGH W. STANTON, JR.
NOTES
RE: JAMES EARL RAY

Hartzell would be used in the event that there was some attempt to found the rumor that Ray was taking dancing lessons in New Orleans, while, in fact, he was at the penitentiary in Missouri. Hayes states that this is an unusually sharp witness.

Olivia Hays, 406 Mulberry Street, Memphis, Tennessee, is the chief clerk at the Lorraine Motel and was never interviewed by Hayes, but was interviewed in depth by Kathlene Kovel, editor of the St. Louis Sentinel.

Elmer G. Holder, 2096 Pendleton Street, is listed in the Telephone Directory as photographer for U. S. Corps of Engineers. He was not interviewed by Hayes.

Peggy Jane Hurley, female colored, 421 S. Main, was employed in the furniture warehouse and Hayes does not remember whether he talked with her or not, but some of these people could testify that a white Mustang was parked on Main earlier in the afternoon, however, all were unable to see what happened at 6:00 P.M. on April 4, because of their positions.

William Z. Reed and Ray A. Hendrix both lived in the Clark Hotel at 106 Vance, which is at the corner of Main and Vance. Both had been in Jim's Grill and left shortly before 6:00 P.M. on April 4. According to Jowers, both were drunk. According to Mrs. Letha Clark, manager of the Clark Hotel, both were drunk. Both apparently would testify, although neither was interviewed by Hayes, that they walked North on Main Street toward the Clark Hotel. When they were almost to the intersection of Main and Vance, they saw a white Mustang headed North on Main at a rapid rate of speed, turn west on Vance. Reed is a coupon salesman for a portrait photography studio and is an alcoholic. Hendrix works for the Corps of Engineers on a riverboat and is on the boat three weeks out of each month.

(12)

Hendrix stays drunk during his week off. The name of the boat is the Orkerson. Neither was served at the last trial, although subpoenas were issued. Hayes did not interview Rev. Samuel B. Kyles, 2215 S. Parkway East.

William Bishop King, 1776 W. Lloyd Circle, Memphis, is a member of the Fire Department and was on duty at Fires Station No. 2 on April 4. My notes discuss Lt. Loenneke and most of the other firemen, and King was simply one of the four other firemen who were at the rear of the station.

Hayes did not talk to Rev. James Lawson, Memphis, but will give us additional information in regard to him. Lawson went to Prague, Czechoslovakia, shortly after King was shot, was convicted of draft dodging in World War II and has visited North Viet Nam along with Coretta King since we have been at war with them.

Sara Loving, 3466 Lamar Avenue, Rebel Motel, was not interviewed by Hayes, but would testify that Ray checked in the Motel on April 3 and was not seen thereafter.

Ronald Wesley Haley, 4683 Montgomery, Millington, Tennessee, is a Deputy Sheriff. He was not interviewed, however he may be the Sheriff who ran on past Jim's Grill and found the rifle in front of Canape's.

Frank M. Marley, 422 1/2 South Main was one of the tenants in the South Part of the Rooming House. Hayes has been unable to locate him.

Mrs. Thomas Matthews, female colored, owns a barber and beauty shop next door to the Handy Theatre on Park Avenue. She was in the Motel area. She is a civil rights militant.

Sadie McKay, 3466 Lamar Avenue, was a clerk at the Rebel Motel and has not been interviewed.

J. L. Messer, 422 1/2 S. Main lived in the Southern apartments and has not been interviewed.

Eunise Miller, female colored, her address is given on the State list as 406 Mulberry, which is the address of the Lorraine Motel, but she is not living there and has never lived there, and is now residing in St. Louis and has not been interviewed.

Mary Ellen Norwood, an employee of the Lorraine Motel at 406 Mulberry. She was not interviewed, however, Hayes believes her to be the female colored carrying the towels immediately prior to King's death.

David Harrison Owens, 421 S. Main, male colored, worked at the furniture warehouse across the street and would be unable to testify to anything that occurred around 6:00 P.M. on April 4, Hayes talked to one person and two or three women at the furniture warehouse and is not sure whether this is the person or not.

Bertie L. Reeves, Hayes has a statement from him which will be gotten.

Harry Sero (Louise) formerly lived at 295 N. McNeil with Sheriff Ragghianti, who is Judge Battle's Deputy. He used to work for Blackie's Body Shop. Hayes information comes from Ragghianti, and Delmas Moore, Both say that Sero is untrustworthy and a person who would manufacture any story in order to become the center of attention. Louise, his wife, formerly worked for Limbros. Nick Limbroski is also aware of their untrustworthiness.

Paul Smith, Memphis Fire Department, Station No. 2, is the fourth fireman who was present at the time King was shot.

Charles E. Stone, 584 Orchid Drive, was also in the group of firemen who were on duty at Station No. 2, "B" Shift at 6:00 P.M. on April 4.

Frances B. Thompson 421 S. Main, Memphis, Tennessee, is another Negro woman who was upstairs at the furniture warehouse.

Howard Bonnie Vance, 422 1/2 S. Main, is another "wino" who lives in the southern apartment. He was not interviewed.

J. W. Walton, Fire Department, was a member of the ambulance crew at Station No. 3 that picked King up.

Ivan B. Webb, 2569 Faxon, was an employee of the Rebel Motel, was not interviewed,

R. N. Wenzler, 4100 Ward Avenue, is a City Engineer on the Public Works Department, whose only function was to take certain measurements and make drawings.

Barney G. Wright, 4264 Dunn Street was ^{attempted to be} contacted several times by Hayes, but never successfully and he does not know what he would testify or why he is on the list.

Cordrey York, Sr., 1365 Yorkshire Drive, and Cordrey York, Jr., 1374 E. Crestwood, owned York Arms. Neither was contacted, but both would testify that the binoculars found in front of Canape's were purchased at their store.

Ralph Carpenter, York Arms Company, 162 S. Main, nickname Ted represented by John Knox Aycock, allegedly sold a pair of binoculars to someone who may or may not have been James Earl Ray. TPH

The following people lived at 422 1/2 Main on April 4:

- Frank Brewer
- Bessie Ruth Brewer
- Harold Carter (Cornbread)
- J. L. Messer
- Howard Bonnie Vance
- Mrs. Jessie Joe Ledbetter
- Frank Marley
- Bertie Reeves

Willie Auschultz

Charles Stevens

Grace Stevens

Harold (Cornbread) Carter, male white, age 55-60, approximately six feet has had a paralytic stroke which left his left side paralyzed formerly lived at 422 1/2 S. Main. Is in the address unknown. Carter was in the rear of 422 1/2 Main seated on a cardboard box drinking wine at 6:00 P.M. on April 4. Shortly before 6:00 Dude Wheeler and another derelict named "White Boy" had been drinking wine with him, but they left him there alone. Carter heard a man walking from the apartment building, his left rear, and thought it was another individual who had come over to watch the goings on at the hotel.

He heard the shot, loud in his ear, looked around, at that time the man was close enough to kick gravel on him as he ran North. The man had a rifle. He took the stock off the rifle and threw it behind some scrap iron in the rear of 422 1/2 Main. He stepped from the wall down onto a garbage can, on down to the street, and disappeared. Hayes, after having been told this story by Carter and in the presence of Carter, located the stock which had a door hinge behind the pistol grip which enabled the stock to be folded. Harold Carter says that the individual took the receiver and barrel, stuffed it under his coat and disappeared into the crowd. Hayes has the stock available and will produce it when Carter has testified as to the manner in which he obtained it. Hayes does not want to testify that he found the stock there without verification from some other person as to its validity.

The man who had the rifle wore a white turtle neck sweater and was a male caucasian. "Cornbread" Carter is a graduate of Ole Miss and played football there.

Ben Branch, Chicago, Illinois, is another person who would testify, according to Ernest ^{Withers} ~~Willis~~, that he heard and saw an individual jump from the bank with a rifle. There is a photograph of Branch talking to a newspaper reporter with a deformed ~~left~~ ^{right} ear and Withers took the picture and heard the conversation between Branch and the reporter to the effect that as just stated above.

David M. Wood, 3639 Townes, Memphis, Tennessee, was formerly employed by Tayloe Paper Company whose office is at Front and Huling. He is presently employed by Plough, Inc. Wood remembers the lineup of the automobiles to be as follows:

Canapes' Red Station Wagon was parked in front of his place of business.

Space - where fireplug was.

Jowers' white Cadillac pulled up very close to a white Mustang in front of it a white Lincoln and in front of that a white Rambler. Wood got off work at approximately 5:00 P.M. and walked to Jim's. Harold Parker, Yellow Cab Company, owned the Rambler. A road salesman for Tayloe Paper Company owned the Lincoln. Wood says that the Mustang had a whiplash aerial. This witness was interviewed by Hayes.

Kenneth W. Foster 3072 Willow Road, was also an employee of Tayloe Paper Company. He is uncertain whether the Mustang had a whiplash aerial or not. Foster was in Jim's at the time of the shooting.

James A. Walker, 1066 Poplar Avenue, now residing at 1220 N. Parkway, was also an employee of Tayloe Paper Company. He arrived at Jim's Grill shortly after 5:00 and was there until the police came.

Wood, Foster and Walker all say that the fireplug had no vehicle parked in front of it when they arrived. Walker says that he thought he would notice it if it had had a whiplash type aerial, but could not swear that it did or did not. He did not notice the license, tires or whether the car had a trailer hitch.

Paul Gargas still employed by Tayloe Paper Company, left work later than the others and was gone prior to the shooting. Gargas would testify by the time he had arrived James A. Walker had parked his Ford Fairlane in front of the fireplug, thereby leaving no space from Harold Parker's Rambler down to the red Chevrolet Station Wagon owned by Canipes.

Gargas remembers the white Mustang being in front of Jim's Cadillac because he had to sidestep in order to get between them. He also remembers that when he left at approximately twenty minutes to six that he did not have to sidestep and that the Mustang was not there. He was in West Memphis, Arkansas when he heard a radio broadcast telling of King's death.

Burnell Finley, age forty and Julius Graham age twenty-four, both live at 804 N. Fifth Street. Both were in Canipes facing South looking at the record rack. Both would testify that they saw, run South drop the rifle turn around and run back North. Both are colored. They also state that he got in the white Mustang parked in front of Jim's Cadillac and "burned rubber" for half a block.

Jowers would testify that there were no tire marks on the street after the shooting as would most anybody in the area that looked. Our photograph of the interior of Canipes shows that they would not have been in a position to see much.

inspired & unobated - How can you run a station in rest of this way? How follow up?

(48)

FIRE STATION # 2
LOCATED AT
MAIN AND BUTLER

I visited Fire Station #2 located at Main and Butler at approximately 11:00 a.m. on February 12, 1969.

Immediately upon my arrival, I identified myself as an assistant in the Shelby County Public Defender's office and asked for the man in charge of the station. My purpose was to investigate the information found in the memorandum to investigators. I informed him that I would like to speak to him in private, and I was taken to a back office located near the locker room. I further stated that I was investigating the case of James Earl Ray and would like to ask a few questions. The fireman in charge of the station, who did not identify himself, made several telephone calls to fire chiefs whom I assumed to be men in charge. After waiting about five (5) minutes, he received a telephone call from a man that he referred to as chief, and promptly told me that he could not talk to me. I asked if that meant I could not ask any type of questions, and he replied in the affirmative. He further stated that any information must be given to me by the fire chief. Thereupon, he telephoned Mr. Stanton from the fire station and informed him that I was unable to get any information.

*Det. Willie B Richmond
1210 Demarest St apt 10
Tel 946-6755
Robbery Squad - Inf Police Sta -*

- 1 - Fessie Brewer Interview in Ray file
49 So. Cooper St. works Burkles Bakery 2125 Madison
Home Phone - none Business phone 276-9135
- 2 - Guy Warren Canipe Sr. - Interview in Ray file
1078 Brower - Business address 422 So. Main St.
Home phone 324-4344 Business phone 276-5488
525-0439
- 3 - Julius Leroy Graham - Signed statement in Ray file
804 No. 5th St. Works County Savings & Loan 54 N. Third St.
Home phone 527-3817 Business phone 527-5521
- 4 - Henrietta Hagemaster - Interview in Ray file
Business address - Rebel Motel Hwy 78
Business phone 363-9641
- 5 - Interview with Mr. Carroll Satchfield
195 So. Cooper St., business and home address
phone 275-5555

Mr. Satchfield owns and operates Carrolls T.V. repair shop on Cooper St. and resides at his place of business, he owns a Mercury Station Wagon equipped with a Citizens Band radio.

Mr. Satchfield told us the only thing he knows about the Ray case is what he heard over his Citizens Band radio on the evening of the death of Martin Luther King. He respectfully declined to relate what he heard or did and did not wish to make any further statement about the case.

He did say however that he talked to Mr. Robert K. Dwyer of the Attorney Generals Office and to some F B I agents.

February 24, 1959

(SD)

Ralph M. Carpenter

4844 Durbin Phone 685-5000
Works York Arms Co. 162 So. Main St.
Phone 526-1173

When the undersigned investigators went into York Arms Co., they were met by Mr. York. King has known Mr. York for about twenty-five years and informed Mr. York why we were there. He said that Mr. Carpenter was busy waiting on a customer but would be finished in a few minutes. We talked to Mr. York until Carpenter was called by Mr. York to come talk to us. After explaining to Mr. Carpenter why we were there Mr. Carpenter informed us that he had instructed by the Attorney Generals Office to talk to no one or to give any statement in regard to the Ray Case. Mr. Carpenter said if we wanted to clear this with the Attorney Generals Office he would be glad to tell us what he knew in regard to the Ray Case. Mr. York then came up and said "I hope you can see Mr. Carpenters position in this so you know we are always willing to cooperate in any way we can. Mr. Carpenter and Mr. York were both very nice.

George R. King
John Getz

Mr York said "Carpenter would not be
much help."
(Inference to King was Carpenter could not
identify Ray.)

February 11, 1969 2:30 PM

263-9641 (51)

Interview with Mrs. Hagemaster

Asst. Manager Rebel Motel
Highway 78, Memphis, Tenn.

3466 Lamar

Mrs. Hagemaster was very reluctant to discuss the Ray case with the below signed investigators, telling them that a court order had been issued about the case. It was pointed out to Mrs. Hagemaster that the order did not pertain to conversations with Attorneys or Investigators for both the State and the Defense, but only related to press releases and the like. Upon learning this Mrs. Hagemaster again declined comment saying she knew nothing about the case, but that she was on duty at the front desk during the evening and night of the period of time in question and she further stated that she was under subpoena as a State witness in the lawsuit under investigation. Mrs. Hagemaster declined comment about whether she could make any type of identification at all, although this investigator believes that she could not, this is based upon her statement about the number of people who stay at the motel and such, and also due to the fact that she stated she did not know anything about the case. Mrs. Hagemaster stated that she did talk to authorities for the State and Federal Government.

Witness very hostile.

~~George T. King~~
John Getz

February 10, 1969

363-9644

(52)

Interview of Mr. Vic Dupratt Rebel Motel - Highway 78, Memphis, Tenn.

Mr. Dupratt advised the below signed investigator that he was aware of a court order restraining conversation about the James Earl Ray case. However, Mr. Dupratt stated that he was not served a subpoena to testify as a witness in the Ray case. He further stated that he knew nothing about the Ray case or about his own records, as they pertained to the Ray case, other than what he was told by agents of the F B I.

Mr. Dupratt further stated that as a matter of fact he only stayed at the Rebel Motel from about 1 PM until 5 PM or not later than 5:30 PM, that the business was generally run by the assistant Manager, a Mrs. Hagemaster.

John Getz

*Did you ever see "Ray Regent"?
What other registrations
taken by the FBI?*

Report of George R. King and John Getz

The undersigned Investigators, following instructions of Mr. Hugh Stanton Sr., drove to R. S. Lewis & Son Funeral Home at 347 Vance Ave., Memphis, Tenn and there took a statement from Solomon Jones, Jr.

Solomon Jones Jr. was raised at Woodstock, Tenn. and finished school there, his father Solomon Jones Sr., is a Preacher. Solomon Jones Jr. has been back in Memphis for about thirty (30) days and it is his intention to continue to work for Lewis & Son. After Dr. Kings' death Jones drove Dr. Abernathy until about five weeks ago. Jones seems to be a good negro and we think his statement is all he knows in regard to this case. Jones was the last person to talk to Martin L. King.

We spent some time locating Floyd Newsome as the information given us in the office showed that he was in Nashville. We learned that he was in Memphis and obtained his home address and business address and telephone number. We called in the office and gave this information to Hugh Stanton Sr.

We next started investigation on James McCraw. Information given us was that he worked for Southland Cab Co. We learned he worked for Veteran Cab Co. It took us some time to make contact with McCraw. We made arrangements to meet him at 1:30 or 2 PM at Leonards Bar B Que, at McLemore and Bellevue. We spent about two hours with McCraw.

McCraw has been in Memphis since 1947 and came here from Alabama. Anything this man tells you I think you can believe.

George R. King

John Getz

February 3, 1969 20 PM

Statement of Mr. James M. McCraw, to George R. King and John Getz

On April 4, 1968, I was driving for Yellow Cab Co. and was dispatched to 422 1/2 So. Main St. to pick up a fare. When I arrived at this address, I double-parked as there were cars and trucks parked at the curb. I observed a Cadillac auto, owned by Mr. ^{Small}~~Small~~, owner of Jims' Grill on So. Main, 526-9910, I also observed two white Mustangs parked at the curb and several delivery trucks all of this traffic was parked on the east side of So. Main St. facing North. A woman who ran the rooming house directed Mr. McCraw to a certain room, stating that the occupant of that room directed that a cab be called. The door of the room was open and McCraw went in the room and found Charles Stevens (Stevens) lying on the bed fully clothed, he was in a very drunken condition. Stevens was well known to Mr. McCraw, as he (McCraw) had picked him up many times before. Mr. McCraw refused to transport Stevens as a fare because of his drunken condition. Mr. McCraw stated that Stevens could not get off the bed. Mr. McCraw left the rooming house, got back into his cab, made a U turn and went South on So. Main St. When Mr. McCraw got to the corner of So. Main and Calhoun Sts. the dispatcher said that Dr. M. L. King had been shot and for all cabs to stay out of the So. Main area. Mr. McCraw, after he got back into his cab, received a call to Frankie & Johnnys Boat Store on the Mississippi River at the Bridge. Mr. McCraw estimates that he was in the rooming house about three minutes and that from the time he left the rooming house until the time the dispatcher called about King being shot was about two minutes.

55

McCraw has driven Stephens to many liquor stores through the city at many different times. Stephens drank all kinds of whiskey or beer. Mr. McCraw could not tell whether Stephens drank more on the first and the fifteenth of the month as he (Stephens) was a heavy drinker at all times.

James M McCraw

2047 Nelson Apt #4

272-7637

works at Veterans Cab Co.

525-3535

525-6681

Witness:

George R. King

John Getz

Witnessed, signed statement attached

late in game?
February 6, 1969

4:00 PM

56

526-9910

Interview with Mr. Lloyd Jowers Jims Grill 418 So. Main St.

A white Mustang was parked directly in front of Jims Grill. *When*
I parked behind this Mustang ^{*in a white Mustang*} the Mustang did not have Tennessee tag,
no other description. Mr. Jowers heard a noise but did not know it
was a shot. Did not see anyone drive off in the white Mustang, after
heard a noise.

Charles Stephens was drunk on April 4, 1968, in the afternoon
Remembers because Stevens and his landlady were having trouble about
Stephens rent. One of the police officers guarding Stephens paid
\$59.00 on Stephens bill to Mr. Jowers. Mr. Jowers states that there
was only one person in Jims Grill April 4, 1968 at 4:00 PM, who was
unfamiliar to Mr. Jowers. This man introduced himself as Jim Sanders
and has been a regular customer of Jims Grill every since, however,
Sanders has not been back in for about two months. Sanders did act
funny when, in the excitement, he continued to sit on his stool and
drink beer. Mr. Jowers was behind the counter when he heard a
noise from the back of the building, he went to investigate as it
sounded like one of his skilletts had fallen on the floor. As
Mr. Jowers walked back, Sanders orderd a beer, when Mr. Jowers re-
turned to the counter he drew a draft beer for Sanders. Then a
Deputy Sheriff came to the door and told Mr. Jowers to lock up his
place of business. About thirty minutes later officers returned
and had Mr. Jowers reopen. Police had everyone in the place write his

name and address on a sheet of paper and allowed those who wanted to
leave, do so. Sanders stayed until closing time. Mr. Jowers
closed about 11:00 PM.

Mr. Jowers estimates that about four minutes went by between
the time he heard the noise and the time the Deputy Sheriff told him
to lock his door. A negro named Frank Holt was on the street and
the police had Mr. Jowers open his door and let Holt in off the street.

Loyd Jowers

George R. King
John Getz

Jim's Grill 2-6-68 (58)
Interview with Mr. Lloyd Jowers 418 So. Main St.

A white Mustang was parked directly in front of Jim's Grill. I parked behind it. The Mustang did not have Tennessee tags - no other description. Mr. Jowers heard a noise that did not seem to be a shot. Did not see anyone drive off in white Mustang after heard noise.

Charles Stephens was drunk on Apr. 4, 1968, in the afternoon - remembers because Stevens and his landlady were having trouble about Stephens rent. Some of the police officers questioned Stephens paid \$59.00 on Stephens bill to Mr. Jowers. Mr. Jowers states that there was only one person in Jim's Grill, 4-4-68 at 9:00 pm, who was unfamiliar to Mr. Jowers. This man introduced himself as Jim Sanders and had been a regular customer of Jim's Grill ever since. However Sanders had not been back in for about two months. Sanders did act funny ^{looked} in the apartment he continued to sit on his stool and drink beer.

Mr. Jowers was behind the counter when he heard a noise from the back of the building, he went to investigate as it sounded like one of his skillets had fallen on the floor. As Mr. Jowers walked back, Sanders ordered a beer, when Mr. Jowers returned to the counter he drew a draft beer for Sanders. Then a deputy sheriff came to the door and told Mr. Jowers to lock up his place of business.

About 30 min. later officer returned and had Mr. Jowers sign paper. Police had everyone in the place write his name

and allow on a sheet of paper and allowing those who wanted to leave to do so. Sanders stayed until closing time. Mr. Jewers closed about 11:55 pm.

Mr. Jewers estimates that about 4 min. went by between the time he heard the noise and the time the deputy sheriff told him to lock his door. A negro named Frank Holt was on the street and the police had Mr. Jewers open his door and let Holt in off the street.

Geo R King x Lloyd Jewers

60

Marvin Scott
Mutual Broadcasting Company
New York, New York

Talked with Charles Stevens
on April 6, 1968 - was drunk
Did not know anything.

February 5, 1969

Interview with Mrs. Short

Atlas Employment Agency

527-3371 Case

~~422-527-0167~~

(61)

Mrs. Short and her husband, who is Dock Foreman for

422 1/2 S Main

Gordan Transports Inc. own the rooming house at 422 1/2 So. Main St.

Mrs. Short stated that she or her husband only went to the rooming house to collect the rent from the Resident Manager, Bessie Brewer, who is no longer with Mrs. Short. Mrs. Short stated that Bessie Brewer told her that the only thing she (Bessie Brewer) saw on April 4, 1968 when she rented the room, was a new \$20.00 bill and she did not notice anything else. Mrs. Short states that Bessie Brewer cannot be trusted. She further stated that Charles Stephens was untrustworthy and a complete drunk and that when he moved (at her request) he took a piece of furniture owned by her.

Mrs. Short stated that the only trustworthy person at the rooming house is Mr. Bertie Reeves, who is now in the Veterans Hospital in Memphis, that if anyone knows anything about the matter under investigation it would be Bertie Reeves.

George R. King

John Getz

INTERVIEW WITH MR. LUCAS CARROS
Owner: Young's Cafe at Danny Thomas and Poplar Avenue

Mr. Carros told the undersigned investigators he knew Charles Q. Stevens and that Stevens drank in Young's Cafe on occasion. Mr.

Carros also stated that since this Ray case has been under investigation that Stevens has been accompanied by two plain clothes officers when he (Stevens) drank in his place of business. Mr. Carros believes that Stevens got into a fight with a white woman named Virginia, who is described as small and red haired, but whose last name is unknown to Mr. Carros.

Mr. Carros did not see the fight but Mr. Carros does know that sometime after the fight Virginia died.

GEORGE R. KING

JOHN B. GETZ

February 11, 1969 12:15 PM

(63)

Statement of Mr. Bernard Reeves 422½ So. Main St. Memphis, Tenn.

On April 4, 1968, Mr. Reeves was in his room on that afternoon. Mrs. Brewer was in charge of the rooming house and about 3 PM a man was in the lobby talking to Mrs. Brewer. All Mr. Reeves saw was the back of this man, he had on a dark, nice looking suit. While listening to Don Stewart and the news, Mr. Reeves heard a shot, it sounded like it came from the vicinity of the parking lot located just south of the rooming house. Two minutes after the shot was fired police told Mrs. Brewer to close the back door. Mr. Reeves was in his room when he heard the shot. About one minute after the shot, Mr. Reeves went to the lobby where he met Mrs. Brewer who went and opened the back door. Then the police who were in the back yard, told Mrs. Brewer to close the back door.

If Mr. Reeves is not at 422½ So. Main St. then he will be in a hospital. Mr. Reeves will let the manager of the rooming house know which hospital he is in.

Mr Reeves room is on south side of building & opens from south in front of table in lobby.

B L Reeves

Witness:

George R. King
John Getz

February 11, 1969

3 PM

(64)

Interview with Mrs. Bessie Brewer F/W - 49 Cooper St. (South)
works at Burkles Bakery Madison & Cooper
2125 Madison

276-9135

The undersigned investigators talked to Mrs. Brewer, who stated that she and her husband moved into 422½ So. Main about March 12, 1968 and about March 16, 1968 she was placed in charge by the owner Mrs. Short. Mrs. Brewer further stated that on April 4, 1968 at about 3 PM a white man, neatly dressed, rented a room, he was placed in room #5. This man paid her a \$20.00 bill, for which she gave change. The room was rented for one night. She can give no further description of this man and she stated to us that this is all she had told anyone.

Mrs. Brewer further stated that she knows nothing of any negro fireman inspecting the rooming house at 422½ So. Main, she also knows nothing of any negroes ever inspecting this rooming house. She says she was there most of the time and that if any negroes had inspected the rooming house she would have been told about the fact. She said that both back doors would normally have been open at all times. (That is to say that they - the doors - were not locked) The North front door had no door on it at the time, but was simply an open stair case off So. Main St. The South door off So. Main is also open at all times but it did have a door on it at this time, when you walk up this flight of stairs there is a door which is kept locked, this door opens into the lobby of the rooming house. Mrs. Brewer is a drifter and will not know her whereabouts from one day to the next.

Mrs. Brewer said she heard what sounded like a shot late that afternoon but she could not tell where it came from, she got to the lobby about the same time Mr. Bertie Reeves did and went to the back door and shortly was told by Officers to close the door.

George R. King
John Getz

Doesnt this man completely counter to stipulations to which PD agreed & to what is brought out at minitrial?

February 4, 1969 2 o'clock - noon

65

Statement of Guy W. Canipes Sr. 424 So. Main St. 525-0439

Mr. Canipes states that he did not examine any items left in front of his place of business, he did not know at the time what these items were.

A man who dropped the items, appeared to be walking away toward the South on So. Main St. Mr. Canipes saw only the back of this man. As best Mr. Canipes could tell he was a white man, weight, estimated at between 175lbs to 200 lbs. Approximate estimate of the age of this man was between twenty and thirty years and the height is estimated at about 6 ft. tall. He observed that a dark suit was being worn by this man.

Two colored men, Mr. Canipes did not know either one, were in his place of business but he did not observe what they (the colored men) were doing at the time the man passed by and dropped these items.

Mr. Canipes does not know the habits of Stephens, although he has seen Stephens drunk on the street on several occasions. Mr. Canipes stated to Hugh Stanton Jr. that these items were in front of his place of business about 10 minutes when a Deputy Sherriff came up to take charge of them.

refused to sign statement.

Distated in King's
from Renfro Hayes
2-4-69
2-3-69 (66)

The following information was taken from index cards shown to me by Renfro Hayes:

~~ambulance crew for Fire~~ The ambulance crew for Firestation # 3 that picked up Dr. King's ~~Flac~~ after he had been shot were:

B. N. Thornton, M. H. Harwood, driver; and J. W. Walton, who rode in the front seat next to the driver.

The following people were Memphis Department of Public Works employees who made measurements and drawings of the scene and have no connection with the case other than being draftsman. Arthur C. Holbrook, Chief, Charles Brooks, Jr. (now in the U.S. Army) Billy Fite, Aaron Russell and R. V. Wenzler, Thomas Boillot, 2085 Linden Avenue. Renfro Hays states that it would not be necessary to interview these witnesses in view of the fact that the only connection they had in the case was to prepare drawings. Hays talked to all of the City Engineers above and found that they had the following information. They were instructed by the Attorney General's office to measure from a point fourteen inches above the window sill in the bathroom to a point fifty-nine inches above the floor, two feet north of the right angle in the balcony of the room in which King was occupying. This distance is two hundred two feet plus. The point of origin is sixteen feet six inches above the point of impact, which is an angle decline of four degrees plus minutes.

Francisco's autopsy report shows that the angle of the entrance of the bullet is 45 degrees from head on and 30 degrees downward from the horizontal. Frank Brewer, 422 1/2 South Main, Memphis, no longer at that address, but frequents the same area, would testify that Bessie Brewer his wife, told him numerous times that she could not identify the person who rented the room on the afternoon of April 4, 1968. Would also testify that the shot came from the lot rather than the bathroom window.

Elizabeth Copeland, female colored, worked across the street from the rooming house at 421 S. Main. Renfro has not talked to her, but his information is that she could not testify as to anything around 6:00 P.M. as all employees were away from the windows.

*Felton white
born in Seattle*

V. V. Dollahite, 330 Dawn Drive, Frayser was a driver for Red Line Trucking Company made a delivery to the storage warehouse for furniture at 421 Main, but was gone prior to 6:00 .

*Deputy Sheriff
(D)*

James Doyle , Fire Department, Station No. 1, the main station next to the courthouse or on Front Street whichever is the head. Doyle was Deputy Chief, the only purpose he could be used for would be to explain why Floyd Newsom was transferred away from Fire Station No.2.

Charlie Hartzell, 3355 Poplar Avenue, his home address is 2591 Princeton in Memphis. was the exmanager of the Continental Dance club at 525 Common Street, New Orleans, Louisiana. He left there on August 1, 1965. He kept enrollment records with him when he left. Having checked his records, he knows that James Earl Ray was never enrolled under any name at his dance studio in New Orleans. The owner of this studio later opened a studio in Birmingham under the same name where Ray did in fact take lessons. The owner (name unknown) called the F.B.I. in Birmingham after seeing the sketch which he improved. Hartzell gave copies of his records to the F.B.I. in April 1968. Hartzell does not recall Eric Galt or anyone like him. Hays did talk to Hartzell and this is first hand information.

February 25, 1969

68

Interview with Mr. Charles Hurley
3612 Christy Cove
Home phone 323-1910

Works Clayton Brown Co.
3906 Airpark St.
Business phone 363-7810

Mr. Hurley stated that on April 4, 1968 at about 4:45 PM he went to pick up his wife, who worked at Seabrook Paint Co., on the east side of Main St. He said he pulled up to the curb on the East side of Main St., just north of the driveway of Machine Sales parking lot. He stopped behind a white Mustang occupied by a white man in a dark coat. Mr. Hurley stated that this appeared to be an older model mustang and he stated further that he could in no way identify this man. He said he was parked behind this car two or three minutes before his wife came across the street and got into their car. Mr. Hurley backed up and drove north on Main St., the man in the mustang just sat in the car. Mr. Hurley noticed nothing else unusual. Mr. Hurleys wife paid no attention to this man and she cannot identify him. Both Mr. & Mrs. Hurley talked to the F B I and the Attorney Generals Office about this matter. Mrs. Hurley is no longer employed.

George R. King
John Getz

DETECTIVE E. E. REDDITT

Detective Redditt was interviewed at the Police Community Service Center on Florida Street at 10:30 a.m. on February 13, 1969. He informed me that he was assigned to the fire station along with Detective Richmond; that they had placed a newspaper against the window and cut holes to observe the balcony where Dr. King was shot. Detective Redditt states that he left his post approximately two-to-two and one half (2-2 1/2) hours before Dr. King was murdered; that at the time he left, Detective Richmond was at the fire station. Detective Redditt further states that at the precise moment Dr. King was shot, he was parked in front of his house, that his grandmother screamed when hearing the news over the radio, and he promptly ran into the house and discovered what had had happened. He does not know anything about Floyd Newsome cursing him and calling him names. He further states that Detective Richmond was present at the time of the death, but I have not been able to locate Detective Richmond. However, I have learned that he is presently assigned to the Robbery Bureau of the Memphis Police Department.

*Det. Willie B. Richmond
 1210 Linnwood Dept 10
 Tel 946-6755*

February 26, 1969

4:00 PM

(10)

Interview with Mr. William H. Austin
703 No. Holmes St.
Home phone 323-5843

works - Clendenin Heating Co.
1252 Madison Ave.
Business phone 274-4852

no regular hours

Mr. Austin stated to the undersigned investigators that on April 4, 1968 while going home from work, he heard several transmissions relating to the matter under investigation.

Mr. Austin has an automobile equipped with a Citizen Band Radio and while proceeding east on Jackson Ave. near the intersection of University St. he heard a transmission requesting a land line to the police. (A land line is radio jargon for a telephone call to police for help.) Mr. Austin stated that this transmission was picked up by a Citizen Band operator somewhere in South Memphis, who said he would give the transmitting party a land line to the police, this transmission was somewhat distorted. Mr. Austin believes that the party requesting a land line was reasonably close to his position. Mr. Austin continued to proceed East on Jackson Ave. and he continued to hear transmissions about an automobile chasing a white Mustang out Summer Ave. left on Highland St. to Macon Rd. then going on a couple of other streets to Jackson Ave., by this time Mr. Austin had reached the intersection of Jackson Ave. and Hollywood St. where he saw a Police Car. He advised the Police about what he heard and the Police had him pull into Loeb's Bar-B-Q parking lot at Jackson and Hollywood. Lt. R. W. Bradshaw and another Officer were in the Squad Car that Mr. Austin stopped. Following instructions of Lt. Bradshaw, Mr. Austin asked certain questions of the car doing the transmitting.

6:30
(next page)

*Any indication that JER had any radio equip?
Who could know about "white mustang"
at 6:30
Doesn't it suggest more than one person
involved?
Did you investigate?
Did you resolve?*

(71)

Mr. Austin asked if the car could get the licence number of the white Mustang, " said he could not as the white Mustang was shooting at him."

Mr. Austin asked what kind of automobile he ^(the man in the car) was in and Mr. Austin was told "a 1966 Blue Pontiac." Both Pontiac and Mustang were alleged to be traveling east on Jackson Ave. at that time.

Mr. Austin stated that these transmissions began taking place in the vicinity of 6:30 PM on April 4, 1968. He has talked to Police Authorities and the Attorney Generals Office about this case and has listened to tapes that the Memphis Police Department made of these transmissions after Mr. Austin stopped Lt. Bradshaw.

Mr. Austin also stated he believed, from the sound of the voice that the person transmitting from the Blue Pontiac, was a male, probably white whose age was probably early or middle 20's. Mr. Austin knows nothing else of the case under investigation.

George R. King
John Getz

March 4, 1969
1:45 PM

RENT (12)

Interview with HAROLD "CORNBREAD" CARTER W/W age 54

Address: 508 So. Main St.
Shorts Apts
Memphis, Tenn.
Telephone: 526-2577

Mr. Carter stated to the undersigned investigators he was living at 422 1/2 So. Main St. on April 4, 1968. Mr. Carter further stated that on the evening or late afternoon of April 4, 1968 he was in his room with the door closed, when he heard a loud noise, which sounded like a muzzle loading shot gun going off. He could not tell where the noise came from at that time. He further stated he saw no one and knows nothing else about the matter under investigation. Mr. Carter does not remember the room number of the room in which he lived at the time, but does remember that the room was on the North side of the apartment house and believes that the room was number 8.

Mr. Carter also stated that he remembers talking to a large man, who wore horn-rimmed glasses, about the Ray case. (The undersigned investigators believe this man to be one Renfro Hayes.)

Mr. Carter said he is not a graduate of Ole Miss and did not play football there. He did graduate from South Side High School here in Memphis, Tennessee and he did play football at South Side High. Mr. Carter said he was not on the back steps of 422 1/2 So. Main at anytime on April 4, 1968 and he denied finding a rifle or gun stock in the company of one Renfro Hayes. Mrs. Carter says the things and facts that he is supposed to know about the Ray case are just not true.

George R. King

John B. Getz

February 5, 1969 11:15 AM

Interview - Mr. Julius Graham County Savings & Loan
804 N. Fifth St. Apt #5

Julius Graham was in Canipes on So. Main St. on April 4, 1968 between 5:30 PM and 6:00 PM, looking at records, glanced to the right (which is to the West) and saw a man walking fast going South on So. Main, also heard foot steps, seconds after this man passed by, Graham was aware that something had been dropped in front of the door. This man was white, about five feet nine inches or so, dark hair, dark business clothing, he could not tell if a tie was worn by the man. Cannot give description as to age but will guess between 25 and 35 years of age, medium build, just saw man for a second. A few seconds elapsed between the time that Graham was aware that something had been dropped in front of the door and the time Mr. Canipes started to the door. About one minute after Mr. Canipes walked to the front door and looked at these dropped items, from inside the door, a white Mustang drove off (fast) from South of the store, in a northerly direction on So. Main St. Graham heard tires make a loud noise. Graham says about three minutes went by from the time the items were dropped until a Deputy Sheriff came to the front of the store looked up, then ran across the street with gun drawn. The Sheriff went behind a car and looked up on the top of the building at 424 So. Main. Officers began to come around front of the building. Graham gave a statement to the police.

J. E. Graham

Witness:

George R. King
John Getz

February 24, 1968

74

Burnell Finley

1468 Kyle

Home Phone 275-6524

Works Mason Temple Book Co.

Phone 526-1169

Working hours 8 AM to 5PM

Burnell Finley says that on the afternoon of April 4, 1968, around 5 PM, he and Julius Graham were in Canipes Music Store looking at some records. The Record racks are on the south side of the store. Finley said that he did not hear anything until he heard someone drop a package in the off set of the Music Store. Finley says this was when he looked up and saw a man going around the corner of the off-set. He said it would impossible for him to give any kind of description of the man, but Graham saw him just before he dropped the package. Finley said in just a few seconds a White Mustang pulled out just south of Canipes going north. In about three minutes a Deputy Sheriff came to the door and said that no one should leave. The Deputy Sheriff then went out on the street and looked up on the roof. Finley said he and Graham stayed in Canipes until they were told by officers that they could leave.

February 3, 1969 9:30 AM

Statement of Mr. Solomon Jones, to George R. King and John Getz

I had been driving Dr. King about 30 days before he was killed. On the day of the shooting, I was on the ground beside the car, which was parked on the west side of the Motel, I was on the north side of the car. I heard the shot, I was unable to tell just where it came from. When the shot was fired, I had just told Dr. King to get his top coat and he said O K, then the shot came. It was dusk, dark, police all in yard, Somebody hollered, "Solomon get down before you get killed." Rev. Bernard Lee, Dr. King's assistant made that statement. Everybody was running and the yard was full of police, I was unable to tell who, if anyone ran from the bushes.

In the yard were four staff members and Dr. King's lawyer, Mr. Estes, two of the staff were Rev. Lee and Rev. Andrew Young.

Dr. King was at the rail looking down and very slightly bent, with his hands on the rail. From then on there was so much confusion, with people and police, it was hard to tell what was happening.

My future plans are to stay with R. S. Lewis and Son. The one person who always knows where I am is R. S. Lewis Jr., 374 Vance telephone 526-3264.

Solomon Jones

Witness
George R. King
John Getz

Witnessed, signed statement attached

FD-302 (Rev. 4-15-64)

FEDERAL BUREAU OF INVESTIGATION

Date 4/8/68

1
 Mrs. GRACE HAYES STEPHENS, Apartment 6-B, 422 1/2 Main Street, Memphis, Tennessee, furnished the following information:

Mrs. STEPHENS said that she was in bed all day on April 4, 1968, as she has been ill for several months. She advised that she heard a noise, which sounded like a firecracker at 6 p.m., April 4, 1968. She said the noise sounded to her as if it came from the yard on the east side of her apartment. She said she did not think anything about the noise as it was common for trains to set off firecrackers on the tracks on the east side of her apartment. Mrs. STEPHENS said she heard soft footsteps coming from out of the bathroom, which is located adjacent to her apartment, and proceeding rapidly down the hallway toward the entrance to the apartment building.

Mrs. STEPHENS said she then heard screaming and yelling from the east side of her apartment near the Lorraine Hotel at 406 Mulberry Street. Mrs. STEPHENS said she did not get out of bed at any time on April 4, 1968, and did not see anyone leave the apartment bathroom and knows nothing else relating to the abovementioned noise.

4/8/68 at Memphis, Tennessee File # Memphis 44-1987-^{Sub D-4}
 SAs STEPHEN M. DARRINGTON SM
 and JOHN W. HAUER ^{JW} EMD:gmh Date dictated 4/5/68

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FEDERAL BUREAU OF INVESTIGATION

Date 4/7/68

CHARLES STEPHENS, Apartment 6B, 422½ South Main Street, Memphis, advised that on the afternoon of April 4, 1968, he was with his wife at the above address. He stated that at about 3:30 p.m., on the above date, he began working on a table model radio of his which was in need of repair. He said he took a radio to the kitchen and placed it on the table which was against the wall that was adjacent to the bathroom which was used by all tenants on his floor. As he was working on his radio he could hear the man in the next apartment to him, Apartment 5B, leave his room several times and go into the bathroom. Mr. STEPHENS stated that he knew it was the man who had just checked in to Apartment 5B that afternoon because he could hear the door of Apartment 5B open and then footsteps would go down the hall to the bathroom, the bathroom door would open and then close.

Mr. STEPHENS said that during these various trips that the individual in Apartment 5B made to the bathroom he failed to flush the toilet or to run any water with the exception of the last time he was in the bathroom. At this time he flushed the toilet. He stated that this individual seemed to be spending an undue length of time in this bathroom. At about 6:00 p.m., on April 4, 1968, Mr. STEPHENS heard a loud noise which he described as sounding like a gunshot come from the bathroom. Upon hearing this noise, Mr. STEPHENS ran from the kitchen where he was repairing his radio to his door that led to the hallway. He stated this is only a distance of about 10 to 12 feet. Upon opening the door he saw a man leave the bathroom carrying a package of about three feet long and wrapped in what appeared to be newspaper. He saw the man run down the hall and then turn left as if he were trying to leave the apartment building. As this was happening WILLIE ANSCHUTZ, who lived in Apartment 4B, came out of his apartment and went to the bathroom. ANSCHUTZ then told STEPHENS to look out of his window. STEPHENS said that he then looked out of his kitchen window which faced the Lorraine Hotel and saw a lot of policemen scurrying about and people running screaming in the vicinity of the hotel.

On 4/5/68 at Memphis, TennesseeFile # ME 44-1987-16by SA JOHN W. BAUER *JWB*
SA STEPHEN M. DARLINGTON *SM* *JWB:raj*Date dictated 4/5/68

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12/14/68 Rev. 6-12-68

ME 44-1987

2

Mr. STEPHENS stated that the man who was in Apartment 5B had checked in about 3:00 or 3:30 p.m. on April 4, 1968. He stated he was sure of this because he had heard the landlady showing him the apartment at that time. He stated he glanced out of his door and got a fairly good look at the man who he described as being a white male; 5' 10-11"; weighing 165 pounds; slender build; ruddy complexion; sandy hair; had a long, sharp pointed nose; wearing what appeared to be a dark blue or black suit, white shirt and dark tie.

Mr. STEPHENS stated that the man who he saw running out of the bathroom closely resembled the man who had checked into Apartment 5B. He said he could only see the man who ran from the bathroom from behind, but his general build, hair coloring and clothes were the same as the individual in Apartment 5B.

Mr. STEPHENS described the individual he saw running out of the bathroom as follows:

Race	White
Sex	Male
Height	5'10-11"
Weight	165
Build	Slender
Complexion	Ruddy
Hair	Sandy, slightly on dark side
Clothing	Wearing dark suit

Mr. STEPHENS added that he had never met the man who checked into Apartment 5B, talked to him, or knew his name.

FEDERAL BUREAU OF INVESTIGATION

Date 4/10/68

Mr. CHARLIE QUITMAN STEPHENS, Room 6-B, second floor, 422½ S. Main Street, furnished the following information to Lieutenant J. D. HAMBY, Homicide Bureau, Memphis Police Department, and SA FRANKLIN L. JOHNSON:

Mr. STEPHENS, who stated he is 46 years of age, and his wife occupy 2 rooms in the north wing of a rooming house, the address of which is 422½ S. Main Street. This rooming house actually covers the second floor of 2 separate buildings, Mr. STEPHENS' room being located in the north building in the southeast corner of the north building.

Sometime in the late afternoon of April 4, 1968, he and his wife were in their room. His wife, who has recently been in the hospital for an extended period of time, was in bed in their combination of living-bedroom. He was in the kitchen, which is east of the living-bedroom. He was repairing a radio on a table located at the north wall of the kitchen. Immediately north of him is a common bathroom which is located at the east end of an east-west hallway in the north building. While he was repairing the radio, he heard what he is certain was a shot, and he is certain that shot came from the bathroom from a point within just a few feet of where he was sitting. He has no way of knowing the time but can only estimate it was sometime between 5:00 and 6:00 PM.

Upon hearing this shot, he walked out of the kitchen through his living-bedroom and opened the door leading onto the hallway and observed a man running west down this hallway and this man was carrying a large bundle of some kind. He would estimate that this bundle or package was at least 3 or 4 feet long and 6 to 8 inches thick. Although he saw the man and the bundle only momentarily, he gained the impression that the bundle was wrapped in something, possibly a newspaper. This man continued running to the end of the hallway turning left (south) and apparently thereafter ran down the stairways onto the street, although he could not actually see the man going down the stairway.

On 4/5/68 at Memphis, Tennessee File # ME 44-1987-Sub D-7
 by SA FRANKLIN L. JOHNSON /ljs Date dictated 4/9/68

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It immediately occurred to Mr. STEPHENS that this was the same man he had seen earlier in the afternoon, possibly around mid-afternoon, standing at the door to room 5-B which is located immediately west of Mr. STEPHENS' living-bedroom. He stated that around mid-afternoon he had seen a man with Mrs. BREWER standing in the hallway at the entrance to room 5-B looking into room 5-B. He saw the man's left side. The man had nothing in his hands at the time. He assumed this was some new guest looking at a room.

Mr. STEPHENS stated that he and his wife remained in their room the rest of the afternoon. He pointed out that he, Mr. STEPHENS, is a disabled veteran who has been treated for tuberculosis, and he spends most of his time in his rooms with his wife who is also ill and who at present is a bed patient.

Sometime after seeing this man with Mrs. BREWER, he heard someone in room 5-B and assumed the man he had seen had rented the room next door. He stated that he recalls on several different occasions hearing footsteps in this room and also leaving from this room past his (Mr. STEPHENS'S) room and into the common bathroom at the east end of the hall. He was also very much aware that when the person went from room 5-B to the bathroom, that person remained in the bathroom for a considerable period of time. He pointed out that this is particularly noticeable since this is a common bathroom which must be used by a number of different tenants. He also specifically recalled that only on one occasion did he hear the commode being flushed and he was therefore curious as to why this person was spending so much time in the bathroom.

He stated that on the last occasion that someone went from number 5-B to the bathroom prior to the time he heard the shot, he would estimate that that person remained in the bathroom for at least 20 to 30 minutes. During this period he heard no noises coming from the bathroom. He also specifically recalls that during this same period, Mr. WILLIS ARCHIBALD (phonetic), who occupies room 4-B, immediately west of 5-B where the new tenant apparently was located,

ME 44-1987

had knocked on Mr. STEPHENS's door and somewhat angrily inquired as to who was staying in the bathroom so long.

It was at the end of this latter period of time that Mr. STEPHENS heard the above described shot which he was certain came from the bathroom. He stated that immediately after the shot was fired he heard some people located across the street, east of the building where he lives, screaming. Due to the excitement of the moment, the fact that people across the street in the vicinity of the Lorraine Motel were screaming, and the fact that his hearing is not the best, he did not hear any additional noises coming from the bathroom. He pointed out that he would expect to hear a "scuffle" coming from the bathroom if the man in the bathroom had fired the shot that killed MARTIN LUTHER KING, but he cannot recall hearing such a "scuffle." He stated that he simply has no way of knowing whether the man came out of the bathroom, went into room 5-B and then ran out of 5-B down the hall toward the front of the building, or whether the man in the bathroom ran directly from the bathroom down the hallway toward the front of the building. He stated he did hesitate a few moments after hearing the shot and hearing the screaming outside before he went to the door and looked down the hall to see the man running carrying something in his hand.

Mr. STEPHENS advised that the only people in the north building of this rooming house at the time of this incident were (1) Mr. STEPHENS, (2) Mr. STEPHENS's wife, who was in bed and who was never in a position to observe anything, (3) Mr. WILLIS ANCHUTZ (phonetic), above, in room 4-B, who came out of his room and was seen by Mr. STEPHENS at the same time Mr. STEPHENS saw the man running down the hall, (4) Mrs. JESSIE LEDBETTER, a deaf and dumb lady who resides in room 1-B toward the front (west) of the north wing or north building, and (5) the unknown man who had occupied room 5-B who was running down the hall as previously stated.

Mr. STEPHENS stated that Mr. ANCHUTZ made some remark to the unknown man who was running down the hallway and the unknown man apparently made some kind of reply.

4/30/68

[REDACTED] Inspectional Bureau, Memphis Police Department, Memphis, Tennessee, advised that he and [REDACTED] met Memphis City Engineer ARTHUR C. HOLBROOK, P. E., Tennessee License No. 5173, and a surveying crew at the Lorraine Hotel on April 23, 1968, at 8:30 a.m. Certain engineering measurements were subsequently taken.

[REDACTED] advised that an engineer's transit was placed over the spot where Dr. MARTIN LUTHER KING, JR., was shot, the telescope being positioned 59 inches above the balcony floor. This height was based on information contained in the autopsy report of Dr. MARTIN LUTHER KING, JR., which indicated that the missile entered his body at a point 59 inches above the right heel with the head positioned to correspond with the path of the missile. He stated that the point where Dr. KING was standing when shot was indicated to them by Reverend JAMES BEVEL, a representative of the Southern Christian Leadership Conference, who was staying at the Lorraine Hotel.

From this position, two triangles were established with a baseline common to the two triangles established and measured. Every effort was made to ensure accuracy. It was determined that the level distance from the second floor rear bathroom window sill of 422 1/2 South Main Street to the point where Dr. KING was standing on the balcony of the Lorraine Hotel was 205.36 feet and the in-line distance from the window sill to the point where Dr. KING was standing was 207.02 feet. The window sill at the rear of 422 1/2 South Main was determined to be 16.63 feet higher than a point 59 inches above the floor of the balcony of the Lorraine Hotel at the location Dr. KING was standing when he was shot. The downward angle of the direct in-line distance from the second floor window sill at the rear of 422 1/2 South Main to a point 59 inches above the balcony of the Lorraine Hotel at the point where Dr. KING was standing was determined to be 4 degrees 36 minutes 25 seconds.

11/1-3-5-6-7

Memorandum

DIRECTOR, FBI DATE: 5/2/68
Attention: Exhibits Section
Administrative Division

ON *✓*
SAC, MEMPHIS (44-1987) (P)

SUBJECT: MURKIN
CR

OO: ME

Re Bureau routing slip dated 4/30/68 in which certain items were requested to be forwarded to the Exhibits Section, Administrative Division, to the attention of Exhibits Specialist GEORGE C. MUMFORD, JR.

Enclosed herewith is a one-page copy of the results of an engineering survey made by the Memphis PD of the distance from the rooming house window to point where Dr. KING was shot. Also contained in this survey is information regarding the downward angle from the second floor rear bathroom windowsill of 422 1/2 South Main Street to a point 59" above the balcony of the Lorraine Motel.

*Being forwarded under separate cover are two copies of an aerial photo of the crime scene, size 40" by 40". Photos of the crime scene taken by the Memphis PD will be forwarded immediately when they are made available.

*Xerox of enq. Summary, 5/2/68
1 cc memo in Encl. Sect
Wanda...*

REC-27

EX-104/4-38861-2857

- (2) Bureau (Enc. 1)
- 1-Package (RM)
- 2-Memphis

HDT:PEH
(5)

Handwritten notes and stamps

Handwritten initials and stamps

MAY 1968

FEDERAL BUREAU OF INVESTIGATION

Date April 25, 1968

1

Photographs of JAMES EARL RAY taken in 1955, 1960, and 1966, and of the bedspread recovered at Memphis, Tennessee, April 4, 1968, were shown to Mr. WILLIAM CHARLES ANSCHUTZ, Apartment 4B, 422 1/2 South Main Street, Memphis, Tennessee. He advised none of the men in the photographs were familiar to him and that he would not be able to identify the man he saw running down the hall on April 4, 1968, in the late afternoon after hearing the noise which he thought was a shot, as the man was covering his face with his arm as he ran down the hall.

On 4/24/68 at Memphis, Tennessee File # Memphis 44-1987-Sub-D-22

by SA STEPHEN M. DARLINGTON: jap Date dictated 4/25/68

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FEDERAL BUREAU OF INVESTIGATION

1Date April 25, 1968

Photographs of JAMES EARL RAY taken 1955, 1960, and 1966, and of the bedspread recovered at Memphis, April 4, 1968, were shown to Mrs. BESSIE RUTH BREWER, Room No. 2, 422 1/2 South Main Street, Memphis, Tennessee. She said she had looked at the bedspread on April 4, 1968, when it was displayed to her after being recovered by the Memphis Police. She said the bedspread did not come from her rooming house and in fact she had never seen one like it before in her life. Mrs. BREWER said none of the men in the photographs shown her were familiar to her. She further advised that she did not believe she would recognize the man using the name JOHN WILLARD if he were to "walk up and say hello to me right now." She said she did not look at the man called WILLARD "squarely in the face" and as a result, does not think she will be able to identify him.

On April 24, 1968 at Memphis, TennesseeFile # Memphis 44-1987-Sub D 83by SA STEPHEN M. DARLINGTON:japDate dictated 4/25/68

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ME 44-1937

2

Mr. ANSCHUTZ said that he recalls making some remark to this man to the effect, "That sounded like a shot." He said he does not recall exactly what the man answered, but the man did say something like, "It was a shot."

FEDERAL BUREAU OF INVESTIGATION

1

Date dictated 4/16/68

Mrs. WILLIAM CHARLES ANSCHUTZ, aged 57, who resides at Room 4, 422 1/2 South Main Street and is employed by David Transfer Company, furnished the following information:

On the afternoon of April 4, 1968, before dark, he was in his room at the above address and heard a loud noise which sounded like a shot, but came from the hallway. He said he cannot fix the time, but he thought it might have been between 5:30 and 6:00 p.m.

Upon hearing this noise, he immediately got up and opening his door, looked out into the hallway. He saw one man then coming out of Room 5. The man had a package, approximately three to four feet long in his hands. The package was wrapped in what could have been an old piece of blanket or something like that. He said he thinks the man was carrying this package in his right hand, but he does not know.

He said that this was the first and only time that he ever saw that man. He did not see the man's face, but he did observe that the man had on good clothes. The man was moving fast and was going out toward the Main Street stairs. He observed him for only a second or two and he said he does not believe he will recognize the man's face, because he has the impression that the man was holding his arm up too high to his face. He furnished the following descriptive information, stating repeatedly that these are only estimates or guesses:

Race	White
Sex	Male
Age	20 to 30
Height	Approximately 6'
Build	Medium
Remarks	Moved very fast

On 4/4/68 at Memphis, Tennessee File # MEMPHIS 44-1741-6
 by SA CYRIL F. BUECH:tjm Date dictated 4/16/68

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ANSCHUTZ knew that the shot had been fired nearby, but he could not tell if it came from the bathroom or from apartment 5B. He had never seen the man or talked to him until he saw the man running down the hall. He thinks the man went down the stairs to Main Street, but he did not follow him.

After the man had run down the hall, CHARLIE STEVENS came out of his apartment, and said he had also heard a shot. ANSCHUTZ went into the bathroom, and looked out the window. A police officer in the backyard yelled for him to get away from the window. ANSCHUTZ heard a girl say that the shot had come from the window.

After leaving the bathroom, ANSCHUTZ went to the other side of the roominghouse, and told the landlady, Mrs. BREWER, that he had heard a shot. Then he went back to his room to watch television. To the best of his knowledge, ANSCHUTZ cannot remember the man having any other luggage, etc., except the object that was wrapped up in the blanket.

ANSCHUTZ describes the man as follows:

Height:	6'
Build:	Slim
Age:	30's
Clothes:	Did not seem to be wearing a coat.

ANSCHUTZ did not see the man's face because the man covered it with his arm and hand. ANSCHUTZ does not think he could identify the man if he saw him again. ANSCHUTZ said he had not been drinking at all during the afternoon. He had to stop drinking for health reasons.

ANSCHUTZ advised that JESSE LEDBETTER is a deaf mute. She can read and write and can speak sign language. ANSCHUTZ does not know if she saw the man when he ran past the door.

FEDERAL BUREAU OF INVESTIGATION

1

Date 4/7/68

WILLIAM CHARLES ANSCHUTZ, 422½ South Main, Apartment 4B, Memphis, advised that he is employed by the Firestone Tire and Rubber Company, 1054 Firestone Avenue, Memphis.

He returned home from work about 2:30 p.m., April 4, 1968. Miss JESSE LEDBETTER, a neighbor in Apartment 1B, came to his room to watch television. They watched television throughout the afternoon.

On two occasions during the afternoon, ANSCHUTZ tried to get into the bathroom at the end of the hall to pour out some water he had used to wash dishes. Each time someone was in the bathroom. The second time ANSCHUTZ went to the bathroom, another neighbor, CHARLIE STEVENS of Apartment 6B, told ANSCHUTZ that a new tenant who rented Apartment 5B was in the bathroom. ANSCHUTZ did not know the exact time of his attempts to get into the bathroom, but he indicated these attempts were only a few minutes apart. He does not know how long the new tenant was in the bathroom, but it seemed like a long time to him.

Later ANSCHUTZ heard a shot. He had been watching television for some time, but he did not have any idea what time it was. He got up and went to the door. As he opened it a man came down the hall. ANSCHUTZ thought the man came out of Apartment 5B, but he could not tell for sure.

The man was running and as he passed ANSCHUTZ's door, he held his hand and arm over his face so ANSCHUTZ could not get a good look at him. As the man passed ANSCHUTZ, ANSCHUTZ said, "I thought I heard a shot!" The man answered, "Yeh, it was a shot."

The man was carrying something under his arm. It appeared to be something long and was wrapped in what looked like a blanket. ANSCHUTZ thought it might be a gun.

On 4/5/68 at Memphis, Tennessee File # ME 44-1987-2 *Sub D-11*

by SA JACK D. VAHRENWALD, SA EUGENE A. MEDORI, SA STEPHEN M. DARLINGTON, SA JOHN W. BAUER Date dictated 4/6/68

JDV:raj:jms
This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ME 44-1987

believed that this affidavit was furnished to a departmental attorney and it may have been used in connection with the extradition of JAMES EARL RAY from England.

It is suggested that the Bureau discuss with the Department what action is desired regarding GIPSON's request for information appearing in FBI files. It is strongly recommended that we decline to furnish GIPSON any information, as it is believed that any cooperation on our part will encourage GIPSON to seek more and more information to substantiate his client's claim. It is also felt that the information furnished by STEPIENS was not of sufficient importance to justify any reward.

Memphis Office is having no further contact with GIPSON UACB.

FBI

Date: 8/6/73

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: ^{JVB} DIRECTOR, FBI (44-38861)

FROM: ^W SAC, MEMPHIS (44-1987) (P*)

SUBJECT: MURKIN

Charles Quintana Ste...

D. WICK

Enclosed for the Bureau are two copies each of three FD-302s reflecting interviews with CHARLES Q. STEPHENS at Memphis, Tennessee, on 4/5/68, on 4/5/68, and on 4/24/68. Also enclosed are two copies of a sworn affidavit given by STEPHENS during June, 1968.

Mr. HARVEY GIPSON, an attorney at Memphis, Tennessee, has contacted the Memphis Office and has advised that he is representing CHARLES Q. STEPHENS, who is attempting to collect approximately \$100,000 in reward monies which were offered by local newspapers and by others at the time MARTIN LUTHER KING was killed.

GIPSON stated he has filed a civil suit in the Shelby County Chancery Court at Memphis. He indicated he has obtained copies of statements furnished to the State Attorney General's Office and he indicated he is aware that there are several signed statements furnished by STEPHENS to the FBI during this investigation. Mr. GIPSON stated he hopes the FBI will turn these statements over to him voluntarily, but indicated he will seek them through court action if necessary.

No admission was made to GIPSON as to whether or not STEPHENS had furnished any signed statements to the FBI. A review of the Memphis file does not indicate that STEPHENS has ever furnished a signed statement to the FBI, and the only signed document which can be located is the enclosed affidavit. The Bureau will note that a copy of this affidavit was previously furnished to the Bureau by Memphis airtel dated 6/13/68. It is

- ② - Bureau (Enc. 8)
- 1 - Memphis

JCH:plc
(3)

ENCLOSURE
REC-8
44-38861-590
EX-112
17 AUG 8 1973

Approved: _____
Special Agent in Charge

Sent _____ Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, Memphis (44-1987)

FROM : SA EUGENE A. MEDORI, JR.

SUBJECT: MURKIN

DATE: 8/28/68

Re WILLIAM EDWARD BROWN information concerning.

BROWN telephonically contacted the FBI office, Memphis 8/23/68 and stated that he had been speaking to a MISS MILDRED B. SLAUGHTER sometime yesterday, and he learned from her that CHARLIE STEPIENS, who has just been released from the custody of the Shelby County Sheriff's Office, and who according to BROWN had been confined there in connection with the assassination of MARTIN LUTHER KING, had beaten up MISS SLAUGHTER sometime yesterday.

BROWN stated that STEPIENS "had better leave her alone or I'll kill him." BROWN also mentioned that STEPIENS at one time had hit him in the head and that if STEPIENS should give him any more trouble he would "stomp him."

BROWN stated he saw SLAUGHTER yesterday at Jim's Lounge on South Main Street, and it was at that time she related to him what had taken place. She had also told him that she had been in a car with STEPIENS, apparently being driven by STEPIENS' nephew, and that they were somewhere out in the Frayser area.

BROWN was advised that if STEPIENS should give him or MILDRED SLAUGHTER any other trouble he should contact the Memphis Police Department and not attempt to do anything on his own, as such action would get him into serious trouble with the law. BROWN indicated that he would contact the Memphis Police Department.

The above information was furnished to CAPTAIN JEWELL RAY, Internal Security, Memphis Police Department, who is presently on special assignment with the Shelby County Sheriff's Office. CAPTAIN RAY stated that he would pass this information on to the proper persons and take the necessary action concerning BROWN.

EAM:mas

(1)

44-1987-Sub-302

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
AUG 28 1968	
FBI - MEMPHIS	

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

PAGE TWO

INTO PROTECTIVE CUSTODY. CANALE ASKED WHETHER THERE WAS SOME BASIS UNDER WHICH FEDERAL GOVERNMENT MIGHT TAKE STEPHENS INTO CUSTODY. HE WAS TOLD BY SAC THAT STEPHENS WAS, OF COURSE, MATERIAL WITNESS IN STATE CASE AND SAC HAD NO KNOWLEDGE AS TO HOW FEDERAL GOVERNMENT MIGHT TAKE STEPHENS INTO PROTECTIVE CUSTODY. IT WAS POINTED OUT TO AG CANALE THAT RETURN OF SUBJECT FROM ENGLAND WAS BASED ON STATE REQUEST AND THAT STEPHENS' TESTIMONY WOULD BE GIVEN IN STATE CASE AND THAT DECISION AS TO WHAT TO DO RE STEPHENS SHOULD BE MADE BY HIM. AG CANALE INDICATED HE WOULD CALL ASST.-ATTORNEY GENERAL STEVE POLLACK OF THE CIVIL RIGHT DIVISION, JUSTICE DEPARTMENT, TO DETERMINE WHETHER THERE MIGHT BE SOME BASIS ON WHICH FEDERAL GOVERNMENT COULD TAKE SOME ACTION IN REGARD TO CHARLES O. STEPHENS.

BUREAU WILL BE KEPT ADVISED OF DEVELOPMENT AND THIS IS SUBMITTED FOR BUREAU'S INFORMATION. P.

END.

LLD

FBI WASH DC

P

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
JUL 8 1968

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

FBI WASH DC
FBI MEMPHIS
550 PM URGENT 7-2-68 DGB
TO DIRECTOR (44-38861)
FROM MEMPHIS (44-1987) 2 P

TELETYPE

MURKIN

STATE ATTORNEY GENERAL PHIL CANALE, MEMPHIS, ADVISED SAC HIS OFFICE HAS BEEN CONSIDERING WHAT CAN BE DONE WITH CHARLES Q. STEPHENS. STEPHENS, AS BUREAU IS AWARE, IS PRINCIPAL WITNESS AS HE WAS RESIDENT OF ROOMING HOUSE IN MEMPHIS WHERE SUBJECT STAYED. STEPHENS HAS PROPENSITY FOR DRINKING AND FREQUENTS LOW CLASS BARS. STEPHENS RETURNED TO MEMPHIS FRIDAY LAST AFTER HAVING SPENT SEVERAL DAYS AT RELATIVE'S FARM. SINCE THAT TIME MEMPHIS PD HAS MAINTAINED COVERAGE OF STEPHENS. AG CANALE EXPRESSED SOME FEAR THAT BECAUSE OF STEPHENS' HABITS SOME HARM MIGHT COME TO HIM BEFORE TRIAL OF RAY.

AG CANALE ADVISED THERE APPEARED TWO ALTERNATIVES OPEN TO HIM, THE FIRST TO MAKE EFFORTS TO SECRETE STEPHENS SOMEWHERE UNTIL TRIAL, OR SECOND TO TAKE HIM INTO PROTECTIVE CUSTODY. CHIEF OF POLICE LUX AND SHERIFF WILLIAM B. MORRIS PRESSED CANALE TO MAKE SOME DECISION AS TO WHAT COULD BE DONE IN CONNECTION WITH STEPHENS. CHIEF LUX WAS POSITIVE IN REQUESTING CANALE EXPLORE ALL LEGAL AVENUES TO DETERMINE WHETHER OR NOT STEPHENS MIGHT NOT BE TAKEN

END PAGE ONE

REC 74 JUL 8 1968

5800000000

CC - [Handwritten initials]

4768
6-41

MEMO TO: MR. TOLSON
RE: MURKIN

Pollak had called Jensen directly. He stated that Pollak probably desired to discuss the Canale call. I interrupted Owen and told him I was well aware of Canale's request, that the FBI had no intentions whatsoever of acting as a "baby sitter" for the Shelby County Prosecutor's Office. I stated this is a problem strictly for the Prosecutor and not one for the FBI. Owen stated that he also agreed with this statement and that in his opinion Canale should attempt to get a capable detective to "sit with" Stephens until the James Earl Ray trial took place.

Assistant Attorney General Pollak returned my call at 5:35 p.m. He told me he regretted getting in wrong channels and that perhaps he should have called Rosen or me prior to attempting to reach SAC Jensen. I told him this was absolutely right and that he should realize better efficiency would be accomplished by going through proper channels. He stated he would be guided accordingly in the future.

We then thoroughly discussed the Canale request and Pollak told me Canale had made no such request of him. He said Canale apparently told our SAC one thing and then when he called Pollak he merely asked advice. I told Pollak nevertheless Canale should realize that the FBI would not be his "baby sitter." Pollak agreed. He stated he had made a record of Canale's call to him and that while he had refused to offer Canale any advice, he had ventured the thought that protective custody of Stephens might ruin him as a witness. He stated that the proposition had been discussed that some detective might take Stephens fishing until the James Earl Ray case took place. I told him this, of course, was entirely up to the Shelby County Prosecutor's Office and not the FBI.

ACTION:

For record purposes.

Very properly handled.

Memorandum

1 - DeLoach
1 - Mohr
1 - Gale

TO : MR. TOLSON

FROM : C. D. DeLOACH

SUBJECT : MURKIN

DATE: July 2, 1968

Mr. Rosen, very properly, advised me this afternoon that SAC Jensen, Memphis, had called the Civil Rights Section, General Investigative Division, relative to a call he, Jensen, had received from Shelby County Prosecutor Canale, as well as a later call received from Assistant Attorney General Stephen Pollak.

Prosecutor Canale called Jensen to say there appeared to be somewhat of a problem involving Stephens, the important witness who saw James Earl Ray leaving the flophouse, 420 South Main Street, immediately following the assassination of King. Stephens is a drunk, is disreputable, and of course there can be no assurance as to his whereabouts unless he is closely followed. Canale called Jensen to indicate a desire that the FBI take Stephens into protective custody and hold him until the trial of James Earl Ray. Jensen, very properly, told Canale that the FBI could not do this. Canale replied that if Jensen didn't mind he would call Assistant Attorney General Pollak about the matter. Jensen told Canale that it was entirely up to him as to whether or not he called Pollak.

Apparently Canale did call Pollak and immediately thereafter Pollak placed a long distance call to our SAC, Jensen in Memphis. Jensen called FBI Headquarters before answering Pollak's call.

I told Rosen to call SAC Jensen back and tell him that he should answer Assistant Attorney General Pollak's call but to flatly inform Pollak that he should deal with FBI Headquarters rather than attempting to deal directly with our SACs in the field.

In the meantime, I attempted to call Pollak. In his absence, I talked with Bob Owen, Pollak's first assistant. I told Owen that Pollak nor any other Assistant Attorney General should attempt to deal directly with our SACs inasmuch as such attempts merely lead to confusion and inefficiency. I stated also that our SACs, of necessity, would clear with FBI Headquarters prior to putting into effect any instructions issued by the Department of Justice. Owen replied that he agreed and he did not know why

CDD:hmg
(4)

REC-55
JUL 9 1968
CONTINUED - OVER

Memorandum

TO : FILE (44-1987)

FROM : SAC ROBERT G. JENSEN

SUBJECT: MURKIN

DATE: 6-27-68

RE: CHARLES QUITMAN STEPHENS

During the course of contact with Attorney General PHIL CANALE and AAG R. DWYER, inquiry was made of me as to the whereabouts of CHARLES Q. STEPHENS. I told them both that I knew that STEPHENS was staying with a brother in Mississippi. I also told them that STEPHENS had indicated he would contact me when he returned to Memphis.

AAG DWYER expressed some apprehension as to the possible safety of STEPHENS. He indicated that he knew of no basis on which STEPHENS could be taken into custody for his own protection. I told both CANALE and DWYER that the FBI, of course, could not assume any responsibility for STEPHENS as a witness.

At about 4 p.m., I again spoke with DWYER, who made comment regarding the newspaper stories pertaining to the whereabouts of STEPHENS. DWYER asked me at this time if I would get a message to STEPHENS to remind him that it was not necessary for him to answer any questions the newspaper reporters might raise with him. I told DWYER I would get the message to STEPHENS but, of course, I could not guarantee in any way that STEPHENS would necessarily be bound by this information. I again reminded DWYER that the FBI could not except the responsibility for STEPHENS.

RGJ:BN
(1)

44-1987-Sub-875

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 2 1968	
FBI - MEMPHIS	

Boyer RB

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

Mr. Rosen *RS*

DATE: June 12, 1968

- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. McGowan
- 1 - Mr. Long

Mr. C. L. McGowan *CM*

SUBJECT: MURKIN

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

L.N.J.

At 8:07 p. m., 6-12-68, SAC Robert Jensen, Memphis, called and advised Extra-Duty Supervisor [redacted] that they had just located Charles Q. Stephens. Stephens is the "wino" who was a witness at the rooming house in Memphis when the shooting occurred. The Department had been extremely desirous of locating Stephens to have him sign affidavits which they are preparing in connection with the legal proceedings in England. SAC Jensen stated that Stephens was spotted on the street in Memphis by a Memphis Agent and that Stephens advised he had just returned after spending several days in Arkansas.

SAC Jensen was at that time making arrangements for Stephens to be interviewed by Mr. J. Harold Flannery, Civil Rights Division of the Department, in order that Flannery could obtain the necessary affidavit from Stephens.

Subsequent to SAC Jensen's call, Assistant Attorney General Stephen J. Pollak, Civil Rights Division of the Department, was advised that Stephens had been located by Memphis Agents who had been out on the streets of Memphis searching for Stephens. Pollak was obviously pleased with the news and said "I'm so pleased--delighted."

ACTION:

For information.

HEH:hw
(5) *hw*

REG-33
44-38861-411
4463
JUN 17 1968

*Info to [unclear]
Pollak 6/13/68
chw*

79 JUN 19 1968

ME 44-1987
TOR:tjm
1

The following investigation was conducted by
SAs CHARLES W. DRAPER and THOMAS O. BOWEN at Memphis,
Tennessee, on May 2, 1968:

Mrs. ANNA ARNOLD, 857 Bingham Street, Memphis,
Tennessee, stated that she has been a resident at this
address for the past six years and no one has sublet
or lived at that address except her family. She further
advised that the names IVAN UNDERWOOD and Mrs. KATHLEEN
UNDERWOOD are unknown to her.

JOHN J. BAILEY, Realtor of the John J. Bailey
Realty Company, advised that this firm handles the
residence at 857-859 Bingham Street. Through a review
of his records he was able to determine that no one by
the name of UNDERWOOD resided at 857 Bingham in the past
six years and the name is unfamiliar to him.

Investigation to locate 278 West California
Avenue, the last reported residence of SUE MC SPARIN,
sister of EARL KNIGHT, determined that this address was
located in an undeveloped field area.

City directory and telephone directories of
the Memphis and nearby suburban area, were reviewed under
the names EARL KNIGHT, IVAN UNDERWOOD, KATHLEEN UNDERWOOD
and SUE MC SPARIN without identifying any individual by
those names.

On May 3, 1968, photographs of JAMES EARL RAY,
including the photographs taken in Mexico and submitted
to the Lonely Hearts Club, were displayed to the following
individuals at 422½ South Main Street, Memphis, Tennessee,
without affecting identification:

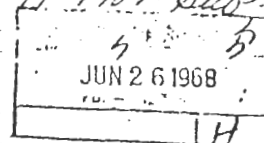
BESSIE BREWER, Resident Manager

CHARLES STEVERS

BERTIE REEVES

WILLIAM C. ANSCHUTZ

FRANK EARLEY



ME 44-1987

Dress:

Bare headed, wearing dark
suit

General Appearance:

Clean shaven, neat appearing
individual.

ME 44-1987

Mr. STEPHENS advised that whereas he could hear footsteps in 5-B and could hear footsteps between 5-B and the bathroom, he at no time heard any conversation in 5-B, and he is certain that there was no conversation in 5-B from the time the new tenant checked in until the time he heard the shot. He stated he never heard any noise or footsteps which would indicate to him there was ever more than one person in room 5-B. He pointed out that whereas his hearing is not too good, it is very easy to hear noises in the adjoining rooms of this rooming house and he definitely can hear normal conversation coming from that room. Mr. STEPHENS stated that when he saw the new tenant with Mrs. BREWER standing in front of 5-B, he only saw the left side of the new tenant, and when he saw what he believes to be the same man running down the hallway carrying something, he only saw this person from the rear. He pointed out he never saw him directly in front, but based upon his observations he would describe this person as follows:

Name:	Unknown
Race:	White
Sex:	Male
Age:	"in his 30's."
Height:	5' 10-11"
Weight:	165 pounds
Build:	Average
Posture:	Man stood erectly
Hair:	Described as sandy, also described as "dark blond" or having the appearance of unwashed sand. Further described hairline as receding on left side (and presumably on both sides) making it appear he would have "peaks" on either side but with full thick hair toward the front center of his head between the peaks. Hair combed straight back. Normal or average haircut.

AFFIDAVIT

STATE OF TENNESSEE)
 COUNTY OF _____) ss:

I, Charles Carlton Stephens, being duly sworn, depose and say:

1. I am 46 years of age and reside with my wife at 422 1/2 South Main Street, Memphis, Tennessee. We occupy two rooms, a living-bedroom and a kitchen, in the north wing of the second floor of a rooming house at that address and were living there on April 4, 1968. Our apartment is number C-B. The floor plan attached hereto and marked Exhibit I shows the relative layout of the various rooms on my floor.

2. Mrs. Bessie Briner is the resident manager of the rooming house. Around mid-afternoon on April 4, 1968, I saw her and a man standing in the hallway at the entrance to room 5-B, which is located immediately west of my living-bedroom. The man was a stranger to me and I assumed he was a new guest looking at a room. I got a good look at the man from his left side.

3. Attached and identified as Exhibit II is FBI Wanted Flyer 442-A. The photograph on the left, which is a profile view, is one which I identified on April 24, 1968 as looking very much like the man I saw looking at room 5-B on the afternoon of April 4, 1968. I have re-examined the photograph today and reaffirm that identification.

4. My wife and I spent the rest of the afternoon in our apartment. I saw a disabled war veteran who has been treated for tuberculosis and spend most of my time in my bedroom. My wife is also ill and was at that time a bed patient.

5. After seeing the strange man with Mrs. Brewer, I heard someone in room 5-B and assumed the man I had seen had rented the room next door. On several occasions on that afternoon I heard footsteps in room 5-B and also heard footsteps leaving room 5-B and going past my room and into the common bathroom at the east end of the hall. I was very much aware that when the person went from room 5-B to the bathroom, he remained in the bathroom for a considerable period of time. This was particularly noticeable because this is a common bathroom which must be used by a number of different tenants. I also recall specifically that on only one occasion did I hear the commode being flushed and I was therefore curious as to why this person was spending so much time in the bathroom.

6. During this period, Mr. Willis Anschutz, who occupies room 4-B, immediately west of room 5-B where the new tenant apparently was located, knocked on my door and inquired angrily as to who was staying in the bathroom so long.

7. At the end of the afternoon, sometime between 5:00 and 6:00 p.m. I was in the kitchen of our apartment, which is immediately adjacent to the common bathroom. At that time I heard a sound which I am certain was a shot. I am certain it came from the bathroom, from a point within just a few feet of where I was sitting.

8. Immediately after hearing the shot, I heard some people located across the street, east of my building in the vicinity of the Lorraine Hotel, screaming. After a few moments, I walked out of my kitchen, through the living-bedroom, and opened the door leading to the hallway. I saw a man running west down the hallway, away from me. This man was carrying a large bundle of some kind. I estimate that this bundle or package was at least 3 or 4 feet long and 6 to 8 inches thick. Although I saw the man and the bundle only momentarily, I had the impression that the bundle was wrapped in something, possibly a newspaper. The man continued running to the end of the hallway, then turned left (south) and apparently thereafter ran down the stairway and on to the street, although I did not actually see him going down the stairway.

9. Although I did not see the face of the man running down the hall, since his back was toward me, from my observation of him I believe he was the same man I had earlier seen with Mrs. Brewer in front of room 5-B.

CHARLES QUITMAN STEPHENS

Subscribed and sworn to before
me this _____ day of June, 1968.

AFFIDAVIT

STATE OF TENNESSEE)
) SS:
COUNTY OF SHELBY)

I, Charles Quitman Stephens, being duly sworn, depose and say:

1. I am 46 years old and right now I have no fixed address. From March of 1967 until June of 1968, I lived at 422½ South Main Street, Memphis, Tennessee. On April 4, 1968, my common-law wife and I were living there in Apartment 6-B. The floor plan attached hereto and marked Exhibit I, the original of which I have signed, is a good likeness of the relationship of the rooms on the second floor, which was my floor.

2. Mrs. Bessie Brewer was the resident manager of the rooming house. At about 4:00 p.m., or a little later, on April 4, 1968, I thought I heard Mrs. Brewer's voice in the hall and I went out of my apartment to speak to her about the hot-water heater I had been working on. From the banister of the back stairs near my apartment door I saw her and a man standing in the hallway near the entrance to Room 5-B, which is just down the hall from my bedroom. I did not recognize the man with Mrs. Brewer and I assumed he was a new guest looking at the room. The man was looking into the room near the doorway and I got a glimpse at him from his left side. I have marked on the diagram the letter "A" where the man was standing, the letter "B" where Mrs. Brewer was standing, and the letter "X" where I was standing.

3. On April 24, 1968, I looked at FBI Wanted Flyer 442-A, and I identified the profile photograph on the left as looking very much like the man I saw looking at Room 5-B on the afternoon of April 4, 1968. A duplicate of that Wanted

Flyer, which I have signed, is attached and identified as Exhibit II. I now re-examine the photograph and reaffirm that identification. I also now examine another profile photograph, which appears to be a smaller copy of the one in the Flyer, and affirm that it looks very much like the man I saw looking at Room 5-B on the afternoon of April 4, 1968. This photograph is attached and identified as Exhibit III, and I have signed it. The pointed nose and chin are the principal features that stand out in my identification of the man pictured in Exhibit III as the man I saw with Mrs. Brewer looking into Room 5-B on April 4, 1968.

4. My wife and I spent the rest of the afternoon in our apartment. I am a disabled war veteran who has been treated for tuberculosis and spent most of my time in my bedroom. My wife was also ill and was at that time a bed patient.

5. After seeing the strange man with Mrs. Brewer, I heard someone in Room 5-B and assumed the man I had seen had rented the room next door. Several times that afternoon I heard footsteps in Room 5-B, and two or three times I heard footsteps leaving Room 5-B and going past my room and into the common bathroom at the end of the hall. The first couple of times the person from 5-B went to the bath he did not stay but a few minutes and once I heard the toilet flush. Each time I heard footsteps going back to Room 5-B. About the third time I heard footsteps from Room 5-B to the bathroom the person stayed what seemed like a long time. It seemed like a long time because while he was in there I wanted to use the toilet.

6. While this person was in there so long, Mr. Willie Anschutz, who lived in Room 4-B, knocked on my door and asked who the hell was staying in the bathroom so long. I opened my door and told him I didn't know, and he went back to his room.

7. Toward the end of the afternoon, sometime between 5:00 p.m. and 6:00 p.m., I was in my kitchen working on a small radio when I heard a shot. I have placed a double "XX" mark on the floor plan, Exhibit I, to show where I was when I heard the shot. I could tell that it came from the bathroom because it was very loud and the partition between my kitchen and the bathroom is thin plyboard.

8. I had not heard footsteps going back to Room 5-B between the time the person went in for so long and the time I heard the shot.

9. Right after the shot, I heard through a broken pane in my kitchen window a lot of voices yelling and hollering across the street from my building near the Lorraine Motel. I looked out my window toward the noise and I saw a lot of people milling around near the motel. Then I went to my door and opened it. I would say that about a minute, not more, passed between my hearing the shot and when I opened the door. First, I looked toward the bathroom and I saw that the door was open and it was empty. Then I went to the banister and looked the other way. When I did, I saw a man running near the end of the hallway. I have put an "O" mark on the floor plan, Exhibit I, to show about where he was when I saw him. He was carrying a bundle in his right hand. From what I could see, the bundle was at least three or four feet long and six or eight inches thick. The bundle appeared to be wrapped in what looked like newspaper. The man turned left toward the stairs when he reached the end of the hallway. Although I did not get a long look at him before he turned left, I think it was the same man I saw earlier with Mrs. Brewer looking at Room 5-B. The man running down the hall had on a dark suit, the same as the man I saw earlier.

10. Then I went back to my kitchen window. This time I saw a lot of people and policemen at the Lorraine Motel. A policeman near the embankment behind my building yelled at me to get away from the window, so I sat down in my bedroom.

Charles Quitman Stephens
CHARLES QUITMAN STEPHENS

Sworn to and subscribed before me this 13th day of June, 1968

W. Lloyd Johnson
W. LLOYD JOHNSON
Clerk, United States
District Court for the
Western District of Tennessee,
U. S. A.

I hereby certify that this and the attached three pages and the attached documents identified as Exhibits I, II, and III comprise the original affidavit of Charles Quitman Stephens executed, sworn to, and subscribed before me this 13th day of June, 1968.

W. Lloyd Johnson
W. LLOYD JOHNSON

Exhibit 10

C.A. 77-0692

TRANSCRIPT OF SPEECH BY PHIL M. CANALE TO THE
TENNESSEE BAR ASSOCIATION ON JANUARY 15, 1971

CANALE: . . . 422 and a half South Main Street in Memphis, Tennessee. For those of you familiar with Memphis this is--this will be North down this way. This is South this way. And the Illinois Central Station is about two blocks south down this way on the other side of the street for those of you that are familiar with Main Street in Memphis.

Now this rooming house is divided into two sections. This is the entrance to the rooming house right here through this door. The rooming house is divided into two sections. This is an ancient stairway here from the rooming house and you will see that--you can't see it in this picture but this portion here is the roof over the stairwell. This part of the roof does not go entirely back this way. The North section of the rooming house is over in this direction.

James Earl Ray came to Memphis on April the third, so far as we know, of 1968, the day before Dr. King was killed. On the night of April the third, Ray, under the name of Eric Starvo Galt, spent the night at the Rebel Motel out on LaMar Avenue on the outskirts of Memphis. And we had much proof that we could introduce that we thought would prove these things beyond a reasonable doubt, and I'll be glad to give you any details that you might want to know.

On April 4th, the day when Martin Luther King was killed--Dr. King was killed at approximately 6:00 p.m. on April the fourth--on April the fourth in the early afternoon James Earl Ray, under the name of John Willard, rented a room in this rooming house. The Lorraine Motel, where Dr. King was staying during these marches in Memphis is immediately behind this rooming house across Mulberry Street. This rooming house faces Main Street, the rear of the house faces the Lorraine Motel on Mulberry Street. Ray entered the

rooming house through this door here and went up into this section and rented--spoke to the landlady, Mrs. Brewer, about renting a room, as I say, under the name of John Willard. She showed him a room in this section of the rooming house, back a couple of rooms, I'll show you all about that later; more accurately, in this section of the rooming house she offered him a room but he declined that room and asked her if she did not have one on the other side of the house above the back porch at the back of the rooming house.

As a result of that, Mrs. Brewer and Ray crossed this little walkover right here into this section of the rooming house and Ray rented a room on the north side of the rooming house. Now you will notice Canipe's Amusement Company here and a little offset. This is about a six foot offset, six or eight foot offset, going back from the sidewalk into the entrance of Canipe's Amusement Company. This is a most important thing to remember because what I refer to as the bundle was dropped in this little alcove--right here off of the sidewalk. It was the State's contention that when--after Ray had fatally shot Dr. King, that he came down these steps right here and out of this door, came south on Main Street and dropped a bundle here which was wrapped in a green bedspread and wrapped in this bedspread was Ray's suitcase containing various items and a box containing the rifle which was used to kill Dr. King. So this is the little offset in Canipe's Amusement Company. All right.

QUESTION: When was that picture taken in relation to the--?

CANALE: This picture, this picture I'd explained to you.

This picture was taken some several months later when we decided to make a pictorial of the scene. I'll show you some pictures that were taken the night of the shooting. Go to the next one--I believe we've lost one somewhere along the line. No, go forward. Go forward. Sorry, there's supposed to be a picture in there of the car dome light. That all right, I can--

CARLISLE: It dropped down in there--

CANALE: O.K. Well, go ahead. I can go on without it. Now the next picture which has dropped down in there which we can't see was an actual photograph of this area here taken by the police when they got to the scene on the night of the killing. Now the actual photograph of the night of the killing shows a chair sitting by this window. This window was open and the screen was pushed out and was found on the ground. Now this is the room that James Earl Ray rented in this rooming house. When Ray rented the room, there was a chiffonier in front of this window. When the police got there after Dr. King was killed, this chiffonier had been moved over in another part of the room, there was a chair sitting by this window and, as I say, this window was open and the screen was out. Now you'll notice some quick work over here, this is the south section of the rooming house. In between this window, the north section of the rooming house and the south section where the entrance is, there is a space of about 15 feet, which is an opening in between these two walls, and looking back out in this direction to your left, you can lean out this window and see practically the entire Lorraine Motel on Mulberry Street. It was the theory of the State that Ray had--that in the morning paper on April the fourth in Memphis there was an article that Dr. King had been found by federal marshals at the Lorraine Motel. It was the theory of the State that Ray was observing the Lorraine Motel out of this window looking back to your left and that was the reason for the chair being there, the chiffonier being moved, the chair being there and the window being open and the screen pushed out.

Now this is an actual photograph of the same room taken the night of the killing by the police photographers. This is the chiffonier which had been moved, according to the landlady, away

from the window after Ray rented the room.

Now on this sofa you'll notice a little sofa pillow here. Now this pillow, along with much other evidence, was sent to the FBI laboratories in Washington. On this pillow was found fibers which was definitely identified as being fibers from the bedspread which was wrapped around the bundle which was dropped on Main Street, which I referred to. Also, on the sheet of the bed in this room-- there were fibers identified as being from this green bedspread found on the sheet on the bed in this bedroom. The bedspread did not come from this room. As far as we can determine, the bedspread was brought from the State of California. Now you cannot see it well in this picture but this item here is the--was new leather straps from a field glass case. On the floor over here, which does not show in the picture, were the leather straps for the field glasses themselves.

On the afternoon of April the fourth, after Ray rented this room, and--prior to the time Dr. King was killed, Ray had left the rooming house and had gone to the York Arms Storage Goods Company which is approximately five blocks North of the rooming house on Main Street and had purchased a new pair of field binoculars. These straps here in the room found on the floor were similar to the ones which belonged to the field binoculars themselves and to the case the field binoculars came in. Now, when I say that he went to the store and bought the binoculars, the people at the store identified Ray as being the person who bought the binoculars that afternoon.

In this suitcase of Ray's which was found on Main Street by Capipe's Amusement Company after the killing, the binoculars and the binocular case were found in the suitcase. Ray's fingerprints were on these binoculars, which I'll show you in a moment. The York Arms bag, the Sporting Goods sack which the clerk had put the

binoculars in were found in the suitcase. Ray's fingerprints were on these binoculars, which I'll show you in a moment.

The York Arms bag, the Sporting Goods sack which the clerk had put the binoculars in were found in Ray's suitcase. The writing of the clerk who figures out the price and the tax was written on the box containing the binoculars and the sales slip from the York Arms was found in Ray's suitcase. So that's the reason I say that we feel Ray bought the binoculars at York Arms. All right, John.

Now this picture is the back of the rooming house. This is the entrance to the rooming house at this section which you just saw. This is the North section of the rooming house where Ray rented the room. This is a bathroom window from which the State contends the fatal shot was fired which killed Dr. King who was standing in the exact spot from which this picture was taken. In other words, this picture was taken from the second floor balcony of the Lorraine Motel in the exact spot where they placed Dr. King when he was fatally shot. This is the bathroom, a common bathroom window right here. These two windows are the kitchen area of a witness named Stevens who had lived in this rooming house for quite some time. This is--this window here belongs to the Stevens room. You cannot see it clearly in this picture but the room, you'll see the--here's the separation between the two buildings here. There's about a 15, a 12 or 15 foot gap in between the buildings. The room that Ray rented from which we feel he was spying on Dr. King with field glasses is the second, second or third window down--you can't see it, we'll be able to see it in a minute. Down this little alleyway right in here. By leaning out of this window in Ray's room, you can see practically the entire front part of the Lorraine Motel. As I say, this picture was taken from the exact spot where Dr. King was standing when he was killed, looking to the back part

of the rooming house on Main Street.

Now this is the bathroom window which you just saw from which we feel that the shot was fired. We feel--it is the State's theory that Ray stood in this bathtub, that he laid his rifle--it was a 30:06 rifle with a telescopic sight--that he laid it across the windowsill of this bathroom and fired down at Dr. King.

Now when Dr. King was killed, he was leaning over the balcony in this fashion with his arms resting on the balcony speaking to people down in the parking lot of the motel. Now, of course we had the whole area callibrated to show the angles and to show the height of this window in comparison with the downward angle of the balcony where Dr. King was standing and all the terrain has been callibrated by engineers, including we were going to introduce in the trial as to the range of the bullet. I might add, it's 207 feet from this bathroom window to the spot where Dr. King was standing when he was killed.

Now, you will note that this windowsill across here has been removed. The reason that was removed--one of the first investigating officers of the Memphis Police Department to arrive on the scene noted that there was a fresh indentation mark, a small but fresh indentation mark on this windowsill in the bathroom. This window was [unintelligible] for [unintelligible] the police to arrive. This window sill was removed and sent to the FBI laboratories in Washington along with all the other evidence and along with the rifle which was recovered down on Main Street. The FBI laboratory personnel would have testified in a trial that this indentation mark on this window sill had the same machine markings as the underpart of the barrel of the rifle and would have testified that those machine marks on the windowsill were caused by the recoil of the rifle barrel when the shot was fired.

Now this is--looking from the bathroom window, this is the windowsill here. Am I in your way? [unintelligible] This is the windowsill here. Dr. King was standing at this point right here, leaning over this balcony, speaking to people down in this parking lot when he was shot. Now, you will notice this is the entrance to his room, room 306--206--of the Lorraine Motel here. This picture was made after this section had been enclosed in glass and had been made as a shrine to Dr. King. You'll see the wreath hanging on the door there. But Dr. King was standing right in this position here when the shot was fired which fatally--which was fatal to him. All right.

Now this is a picture of Dr. King taken at the hospital or the morgue. Now all of this in this section is not damage due to the bullet, that was surgical work done on him when they attempted to save his life at the hospital. The bullet entered his right lower cheek right here, the bullet ranged downward shattering his jugular and his spinal column and--go to the next picture, John. That's his right lower cheek and the bullet or the major portion of the bullet--if you can see that little hump right there--ended up right under his skin in the left lower shoulder blade. You could just take your fingers and feel the bullet right here under his skin, so he was shot in the right cheek and it ranged downward through his neck and ended up right in that position there.

Now, this is looking down the hallway in the rooming house, this is the bathroom. The tub is over this way, of course. You can see the commode there. This is the room right here that Ray rented. Around this corridor and immediately to your right is the witness Stevens' room. He had two rooms, one as you go in the door and then the one that faces out on the back.

The--as you can see, this is a rather cheap boarding house, the walls are very thin. The witness Stevens, at the time the shot

was fired, was working on a radio on a table up against this bathroom partition wall. And, of course, he said it sounded like an 88 mm. cannon going off in the bathroom when that rifle went off.

I might add here, when Ray rented this room, which he immediately said was all right with him as soon as she showed him the room, Stevens, the witness who lived in this room around the corner heard the landlady's voice. He was having trouble with his hot water heater, so he came out to see the landlady about his hot water heater. Stevens stood right by this banister. These steps go nowhere. These steps had gone out onto the back porch of the rooming house towards the Lorraine Motel; they had been boarded up for many months because of people coming up the back way instead of the front way and getting free rooms. [Laughter] So that had been boarded up for months and was boarded up, of course, when this happened.

But when Stevens heard his landlady's voice out in the hall, he came out and stood by this banister and identified Ray, who was standing in the hallway right here looking into the room--the landlady was standing in the doorway showing Ray the room. Stevens identified Ray as being the person that was standing there talking to the landlady looking into the room.

QUESTION: Did the landlady recognize him and identify him?

CANALE: The landlady did not. She said that she wasn't paying too much attention to him. We feel that she could--we feel that if she got on the stand she would. We feel that she didn't want hardly anything to do with it, and she said that she was looking at his money and [laughter] said he was well dressed, which was unusual for her type of business. But the landlady still did not positively identify Ray as being the party who rented the room under the name of Willard. We feel that if she got on the witness stand as a

state witness she would. Due to things that happened even after the guilty plea.

QUESTION: How long after he bought the binoculars [unintelligible] ?

CANALE: It was the next day, was it not?

QUESTION: Did the clerk identify him?

CANALE: No. No, they didn't bring his picture in, they couldn't bring his picture in because they didn't know who he was. It was several weeks before they got--before they knew who they were looking for and got a picture of Ray and of course passed them around and he identified a picture of Ray as being the one who purchased the binoculars. Of course, they had--the police had talked to the clerk the day after the shooting happened. They might have talked to him that night. In fact, I think they got him down there that night, the night of the killing.

Now, this is looking from the bathroom. This is your banister here, Ray's room is right here, Stevens' room is in this little [unintelligible]. This is looking down the hall. When the shot was fired and Stevens was in his back room, he heard all the commotion out his back window out on Mulberry Street, 'cause Stevens went to his window and raised the window and looked out his back window.

By that time the police were coming onto the scene. They had been at a nearby fire station. Dr. King, by the way, had refused a personal bodyguard. He told the police he didn't want them guarding him closely. But, naturally, with the difficulties going on there the police were watching the situation very closely and there's a fire station right adjacent to this property which I'll show you.

Now, after the shot was fired, it was just a matter of several minutes, a minute or two, before the police got out on Mulberry Street. When Stevens opened his window and heard all the commotion

out on Mulberry Street, he raised the window and was looking out, some policemen ran up on the street out on Mulberry and told everybody to get their heads back in. At that time Stevens came back to this, to his front room, and walked out this door and saw the person who he identified as, although he could not see his face, he identified him as being the same person, as far as he could tell, from clothing, height, and so forth, as the person who had rented the room--saw him walking in this direction with a large bundle under his arm.

When you get down to these steps here you take a short left and then you go down the exit steps which exit on Main Street which I showed you in the first picture. Now this is the exit here. The room of Ray was in this section of the building. I had shown you this section of the building towards the entrance. This is the exit to the rooming house. When Ray came down the hallway after the shot was fired, with the bundle under his arm, he just made a little turn there and come down these steps and out onto Main Street. This is--go back just a minute, John. This doesn't have anything to do with the case, but this is Jim's Grill here, and the only reason I point that out is for some engineering work I'll show you in a few minutes. All right, John.

All right, this is looking from approximately the place where Ray's car was parked. He had a white Mustang. This car was parked at approximately this meter. Here's your entrance to the rooming house here. Here's your exit under this canopy here. This is Canipe's Amusement Company. When Ray left the building--and of course we have nobody who, that saw him in the building--it's the State's theory that he came down these steps and turned south on Main Street and started in this direction towards his car here. All right, now this is looking--we were looking north on Main Street in the last picture. This is the sidewalk looking south on

Main Street past the rooming house. Here's your Illinois Central Station here, if that'll help any of you acclimate yourselves to the area here. This is Main Street out here. Now this is the fire station here. This picture was made some several months after the, well, many months after the shooting. At the time of the killing there were bushes growing--you can see where they've been taken out here. Why they took 'em out, I don't know, but you can see where these bushes had been growing here and have been taken out. And this--you'll notice this fireplug right here--and this is your apron to your fire station. Ray's car was parked at the parking meter right behind this car here. In this vicinity right here. Now this is looking south on Main Street and there's your fireplug in the fire station apron, which I just showed you.

And this is your alcove where the bundle was dropped right here outside Canipe's Amusement Company off the sidewalk. Now, the reason--the State's theory as to why Ray dropped his suitcase and the rifle and the box wrapped in this bedspread in this alcove here was--. At this time there was, of course, a lot of civil disorder in Memphis. The squad cars, which included city police, deputy sheriffs, highway patrolmen, and so forth, were riding in TAC units, which consisted of three squad cars, four men to a car. They were using the fire stations as rests points and coffee break points. About ten minutes to six, before Dr. King was slain, a TAC unit consisting of three squad cars had come south on Main Street--had come north on Main Street, had gone up onto the fire station apron, turned around and come out, had come out heading out onto Main Street. The lead car was parked halfway across this sidewalk. The other two cars were more or less hidden by this shrubbery which was here. You might have been able to see the top of them, but it is rather doubtful. But the lead squad car was parked by this fire plug about halfway across the sidewalk. These officers had gotten

out and gone into the fire station to take a rest break and get some coffee. A ten minute break.

We feel that when Ray came out of the rooming house down here and started towards his car here, that he saw this lead squad car, or at least half of it, the dome light and so forth, parked in this position here, and could not tell whether anybody was in that car or not. And we feel that rather than being caught with this evidence, that he ducked into this alcove and dropped his bundle and then got into his car and took off. At the time this bundle was dropped here, Mr. Canipe, the proprietor of this Amusement Company, was standing in the Amusement Company with two customers sorting out some used records. The three people in the Amusement Company did not see anybody drop this bundle. They heard a thud. When they looked up they saw a person who they describe--they do not identify him as Ray, they describe him as a white man, they just saw the back of him--walk out of this alcove and turn in this direction on Main Street. The person answers all the physical characteristics of Ray. But they could not identify him from the back as being Ray. Within a matter of seconds after they heard the thud and saw this person walk out back on the sidewalk and turn in this direction, this white Mustang took off at a high rate of speed from this position here going this way north on Main Street with a lone white male at the wheel.

QUESTION: Who saw that, General?

CANALE: The three people in the Amusement Company, who heard the thud--they didn't see the bundle at that time.

QUESTION: They saw the Mustang [indistinct] ?

CANALE: They heard the thud, saw this man walk back onto the sidewalk, turn left and within 15 or 20 or 30 seconds they saw this--heard this Mustang take off at a high rate of speed and saw it pass that

store with a lone male white, as they observed, the driver of the car.

Now this is an actual photograph of the bundle before it was disturbed. This is Canipe's Amusement Company right here. Here's your offset off the sidewalk. This is the suitcase, this is--no, this is your bedspread, this is your suitcase, and this is a Browning shotgun box. In this box was the rifle which we contend was the rifle which killed Dr. King. In this rifle there was one spent shell. The rifle was a Remington 30:06. I'd like to go into that right at this time. This is a Browning shotgun box. This rifle was purchased at the Aeromarine Supply or Hardware Company in Birmingham, Alabama. It was purchased, according to the people there, who negotiated the sale--and they had occasion to deal with him twice--it was purchased by James Earl Ray. The people at this sporting goods company will identify James Earl Ray as the person who purchased the rifle in this box.

QUESTION: [Unintelligible]

CANALE: It was a pump, a pump 30:06. Remington. It just had one shell in the chamber, no other shells in it. Now the people at the Hardware Company in Birmingham say that the reason they put this rifle in a Browning shotgun box was that the rifle was not equipped with a scope. When they installed a telescopic sight on the rifle, it would not go back into the original box, so they say that they placed it in this larger Browning box.

QUESTION: How long did he have the rifle before [unintelligible] ?

CANALE: Was it a matter of a week, John?

CARLISLE: Yes, sir.

CANALE: Just about seven days. Now he had purchased--the day before he purchased this rifle he had purchased a .243 rifle and had a scope mounted on it. The next day he brought the .243 back to the

same--I'll call it a hardware company, sporting goods company--in Birmingham and advised them that his brother said he was going hunting up north and his brother had told him that that was not the type rifle he'd need, he should get this other kind of rifle, a 30.06. So they traded the rifle in on it. For the 30.06. I might mention--I think and believe that his stating that to the people at that sporting goods store was the reason that the Federal Government got out a federal conspiracy warrant against him. The FBI--when the first--when we recovered the first rifle he bought from the sporting goods company in Birmingham, then that rifle was forwarded to the FBI. The FBI would have testified--the laboratory would have testified that the first rifle purchased would not bolt a shell because the cosmoline had become hardened in there and it would take an awful amount of force to bolt a shell into that rifle. We feel that Ray had trouble bolting the thing and wasn't satisfied with it and took it back. That's our theory.

This is the rifle itself, this is your Browning box which the rifle was found in on Main Street, this is your Remington 30.06 rifle. This piece of paper here covers a fingerprint. One of Ray's fingerprints was raised--a latent fingerprint was raised off of this portion of this rifle.

All Right. This is another shot of the rifle. There was another fingerprint of Ray's, a latent print raised off of this scope here.

Now this is the suitcase which was brought with the rifle wrapped in the bedspread on Main Street. It--there were many items in this suitcase. Amongst them was this April the fourth Commercial Appeal from which one of Ray's fingerprints was raised. This beer can--a latent print of Ray's was raised off this beer can in his suitcase. These beer--this beer was purchased in Mississippi. We could trace the beer to the State of Mississippi. We could not tell definitely in what store it was bought. These are your binoc-

ulars. There's a fingerprint which you'll see more clearly on the tip part--Ray's fingerprint on the top of these binoculars. This shaving kit was purchased by Ray by identification of the person who sold it to him at a Rexall Drugstore in Whitewaven [unintelligible] [laughter]. Of course, there was a Rexall price sticker on here with the drugstore on it and the lad at the drugstore identified Ray as having been the one who purchased it on, on--that was April the third, right, John? Not April the fourth? I forget, it was either April the third, the day he got to Memphis, or the morning of the shooting, on the morning of the fourth.

Now this little shaving lotion bottle was also raised a latent fingerprint of Ray's. All right. This box of shells was found in Ray's suitcase on Main Street. This is just where they covered up the fingerprint after they raised it up at the laboratory in Washington on the rifle. This box of shells was found. Now, here's that box of shells--by the way, this is the spent shell which was taken from the rifle after it was found on Main Street. Now this bullet here, these are the two portions of the bullet taken from Dr. King's body. Now due to the mutilation of the bullet, the FBI would not say definitely that this bullet was fired from this gun. They would go so far as to say that it had the same lands and grooves, it had the same twist, but they want more to go on than that. They say that this is the type of bullet which comes from this type of shell casing and that the lands and grooves and twists on this nose of the bullet (?) are the same as the barrel of the gun. Now this is a lead-nosed bullet which hit Dr. King. These--there were lead-nosed bullets found in this cartridge box in the suitcase. There were also these things or what I call military or copper-coated bullets. These were not the type bullet--although he had them in this box along with the lead-nosed bullets--these were

not the type which killed Dr. King. It was a lead-nosed bullet which killed Dr. King. As you can--if you come up close you can see your fingerprint right here on the binoculars which were identified as one of Ray's fingerprints. It's a very good print they got off the top the binoculars.

Now this is a T-shirt which was found in the suitcase dropped on Main Street. You'll notice this laundry mark right here. All right, go to the next one, John.

This is a pair of shorts found in the suitcase. You'll notice this is the same type laundry mark as on the T-shirt. Now this is the first thing, these laundry marks, which led the investigation to Los Angeles, California. And got it to Ray's activities there. Through these laundry marks--and the laundry marks are sort of like a fingerprint, they're very distinctive. These laundry marks were traced to a certain laundry in Los Angeles, California, where Ray lived for a while, and the people there identified Ray--as, of course by name under Eric Starvo Galt--under his account name there and identified him as being the person who had traded with this laundry in California and the laundry which put these laundry marks on these clothes. All right.

Now this is the bespread here that--two-color green bespread--in which the bundle was wrapped that was dropped on Main Street. As I mentioned before, fibers from this bespread were positively identified as being on the sofa pillow in the boarding room on Main Street on the sheet on the bed at Main Street. Fibers from this bespread were also, I might mention--on April the fifth, the morning after the shooting, Ray's car was abandoned in an apartment parking lot in Atlanta, Georgia. When his car was found in Atlanta the car was swept out--all evidence was taken out of it. Fibers from this bespread were also found on a sheet that he had folded

up in the trunk of his car, and also found on a styrofoam, empty styrofoam camera case which was in the trunk of his car. This hair brush was in his suitcase which he--was dropped on Main Street.

After--Bob, I might give you a little rundown on a little secret here. After Ray got, was brought back from England and arrived at the Shelby County Jail, he needed a haircut. And, it so happens, a few of his--the hairs cut off his head were picked up off the floor. Those hairs, along with this brush, which was already in Washington--those hairs were sent to the laboratory in Washington. Hairs are not like fingerprints. Nobody will testify that this hair is identical--is the identical hair that came off this man's head. Or this woman's head. They will say that the hair found in this brush taken out of the suitcase and the hair which was cut off Ray's head in the jail and sent to Washington--that the hair was of the same substance, the same characteristics, the same color and [unintelligible].

Now this radio, this transistor radio was found in Ray's suitcase. Ray escaped from the Missouri Penitentiary in April of 1967. As far as we know, when he escaped the only material thing he took with him besides the clothes on his back was this radio. This radio was purchased at the commissary in the Missouri pen several days before Ray escaped. One of the rules--Ray was in the Missouri pen serving a 20 year sentence for armed robbery. He had served seven years before he escaped. One of the rules of the penitentiary up there is that if an inmate purchases an item like this, his initials must be scratched--imbedded into the casing of the item. It's interesting to note that when we were presenting this evidence to the jury on the guilty plea, the only item of evidence that Ray asked to be passed to him was this radio. And the reason we feel that he asked to see it is that there had been a very good job of

trying to obliterate the prison serial number of Ray on this radio. I might not have made myself clear a minute ago, I might not want [unintelligible]--the prisoner has to scratch his prison serial number on these items. The FBI under its ultraviolet rays and so forth, even though somebody had attempted to obliterate the scratched numbers in the case of this radio, they were able to raise a number and they turned out to be Ray's prison serial number at Missouri. And I feel that the reason Ray wanted to see this is he wanted to find out how in the world anybody could tell that that was his prison serial number.

This is just--Ray purchased this Mustang in Birmingham, Alabama. This was a license plate, '68 plate found on the Mustang, and this was a '67 plate which belonged to the former owner of the car who sold it to Ray--found in the trunk of the car.

Now this is an actual picture of the car as it was found in the parking lot of this apartment complex in Atlanta, Georgia. You will note that the car has been backed into the bumper strip instead of like these other cars, just pulling in frontwards. Of course, in Alabama, as in other states, there is no front license plate, only a rear plate. We would have theorized that the reason the car was backed up this way was that Ray did not want to alert anybody immediately, that might have seen an Alabama license plate in this parking lot and start inquiring about who they was, and he backed it in so that he could--to keep from being ascertained in a short period of time.

Had something else to say about that. Oh! When Ray--when the people--several women in these apartment complexes say that they saw this car pull into this parking lot on the morning of April the fifth at around 8:30 in the morning and saw a lone male white, they don't identify Ray. They say he's a male white approximately the same height and the [interruption--unintelligible]

QUESTION:

-[unintelligible]--identify Ray?

CANALE: But this car was parked here and a lone white male got out and took off across--and walked across the parking lot.

There are the two license plates. The only reason this picture is in here is that there is one bath (?) tire, call it, on here. There were three tires alike and one not alike--I don't recall now whether he had three sidewalls and this one or three like this and a sidewall, but there was one tire that was not like the other ones. Ray in his writings to Atlanta--was going to write his story to William Bradford Huie--stated that he was running contraband jewelry out of Texas, so after he got to Mexico and was running jewelry back into the United States. We know that Ray purchased a new tire in Mexico and one of the favorite ways of running jewelry out of Mexico--and into Mexico if you wanted to get it in--is to put it inside the tire of an automobile and run it in that fashion. There were also two Mexican stickers on this car. Which became important to us not only in tracing Ray's Mexican stay, but the night watchman at the Rebel Motel in Memphis on the night of April the third--and, by the way, the FBI identified the signature card of Eric S. Galt as being that of James Earl Ray at the Rebel Motel. Also, the night watchman in making his rounds on several occasions noticed this white Mustang parked there in the parking lot of the Rebel Motel with these Mexican stickers on the window.

Now after we got to Los Angeles on Ray through the laundry marks in the investigation, it was disclosed that Eric Starvo Galt had attended a bartending school and had graduated from a bartending school in Los Angeles. This man over here is the owner and manager of the bartending school. He takes great pride in having his picture taken with his graduates. You can't read this from where you are but this is a certificate of graduation for Eric Starvo Galt from bartending school. This is James Earl Ray. You will note that his eyes are closed in this picture. All right.

This is the first flyer that was put out by the FBI when they found out that they were looking for James Earl Ray in the murder of Dr. King. These two pictures are mug shots of Ray in the Missouri penitentiary. This picture--if you can read underneath it, it says "photograph taken 1968, eyes drawn by artists". This is the picture of the bartending school and the FBI added, in order to put it on this flyer, "opens Ray's eyes." In order to let people know more what he looked like as far as his eyes were concerned. When Ray was arrested at the airport in London, England, amongst his possessions was this pistol which he had purchased from an individual in Birmingham on October the first of 1967. He had two passports, this one is marked cancelled [unintelligible] a lot of records for himself to get a passport under a different name. But he eventually assumed the name of Ramon George Sneyd. S-N-E-Y-D. When the passport was issued to Ray in Canada to go to Portugal, the typist misspelled the name Sneyd and put in S-N-E-Y-A. When Ray got to Portugal, he was--he expected to catch a ship--he wanted to get to Rhodesia, to fight as a mercenary eventually.

And he went to Portugal for that purpose, to catch a ship, but he found that he couldn't get a ship that he wanted for two weeks, so he decided to go back to England--and, I might add, after he got back to England he robbed a bank. But, anyway, in Portugal he had this passport which was misspelled with the letter "A" cancelled, and had another passport, of course with the same picture, issued with the name spelled correctly with a "D" rather than "A". Both these passports were in his possession when he was arrested in London. He was on his way to Brussels when he was arrested in London.

All right. This is just--we had over 300 items of physical evidence in the case--these are just some of the items. These were all boxed, each box contains a number of items, and they were all

checked out by the FBI in Washington and this is just a few of the pieces of evidence which we could have introduced.

This is just a personal note. This is John Carlisle out here who is showing the pictures who is my chief investigator. You might recognize Judge Dwyer of the Criminal Court of Appeals. He was the Executive Assistant down there. And this is Jim Beasley, who is now a criminal court judge in Shelby County. This was your, this was your--

QUESTION: Who's the other one?

CANALE: I say, well, you can cut those out, these three were the physical working team in the trial, the whole trial of James Earl Ray.

O.K. Now these things are of a lot of interest. These are set up as we set them up in the courtroom to explain the facts of the case [unintelligible] the materials together. They would have been set up during the course of a trial, too. These mockups were made according to scale. I'll tell you what, if some of you plaintiff's damage lawyers could get the FBI to do some of these for you you'd be in good shape, I'll tell you. [Laughter]

But these were done according to scale. These FBI men find a lamppost and measure the lamppost. And you can take their ruler that they gave you and if that lamppost was 28 feet 6 inches you can take that ruler and put it on this mockup and it'll come out 28 feet 6 inches [unintelligible]. Everything's according to scale.

Now these are--these were done on magnetic boards, so that if you wanted to take to--they made these little cars for us here and people. You can place people and cars on this mockup and these mockups--there's one mockup here of the rooming house and this one is of the entire area. These mockups would tilt at a forty-five degree angle; so that the jury wouldn't have to get up and come and look--you could tilt it. And of course the tops come off these mockups here. And to show the rooming house, the sides fall in.

You see, this side is down here now, you can look into the rooming house. You can raise the roof off and it shows the inside with the roof. But you can tilt these mockups so the jury can see it, and these cars and the people they made us are magnetic and when you tilted it up they would stay back exactly where a witness had placed them, so they wouldn't slip off.

This is the mockup of the entire scene, that's your rooming house, this is your fire station, this is your Lorraine Motel over here, and this is a large mockup of the rooming house. This is your rooming house here, this is a large mockup of this rooming house here.

All right. Now here's the front part of your rooming house. You can see that little alcove in Canipe's and you entrance and your exits there. Ray's car was parked in this position here. As you can see, that's Canipe's Amusement Company there, his car was parked here. There's your fireplug on the filling station, on your fire station, and here's your apron of the fire station here. This is a close-up of the front of it.

Now the reason I put that in, there's your Amusement Company, here's your entrance, here's your exit, and you'll note--you'll remember that I said that our theory was that Ray came down this hall and hit these steps and came down here to Main Street. All right, John, go to the next one.

And these mockups were fixed so that you could lift the roof off the steps and show this section up here, this little crossover. These are your steps crossing over from this section of the building to that section and these are your steps coming down.

QUESTION: See that third window, General, you might want to point that out [unintelligible].

CANALE: Oh, yeah. This window right here, if you can see it, is the

window to the room that Ray rented. Right there. Where he was leaning out that window with his field glasses that time.

Now, this is the Lorraine Motel. This is where Dr. King was standing. The reason I have this picture in, just to show you a little detail work. You'll notice part of the railing is missing here. On the balcony of the Lorraine Motel. When this mockup was made they made it exactly as they saw it at the time, which was some months after the killing. And this shrine had been built, as I showed you, this glass shrine had been built in this portion to Dr. King. The agents made this as they saw it at the time, many months later, but they also made it from photographs as it was at the time of Dr. King's killing. You can pull that section of the railing out and slip in your insinglass shrine, and then put your piece of railing back in. There was an awful lot of detail on this. This just shows how the roof lifts off this rooming house, so that the jury could be shown various rooms.

Your entrance to the rooming house is here. Mrs. Brewer's, the landlady's room was in this section here. She showed Ray first this room here, which as you can see is up towards the front or Main Street part of the building. He said he didn't want that room, so [unintelligible] towards the back of the building on the other side. This here shows you the roof off of the mockup. Here's the landlady's room over here. You cross over here to this section, this was the room that Ray eventually rented here, this is the window that we're talking about that he looked out. This is the witness Stevens two rooms here and here's your bathroom. And you can see that this side comes down. I think it does in the next one, John.

All right, the side's down now. This just shows you that this is the bathroom here and shows you those steps. You'll notice two

rungs out of this banister missing. Well, that's the way it was. They even left the two banisters out that were missing when they made this mockup.

All right, John. The only reason I've got this in here is to show you some other detail work. This is Jim's Grill. It supposedly has nothing to do with it, but they even put the stools in Jim's Grill in this section. You see, the side comes off this way and you can see the stools.

Now where I'm pointing to now is the door coming down this hall after the shot was fired, this is where Ray turned and went down these steps.

QUESTION: With that kind of detail, how come they didn't reproduce the shrubs on the [unintelligible] we saw?

CANALE: Well, that [unintelligible] give the FBI? Well, I don't know about the shrubs. Of course, we had pictures taken.

CARLISLE: They only reproduced it as they found it, General, and the shrubbery was not there.

CANALE: Well, they--on the building they reproduced it as they found it, then as we caught them up (?). But we had pictures of the shrubbery, the cars parked there, everything of that nature the day after the killing and we could have shown that in photographs. Why they didn't, maybe we didn't tell them to put the shrubs in, I don't know.

This is the bathroom window and the only reason I've got this in is for all the detail work. They made that window out of isinglass and double-sashed so you could slide it up and down so a witness could say, well I thought the window was closed or it was open this much; and they also made us--in case somebody stuck their finger through the isinglass--made us an extra window. [Laughter] So they went to a lot of detail. All right. [APPLAUSE]

END

Exhibit II

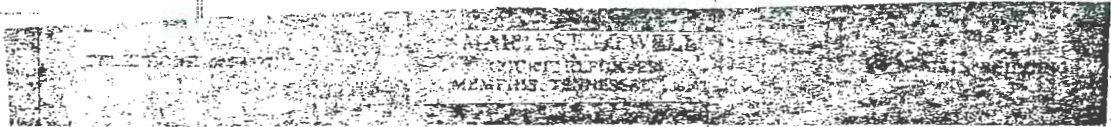
C.A. 77-0692

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For the Defendant-----Mr. Percy Foreman
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Houston, Texas

Mr. Hugh W. Stanton, Sr.
Mr. Hugh W. Stanton, Jr.
Lincoln American Tower
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(Cover flap: Martest Gtwell Court Reporter Memphis, Tennessee 38103
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THE COURT: Is that the agreement?

MR. CANALE: Yes, sir.

THE COURT: All right, I will have to
voir dire Mr. Ray.

Mr. James Earl Ray, stand.

(Thereupon, the Defendant complied
with the request of the Court.)

THE COURT: Have your lawyers explained
all your rights to you and do you understand
them?

MR. RAY: Yes, sir.

THE COURT: Do you know that you have
a right to a trial by jury on the charge of
murder in the first degree against you, the
punishment for murder in the first degree
ranging from death by electrocution to any
time over 20 years?/

The burden of proof is on the State of
Tennessee to prove you guilty beyond a
reasonable doubt and to a moral certainty,
and the decision of the jury must be unani-
mous both as to guilt and punishment.

In the event of a jury verdict against
you, you would have the right to file a

1 motion for a new trial addressed to the
2 trial judge. In the event of an adverse
3 ruling against you on your motion for a
4 new trial, you would have the right to
5 successive appeals to the Tennessee Court
6 of Criminal Appeals and the Supreme Court
7 of Tennessee and to file a petition for
8 review by the Supreme Court of the United
9 States.

10 Do you understand that you have all of
11 these rights?

12 MR. RAY: Yes, sir.

13 THE COURT: You are entering a plea of
14 guilty to murder in the first degree, as
15 charged in the indictment, and are compro-
16 mising and settling your case on an agreed
17 punishment of 99 years in the State
18 Penitentiary.

19 Is this what you want to do?

20 MR. RAY: Yes. I have been -- That's --
21 yes --

22 THE COURT: Is that what you want to
23 do?

24 MR. RAY: That's right.

1 THE COURT: Do you understand that
2 you are waiving, which means giving up,
3 a formal trial by your plea of guilty, al-
4 though the laws of this State require the
5 prosecution to present certain evidence to
6 a jury in all cases of pleas of guilty to
7 murder in the first degree?

8 By your plea of guilty, you are also
9 waiving your right to:

10 One, your motion for a new trial;

11 Two, successive appeals to the Supreme
12 Court, to the Tennessee Court of Criminal
13 Appeals, and the Supreme Court of Tennessee;
14 and

15 Three, a petition to review it by the
16 Supreme Court of the United States.

17 By your plea of guilty, you are also
18 abandoning and waiving your objections and
19 exceptions to all the motions and petitions
20 in which the Court has heretofore ruled
21 against you, in whole or in part, among
22 them being:

23 One, Motion to withdraw a plea and quash
24 indictment;

1 Two, Motion to inspect the evidence;
2 Three, Motion to remove lights and
3 cameras from the jail;
4 Four, Motion for private consultation
5 with Attorney;
6 Five, Petition to authorize Defendant
7 to take depositions;
8 Six, Motion to permit conference with
9 Huie;
10 Seven, Motion to permit photographs;
11 Eight, Motion to designate Court
12 Reporters;
13 Nine, Motion to stipulate testimony;
14 Ten, Suggestion of proper name.
15 You are waiving and giving up all these
16 rights?

17 MR. RAY: Yes, sir.

18 THE COURT: Has anything besides your
19 sentence of 99 years in the penitentiary been
20 promised to you to get you to plead guilty?

21 MR. RAY: No, no one has used pressure.

22 THE COURT: Are you pleading guilty to
23 murder in the first degree in this case be-
24 cause you killed Dr. Martin Luther King under

1 such circumstances that would make you
2 legally guilty of murder in the first de-
3 gree under the law as explained to you by
4 your lawyers?

5 MR. RAY: Yes, legally guilty, uh-huh.

6 THE COURT: Is this plea of guilty to
7 murder in the first degree with agreed
8 punishment of 99 years in the State peni-
9 tentiary freely, voluntarily and understand-
10 ingly made and entered by you?

11 MR. RAY: Yes, sir.

12 THE COURT: Is this plea of guilty on
13 your part the free act of your free will,
14 made with your full knowledge and understand-
15 ing of its meaning and consequences?

16 MR. RAY: Yes, sir.

17 THE COURT: You may be seated.

18 (Thereupon, the Defendant complied
19 with the request of the Court.)

20 THE COURT: All right, sir, are you
21 ready for a jury?

22 MR. FOREMAN: Yes, Your Honor.

23 THE COURT: All right, sir, call 12
24 names, take them one at a time out of the

1 box and call the name.

2 DEPUTY: James W. Ballard; Gus Cariota;
3 Johnny Shaw; James N. Abram; John W. Blackwell;
4 Amos G. Black, Jr; J. Paul Howard; Miller
5 Williamson; Robert S. St. Pierre, S-t.
6 P-i-e-r-r-e.

7 MR. ST. PIERRE: Here.

8 DEPUTY: James R. Pate; Joe Stovall, Jr;
9 Richard Lee Counsellor.

10 Amos G. Black?

11 MR. BLACK: Yes.

12 DEPUTY: Have a seat in the box.

13 John W. Blackwell; James N. Abram;
14 Robert S. St. Pierre; Miller Williamson;
15 J. Paul Howard; Robert Lee Counsellor.

16 Last seat.

17 Joe Stovall, Jr.; James R. Pate;
18 Johnny Shaw; Gus Cariota; James W. Ballard.

19 (Thereupon, the jurors were seated
20 in the jury box.)

21 GEN. CANALE: May it please the Court,
22 Gentlemen of the Jury, I will introduce
23 myself. My name is Phil M. Canale, Jr. I
24 am the District Attorney here in Shelby

County, Tennessee.

2 This is my Executive Assistant, Mr.
3 Robert Dwyer, Assistant Attorney General,
4 Mr. James Beasley, both in my office.

5 The next gentleman is Mr. Percy
6 Foreman, who represents the Defendant, Mr.
7 James Earl Ray, in this case; Mr. Hugh
8 Stanton, Sr., also representing Mr. Ray;
9 Mr. Hugh Stanton, Jr., representing Mr. Ray,
10 and Mr. James Earl Ray is seated in the
11 second row here behind his attorney.

12 Gentlemen, the case we have for con-
13 sideration today is the case of the State
14 of Tennessee against James Earl Ray, who
15 is charged by the State of Tennessee in an
16 indictment of murder in the first degree,
17 growing out of the slaying on April 4th of
18 1968, of Dr. Martin Luther King, Jr.

19 Now, Gentlemen, this Defendant, Mr.
20 James Earl Ray, has the right under our law
21 to a trial by jury. He also has a right to
22 enter a plea of guilty if he so desires.

23 This morning, Mr. Foreman, his attorney,
24 has announced to the Court that James Earl

1 Ray desires to change his plea from not
2 guilty to guilty.

3 The Court, before you entered the
4 room in here, entered the courtroom in
5 here, has questioned the Defendant, James
6 Earl Ray, about the voluntariness of his
7 plea, and making sure that he has been
8 explained all of his rights. The Court
9 has done that and the Defendant has stated
10 that this is a voluntary plea on his part,
11 and that was done before you came in the
12 courtroom.

13 Now, in such a situation as this, re-
14 presenting the people of the State of
15 Tennessee, I have to make a recommendation
16 as to punishment in the case, and on the
17 plea of guilty to the Defendant for the
18 slaying of Dr. Martin Luther King, Jr., I
19 have recommended a sentence of 99 years in
20 the State penitentiary at Nashville.

21 Now, Gentlemen, can each of you sit
22 here as jurors, and we will put on some
23 proof for your consideration, can each of
24 you sit here as jurors and accept that plea

1 of guilty of the Defendant, James Earl Ray,
2 and the recommended punishment which has
3 been accepted, offered by the State and ac-
4 cepted by James Earl Ray, the punishment of
5 99 years in the State penitentiary at
6 Nashville?

7 Can each of you do that?

8 (Thereupon, the jurors indicated
9 that they could do so.)

10 GEN. CANALE: All right, sir.

11 THE COURT: Do you wish the jury to be
12 sworn at this time?

13 GEN. CANALE: Not just yet, Your Honor.
14 I want to make a few more remarks.

15 It is incumbent upon the State in a
16 plea of guilty to murder in the first degree
17 to put on certain proof for your consideration.

18 We have to put on proof of what we law-
19 yers call the proof of the corpus delicti
20 which is the body of the crime. We will also
21 put on several lay witnesses or police offi-
22 cers to fill you in on certain important as-
23 pects of this case, and then we will introduce
24 certain physical evidence through these

1 witnesses, and Mr. Beasley, or Mr. Dwyer
2 will question these witnesses, and Mr.
3 Beasley will give you an agreed stipula-
4 tion of facts that the State has gotten
5 up which contains what the State would
6 prove by witnesses if this went to trial,
7 and you will have the benefit of all that
8 information through this stipulation of
9 fact which has been agreed to by the State
10 and by the Defendant as to what the State
11 would prove if this matter went to trial.

12 I just want to make one more statement
13 to you gentlemen before we proceed with
14 this matter.

15 There have naturally in any case that
16 has had this notoriety, there have been
17 rumors going all around, perhaps some of
18 you have heard some of these rumors, that
19 Mr. James Earl Ray was a dupe in this thing
20 or a fall guy or a member of a conspiracy
21 in a plan to kill, conspired plan to kill
22 Dr. Martin Luther King, Jr.

23 I want to state to you as your Attorney
24 General that we have no proof other than

1 that Dr. Martin Luther King, Jr. was killed
2 by James Earl Ray and James Earl Ray alone,
3 not in concert with anyone else.

4 Our office has examined over 5,000
5 printed pages of investigation work done by
6 local police, by national police organiza-
7 tions, and by international law enforce-
8 ment agencies. We have examined over 300
9 physical bits of evidence, physical exhibits.

10 Three men in my office, Mr. Dwyer, Mr.
11 Beasley, and Mr. John Carlyle, the chief
12 investigator in the Attorney General's Office,
13 -- you can't see him over here -- have trav-
14 eled thousands of miles all over this country
15 and to many cities, in foreign countries on
16 this investigation, our own independent in-
17 vestigation, and I just state to you frankly
18 that we have no evidence that there was any
19 conspiracy involved in this.

20 I will state this to you further: If at
21 any time there is evidence presented, com-
22 petent evidence presented, which we can in-
23 vestigate and bear out, that there was a con-
24 spiracy involved in this, I assure you as

1 your Attorney General that we will take
2 prompt and vigorous action in searching
3 it out and in asking that indictments be
4 returned, if there are other people or
5 should have, if it ever should develop
6 that other people were involved, and you
7 have my assurance on that. Not only me
8 but the local law enforcement officers and
9 your national law enforcement officers, and
10 I just wanted to give you that thought.

11 Thank you very much, Gentlemen.

12 MR. FOREMAN: May I?

13 Gentlemen of the Jury, I am Percy Foreman,
14 permitted by His Honor to appear, and it is
15 an honor to appear, in this court for this
16 case.

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

21 All of us, all of you were as well-
22 informed as was I about the facts of this case
23 due to the fact that we do have such an ef-
24 fective news media, both electronic and press

1 and magazines. Took me a month to convince
2 myself of that fact which the Attorney
3 General of the United States and J. Edgar
4 Hoover of the Federal Bureau of Investigation
5 announced last July; that is, just what
6 Gen. Canale has told you, that there was not
7 a conspiracy.

8 I have talked with my client more than
9 50 hours, I would estimate, and cross-
10 examination most of that time, checking each
11 hour, minute, each expenditure of money down
12 to even 50 and 75 cents for shaves and hair-
13 cuts, pursuing the ---

14 I have gone through agreed recommenda-
15 tions in capital cases many times, and I
16 know from past experience some of the ques-
17 tions that come to your mind as jurors, and
18 I think you are entitled to have them an-
19 swered now before you are sworn as jurors.

20 One of the things you are wondering is,
21 if this agreement has been made between the
22 prosecution and defense, why should we be
23 brought in here at all?

24 Gentlemen of the Jury, that goes back

1 several hundred years in the jurisprudence
2 of Anglo-Saxon law, and it's a part of the
3 law of every state in the Union that I know
4 about in capital cases, that capital case
5 means a case where one of the alternate
6 punishments is the possibility of infliction
7 of death, and the law is so concerned about
8 not establishing sordid chambered sessions
9 where people's lives will be bartered, that
10 they require what the Constitution calls a
11 public trial, and you are the public in this
12 case and you must understand what's going
13 on. You are the brakes, but not one of you
14 is required to sit on this jury. You have
15 a right, any one of you, who thinks that it
16 would be contrary to your conscience to
17 write the penalty agreed upon by the prose-
18 cution and approved by the Court. If there
19 is any one of you who feels, for any reason,
20 you would rather be excused, why I am sure
21 His Honor will excuse you at this time be-
22 fore the jury is sworn and call someone else
23 to take your place.

24 Those of us who have spent our lives in

1 the courtroom, and particularly in the field
2 of what's called criminal law, we are sup-
3 posed to be able to evaluate a case. This
4 is the extreme penalty short of one step.
5 The death penalty is by many people thought
6 to be worse punishment than life or 99
7 years in the penitentiary. I don't think
8 there is any punishment at all to death ex-
9 cept from the time punishment is assessed
10 until it is carried into execution, because
11 certainly there is no punishment after than.

12 What, through the fact that you have
13 a District Attorney General, who is as big
14 as his office, if not bigger, a man who is
15 not primarily concerned with the scalps on
16 his belt. He is not trying to get a glor-
17 ious reputation to run for some higher office,
18 and the fact that you have a Judge, a sin-
19 cere humane and compassionate man, has en-
20 abled us to do here what some of the other
21 celebrated trials were not able.

22 There is just as compassionate a District
23 Attorney in Los Angeles as there is here,
24 just as big a man, but the Judge would not

1 agree in that case, and that's why that
2 case is going on.

3 But here in Shelby County, Tennessee,
4 you are blessed with a judiciary and with
5 a prosecuting attorney, who are able to
6 look at this case as well as any other
7 case and not be swept off their feet by
8 the backwash of publicity, and there is
9 no special consideration here.

10 I am advised by my co-counsel, Hugh
11 Stanton, Sr., that there has never been a
12 time in the history of Shelby County when
13 a plea of guilty was entered that the death
14 penalty was not waived.

15 So all that we have here is the same
16 precedent, equal justice being applied as
17 it would be if this were Joe Blow, John Doe
18 or Richard Roe instead of James Earl Ray.

19 Now, with that, I want to ask each of
20 you individually just one single question.
21 It is polling the jury in advance.

22 Mr. Black, who is Mr. Black?

23 Mr. Black, are you willing to assess
24 the punishment that His Honor and Gen. Canale

1 and the attorneys for the defense have
2 agreed upon in this case, 99 years?

3 MR. BLACK: Yes.

4 MR. FOREMAN: You are. Thank you,
5 sir. And Mr. Blackwell, are you like-
6 wise willing to -- is there anything in
7 your conscience that would rebel at
8 writing this penalty agreed upon in this
9 case?

10 And you, Mr. Abrams, is that your
11 answer also, and if accepted as a juror
12 in this case, you will underwrite the ver-
13 dict and the judgment of the Court and
14 prosecuting attorney and defense counsel?

15 MR. ABRAMS: Yes, sir.

16 MR. FOREMAN: Thank you, Mr. Abram.
17 And you are Mr. St. Pierre?

18 MR. ST. PIERRE: That is correct.

19 MR. FOREMAN: That is St. Pierre,
20 isn't it?

21 I bet they haven't pronounced it
22 right here yet.

23 MR. ST. PIERRE: That is one ---

24 MR. FOREMAN: Are you, Mr. St. Pierre,

1 willing to subscribe to the verdict of
2 99-year sentence in this case if ac-
3 cepted as a juror?

4 MR. ST. PIERRE: Yes.

5 MR. FOREMAN: Thank you. And you
6 are Mr. Williamson?

7 MR. WILLIAMSON: Yes, sir.

8 MR. FOREMAN: Is that your answer
9 also?

10 MR. WILLIAMSON: Yes, sir.

11 MR. FOREMAN: And if you are sworn
12 as a juror in this case, you will assess
13 the penalty agreed upon and as recommended
14 by your Attorney General and approved by
15 His Honor, Judge Battle?

16 MR. WILLIAMSON: Yes, sir.

17 MR. FOREMAN: And you, Mr. Howard?

18 MR. HOWARD: Yes, sir.

19 MR. FOREMAN: Will you likewise assess
20 the penalty of 99 years if you are accepted
21 as a juror in this case?

22 MR. HOWARD: Yes, sir.

23 MR. FOREMAN: Thank you. And you are
24 Mr. Counsellor?

1 MR. COUNSELLOR: Yes, sir.
2 MR. FOREMAN: Thank you, Mr. Counsellor.
3 Is your answer the same as these gentle-
4 men on the back seat?
5 MR. COUNSELLOR: Yes, sir.
6 MR. FOREMAN: You will underwrite that
7 verdict ---
8 MR. COUNSELLOR: Yes, sir.
9 MR. FOREMAN: -- if accepted as a
10 juror.
11 And you, Mr. Stovall?
12 MR. STOVALL: That is my answer also.
13 MR. FOREMAN: Thank you, sir. We
14 have a Judge Stovall in Houston.
15 Mr. Pate?
16 MR. PATE: Yes, sir.
17 MR. FOREMAN: Would you underwrite
18 the verdict of 99 years as agreed upon and
19 recommended by your Attorney General?
20 MR. PATE: Yes, sir.
21 MR. FOREMAN: And agreed to by the
22 defense in this case and by the Defendant?
23 And Mr. Shaw, is that your answer
24 also?

1 MR. SHAW: Yes, sir.
2 MR. FOREMAN: You would write the same
3 verdict also? Your answer is the same?
4 MR. SHAW: Yes, sir.
5 MR. FOREMAN: Mr. Cariota, is that
6 your answer, sir?
7 MR. CARIOTA: Yes, sir.
8 MR. FOREMAN: And you, Mr. Ballard?
9 MR. BALLARD: Yes, sir.
10 MR. FOREMAN: You would? Thank you.
11 Thank you very much.
12 Thank you, Your Honor.
13 THE COURT: Do both sides accept the
14 jury?
15 MR. FOREMAN: We do, Your Honor.
16 GEN. CANALE: The State does, Your
17 Honor.
18 MR. RAY: Your Honor, I would like to
19 say something too, if I may.
20 THE COURT: All right.
21 MR. RAY: I don't want to change any-
22 thing that I have said. I don't want to
23 add anything onto it either. The only thing
24 I have to say is, I don't exactly accept

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the theories of Mr. Clark.

In other words, I am not bound to accept these theories of Mr. Clark.

MR. FOREMAN: Who is Mr. Clark?

MR. RAY: Ramsey Clark.

MR. FOREMAN: Oh.

MR. RAY: And Mr. Hoover.

MR. FOREMAN: Mr. who?

MR. RAY: Mr. J. Edgar Hoover. The only thing, I say I am not -- I agree to all these stipulations. I am not trying to change anything. I just want to add something onto it.

THE COURT: You don't agree with whose theories?

MR. RAY: I meant Mr. Canale, Mr. Foreman, Mr. Ramsey Clark. I mean on the conspiracy thing. I don't want to add something onto it which I haven't agreed to in the past.

MR. FOREMAN: I think that what he is saying is that he doesn't think that Ramsey Clark's right or J. Edgar Hoover is right.

I didn't argue them as evidence in

1 this case. I simply stated that under-
2 writing and backing up the opinions of
3 General Canale, that they had made the
4 same statement.

5 You are not required to agree or
6 withdraw or anything else.

7 THE COURT: You still -- your answers
8 to these questions that I asked you would
9 still be the same?

10 MR. RAY: Yes, sir.

11 The only thing is I just didn't want
12 to add anything onto them. That was all.

13 THE COURT: There is nothing in these
14 answers to these questions I asked you,
15 in other words, you change none of those?

16 MR. RAY: No, sir. No, sir.

17 THE COURT: In other words, you are
18 pleading guilty and taking 99 years, and
19 I think the main question here that I want
20 to ask you is this:

21 Are you pleading guilty to murder in
22 the first degree in this case because you
23 killed Dr. Martin Luther King under such
24 circumstances that would make you legally

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guilty of murder in the first degree under
the law as explained to you by your lawyers?

MR. RAY: Yes, sir, make me guilty on
that.

THE COURT: Your answers are still yes?

MR. RAY: Yes, sir.

THE COURT: All right, sir, that is all.
You may swear the jury.

(Thereupon, the jury was sworn.)

THE COURT: Swear the officers, too,
four or five of them.

Everyone who is to be sworn, ask the
officers to come in.

(Thereupon, the officers were sworn.)

GEN. CANALE: Your Honor, I will read
the indictment to the jury at this time.

THE COURT: All right, sir.

GEN. CANALE: Gentlemen of the Jury, the
indictment in this case reads as follows:

"State of Tennessee, Shelby County,
Criminal Court of Shelby County, January
term, 1968.

"The Grand Jurors of the State of
Tennessee, duly elected, impaneled, sworn

1 and charged to inquire in and for the
2 body of the County of Shelby, in the
3 State aforesaid, upon their oath pre-
4 sent that James Earl Ray, alias Eric
5 Starvo Galt, alias John Willard, alias
6 Harvey Lowmeyer, spelled L-o-w-m-e-y-e-r,
7 alias Harvey Lowmyer, spelled
8 L-o-w-m-y-e-r, late of the County afore-
9 said, heretofore, to-wit, on the 4th day
10 of April, 1968, before the finding of this
11 indictment, in the County aforesaid, did
12 unlawfully, feloniously, wilfully, de-
13 liberately, premeditatedly, and with
14 malice aforethought kill and murder
15 Martin Luther King, Jr., against the peace
16 and dignity of the State of Tennessee."

17 This is signed by myself, Phil M.
18 Canale, Jr., Attorney General, Criminal
19 Court of Shelby County, Tennessee, and it
20 was returned a true bill by the Shelby
21 County Grand Jury on the 7th day of May,
22 1968, and signed W. F. Bowld, Foreman of
23 the Grand Jury.

24 MR. FOREMAN: To which, Gentlemen of

1 and charged to inquire in and for the
2 body of the County of Shelby, in the
3 State aforesaid, upon their oath pre-
4 sent that James Earl Ray, alias Eric
5 Starvo Galt, alias John Willard, alias
6 Harvey Lowmeyer, spelled L-o-w-m-e-y-e-r,
7 alias Harvey Lowmyer, spelled
8 L-o-w-m-y-e-r, late of the County afore-
9 said, heretofore, to-wit, on the 4th day
10 of April, 1968, before the finding of this
11 indictment, in the County aforesaid, did
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23 the Grand Jury.

24 MR. FOREMAN: To which, Gentlemen of

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the Jury, the Defendant, James Earl Ray,
enters a plea of guilty.

MR. DWYER: Mr. Gray, call Reverend
Kyle, please, sir.

1 please, sir?

2 A About ten years.

3 Q Rev. Kyles, I am going to direct your attention and
4 memory back to the date of April the 4th, 1968.

5 Do you recall that date, sir?

6 A Yes, I do.

7 Q And around 6:00 P.M. on that date where were you?

8 A I was in the Lorraine Motel in Room 306.

9 Q And the purpose of being down there was what, Rev.
10 Kyles?

11 A I had gone to pick Dr. Martin Luther King, Jr. up
12 to go home, go to my house at 2215 South Parkway East for a
13 soul food dinner.

14 Q And had Dr. King agreed to go out to your home and
15 eat dinner with you?

16 A Yes.

17 Q All right, now, a few minutes prior to 6:00 P.M.,
18 Rev. Kyles, do you recall your location at that time?

19 A Yes. I spent about 45 minutes in Room 306 with Dr.
20 King.

21 Q Were you engaging with conversation with him at that
22 time, Rev. Kyles?

23 A Yes, I was.

24 Q Was Dr. King alive and in good health and in good

1 spirits at that time and at that location?

2 A Yes, he was.

3 Q All right, now, Rev. Kyles, I am going to ask you,
4 with the Court's permission, to step down from the witness
5 stand, if you will.

6 Will you come down here, Reverend?

7 I am going to show you a simulated mock-up of the
8 section of the city, Rev. Kyles, and ask you from this if
9 you can identify the Lorraine Motel?

10 A Yes, I can.

11 Q All right now, Rev. Kyles, if you would, step over
12 here so these gentlemen can see you, please, sir.

13 Can you give us the location on the mock-up for
14 the benefit of the Court and Jury where Dr. King's room was
15 on that date?

16 A Room 306 of the Lorraine Motel, approximately right
17 here (indicating).

18 Q That was the upper floor of that motel, is that
19 correct?

20 A Yes, that's correct.

21 Q And you were in the room with Dr. King, Rev. Kyles?

22 A Yes, I was.

23 Q All right, now, right at 6:00 P.M., did he leave the
24 room or did you leave the room or what took place down there?

1 A Uh, fairly close to 6:00 P.M. we were going to leave
2 for dinner. Dr. Abernathy was also in the room. Dr. King
3 came out. I was still in the room. He came out on the bal-
4 cony and was greeting some of the people who were in the
5 courtyard, and he came back in the room, I believe to get
6 his coat, and the both of us came out together, and we stood
7 at this point on the balcony for about, about three minutes
8 greeting some people who also were going to dinner with us.
9 And we stood together there about three or four minutes, and
10 I turned to my right to walk away and said I was going and
11 get my car and talk some of the people who were going to
12 dinner.

13 I got approximately 5 or 6 steps away from him and
14 I heard what I now know to be a shot, and I looked over the
15 railing. I thought it was a car backfiring, or something,
16 and when I realized what had happened, I turned back to my
17 left and saw Dr. King lying in a position thusly with a
18 tremendous wound in his right side. He was laying in this
19 position with the wound here (indicating).

20 Q All right. Can you depict on there with your
21 finger, Rev. Kyles, whereabouts was Dr. King lying at that
22 time?

23 A In the little indented point here (indicating).
24 There is a little indented place where the balcony comes and

1 goes in.

2 He was -- he was -- he had fallen in this little
3 cove-like with his feet pressed against the railing, and he
4 was lying in a pool of blood at that point.

5 Q Reverend, you noticed a gaping wound, did you say,
6 about his face?

7 A Yes, and it tore this much of his face away that
8 I could see, and also noticed that the shot had cut his
9 necktie, just cut it right off at that point.

10 I remember that because he had been trying to find
11 out -- he thought somebody was playing a trick in the room --
12 he couldn't find his necktie and he did finally find it, and
13 we had had some conversation about his shirt and his neck-
14 tie.

15 Q All right, now, at that time did Dr. King say any-
16 thing to you, Rev. Kyles?

17 A You mean while lying there?

18 Q While lying there.

19 A No, he didn't speak a word.

20 Q No word. All right, now, what did you do then,
21 Reverend?

22 A I immediately came to him and when I saw this
23 wound in his face, I ran in the room and picked up the phone
24 to try and get an ambulance and I didn't have success at

1 that because I think the operator had left. She must have
2 heard the shot and come out.

3 So I came back out and looked over the railing and
4 I hollered to somebody, police, I believe, to call an ambu-
5 lance and they had already called one, and then I went back
6 into the room and took the spreads off the beds in the room
7 and covered him, covered him as he was lying there.

8 Q Did you go to the hospital with Dr. King, Rev.
9 Kyles?

10 A No, I didn't. I remained at the Lorraine to handle
11 the phones. We were trying to get in touch with Atlanta and
12 Mrs. King.

13 Q Rev. Kyles, when you were on the balcony, after hear-
14 ing the shot, did you look over towards the rooming house?

15 A Yes, I did. I heard some people asking, I think
16 they were the police, which way the shot come from, and there
17 were some people pointing, and we all looked in that direc-
18 tion.

19 Q I will ask you to point on the mock-up here, and I
20 will ask you, in the back of the rooming house, Rev. Kyles,
21 if you will.

22 Do you see the area over there?

23 A Over here (indicating)?

24 Q Yes.

1 A Yes.

2 Q Right in the back, did you look down in there, in
3 that area?

4 A Yes, I looked over here because there were bushes
5 and things. It wasn't clear like this (indicating).

6 Q All right. I am going to hand you a photograph
7 and ask you, Reverend, if this will depict, this photograph
8 will depict the area as it was when you looked over there
9 on that evening?

10 A It does.

11 Q All right, now, I will ask you, Rev. Kyles, did
12 you see anybody moving about over there?

13 A No, I didn't.

14 Q All right. Come on back, if you will, Reverend.
15 (Thereupon, the witness resumed
16 the witness stand.)

17 Q I am going to show you another picture, Rev. Kyles,
18 and ask you if you can identify it for me, please?

19 A Yes. This is a scene looking north on Mulberry
20 Street right in front of the Lorraine Motel, right on the
21 parking lot area.

22 Q As I asked you the area in back of the rooming house,
23 did you look over in that area, Rev. Kyles?

24 A Yes, I did.

1 Q Did you see anybody moving about over there?
2 A No. At the point I looked, I could see the officers
3 coming, coming towards ---
4 Q Towards the motel?
5 A Yes, sir.
6 Q All right, now, Rev. Kyles, did you attend the
7 funeral of Dr. Martin Luther King, Jr.?
8 A Yes, I did, in Atlanta, Ga.
9 Q I am going to hand you a photograph, Rev. Kyles,
10 and ask you if you can identify it, please?
11 A Yes. That's a photograph of Dr. King.
12 Q And does that depict the wound that you saw on his
13 face when you saw him on April the 4th, 1968?
14 A Yes, it does.
15 MR. DWYER: If the Court pleases, I
16 would like to have these photographs
17 passed to the Jury for its consideration.
18 THE COURT: Have they been marked?
19 MR. DWYER: We are going to make
20 them all a composite exhibit, if the
21 Court pleases.
22 THE COURT: Oh, you are.
23 MR. DWYER: All of them.
24 THE COURT: All right, sir.

1 (Thereupon, the said photographs
2 were passed to the Jury.)

3 Q Rev. Kyles, what you have testified to, did it
4 happen in Memphis, Shelby County, Tennessee, prior to May 7,
5 1968?

6 A Yes, it did.

7 MR. DWYER: That is all. You may
8 step down, Rev. Kyles. Thank you very
9 much.

10 (Witness Excused)

11 ---
12 MR. DWYER: Mr. Chauncy Eskridge,
13 Mr. Gray.

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1 A Visiting with Dr. King, and I was his lawyer.

2 Q You represented Dr. King?

3 A Yes.

4 Q Now, Mr. Eskridge, I am going to ask you to come
5 down, if you will, please, sir, and let me show you a mock-
6 up of that part of the city.

7 (Witness complies with request.)

8 Q If you will, if you will take the pointer, Mr.
9 Eskridge, and orient yourself a little bit there.

10 Around 6:00 P.M. on that date, where were you lo-
11 cated, sir?

12 Come around here, Mr. Eskridge, so the Jury can see
13 what you are doing.

14 A I was standing in the courtway looking up at the
15 door at 306, the room 306, and I would have been about here
16 (indicating).

17 Q All right, sir, now at that time were you engaging
18 Dr. King in conversation or anything like that, Mr. Eskridge?

19 A Well, at 6:00 o'clock he came out of the room. I
20 was awaiting him to go to dinner and I was at the car. The
21 driver of the car was standing in front of me. We were both
22 on the lefthand side of the car, and Rev. Andrew Young was
23 on the righthand side of the car.

24 At any moment we were expecting Dr. King to come

1 from the room. He opened the door and came out one time and
2 he said something about, "Tell Jesse we are ready to go."

3 He went back in to put in his shirttail and a few
4 minutes later he came out with his coat on and he put his
5 coat on and put his hand on the rail and leaned over the
6 rail and said, "Okay, start the car."

7 Whereupon, the sound came from my right ear and
8 said, "Zing!"

9 And I looked to my left rear to see what it was.
10 And I turned back and looked and he was laying on his back.

11 Q Mr. Eskridge, when you turned to your left, did you
12 look back over towards a rooming house there shown on the
13 mock-up?

14 A I did.

15 Q Did you see anybody moving about over there at that
16 time?

17 A I did not.

18 Q All right, now, when you turned back, you saw Dr.
19 King, he was sprawled out on the balcony; is that right?

20 A That's right.

21 Q Did you go to the hospital with Dr. King?

22 A I did.

23 Q And at that time were you informed that he was dead?

24 A I was.

1 Q Did you attend his funeral, Mr. Eskridge?
2 A I did.
3 Q And that funeral took place where?
4 A In Atlanta, Ga.
5 Q You may resume the stand there, Mr. Eskridge.

6 (Thereupon, the witness resumed
7 the witness stand.)

8 MR. DWYER: You may step down. Thank
9 you very much, Mr. Eskridge.

10 (Witness Excused)

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12 MR. DWYER: Dr. Francisco, Mr. Gray.
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1 the causes of disease, the effects of disease upon the body,
2 including trauma, injuries to the body.

3 Q Dr. Francisco, I will ask you if you were acting in
4 that capacity as County Medical Examiner on April 4, 1963?

5 A Yes.

6 Q And I will ask you if around 8:47 P.M. on that date
7 if you remember where you were, sir?

8 A Yes.

9 Q And will you tell us, please?

10 A In the medical examiner laboratories at the University
11 of Tennessee.

12 Q I will ask you if at that time if you had an oc-
13 casion to view a dead body?

14 A Yes.

15 Q I will show you a photograph that has been shown
16 as an exhibit in this case and ask you if that is the body
17 that you saw at that time at that location?

18 A Yes.

19 Q Dr. Francisco, I will ask you what if anything did
20 you do in relation to that body?

21 A An autopsy was performed.

22 Q And an autopsy is what, sir?

23 A An autopsy is a scientific and systematic examination
24 of the body after death in order to determine any wounds,

1 injuries, or diseases present on the body.

2 Q Will you tell us what your examination reflected,
3 Dr. Francisco?

4 A The examination revealed a gunshot wound to the
5 right side of the face, passing through the body into the
6 neck, through the spinal cord at the base of the neck, with
7 the bullet lodging beneath the skin near the shoulder blade
8 on the left.

9 Q Cause of death was what, Dr. Francisco?

10 A A gunshot wound to the cervical and thoracic spinal
11 cord.

12 Q In your medical opinion, how soon did death occur
13 from that wound?

14 A Shortly after death, shortly after injury.

15 Q Did you recover anything from the body, Dr.
16 Francisco?

17 A Yes.

18 Q I am going to show you an object and ask you if
19 you can identify those, Dr. Francisco?

20 A Yes.

21 Q And what is that, please, sir?

22 A This is the bullet that was removed from the body
23 at the time of the autopsy.

24 Q What, if anything, did you do with that bullet,

1 Dr. Francisco, that you recovered?

2 A This bullet was identified by number and delivered
3 to representative of the police department.

4 Q Dr. Francisco, pursuant to the -- first, let me ask
5 you, would you give me an angle or the gentlemen of the jury
6 an angle of that wound, Doctor, say, on your own body, if
7 you would, please, sir?

8 A The angle was from above downward, from right to
9 left, passing through the chin, base of the neck, spinal
10 cord into the back, an angle of something about like this
11 on the body (indicating).

12 Q Pursuant to our instructions, Dr. Francisco, did
13 you visit the scene, sir?

14 A Yes.

15 Q And did you make certain tests out there or observa-
16 tions at the scene?

17 A Yes.

18 Q Dr. Francisco, I will ask you if you will step down
19 please, sir, and come over to the mock-up, please?

20 (Thereupon, the witness complied
21 with request.)

22 Q The tests, Dr. Francisco, were what, please, sir?

23 A The tests included going to the floor, going to
24 the floor of the motel in this area and going to the room

1 N. E. ZACHARY

2 The said witness, being first duly sworn, testified
3 as follows:

4 DIRECT EXAMINATION
5 BY MR. DWYER:

6 Q Will you state your name to this Court and Jury,
7 please, sir?

8 A N. E. Zachary.

9 Q By whom are you employed, sir?

10 A Memphis Police Department.

11 Q How long have you been with the Department?

12 A Almost 22 years.

13 Q Do you have a rank or rating with the Department?

14 A Inspector of Police.

15 Q Insp. Zachary, I will ask you if you were employed
16 by the Memphis Police Department on April the 4th, 1968?

17 A I was.

18 Q You were in what capacity on that date, please, sir,
19 with the Department?

20 A Inspector in charge of the Homicide Bureau.

21 Q Inspector, I will ask you if you recall the hour
22 of 6:00 P.M. on that date?

23 A I do, sir.

24 Q And your location at that time?

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1 A I was at Police Headquarters at that time.

2 Q Inspector, what, if anything, occurred?

3 A I heard a broadcast on the radio that Dr. Martin

4 Luther King had been shot at the Lorraine Motel.

5 Q What did you do, sir?

6 A Immediately went to the Lorraine Motel.

7 Q And when you got down there were you the commanding

8 officer in charge of the scene at that time, Inspector?

9 A I was.

10 Q Did you issue certain instructions and have photo-

11 graphs and things of that kind made?

12 A I did.

13 Q Detail men to start making investigation of that

14 area; is that correct, Inspector?

15 A I did, yes, sir.

16 Q Inspector, I am going to ask you if you went up to

17 Main Street at that time?

18 A I did.

19 Q Now, will you step down, please, sir, so we might

20 orient ourselves here?

21 (Thereupon, the witness complied

22 with request.)

23 Q In regards to Main Street on the mock-up, Inspector,

24 did you find anything up there, and in particular, in front

1 of Canipe Amusement Company?

2 A I did.

3 Q Would you point that out and let these gentlemen of
4 the jury see where you are referring to?

5 (Thereupon, the witness complied
6 with request.)

7 Q All right, Inspector, what, if anything, did you
8 find there, please, sir?

9 A I found a package rolled up in a bedspread which
10 consisted of a blue briefcase and a Browning pasteboard box
11 containing a rifle.

12 It was in this doorway at about this location right
13 here (indicating).

14 Q Let me show you a photograph and ask you if that
15 reflects the package that you found on that evening,
16 Inspector?

17 A It does, yes, sir.

18 Q What, if anything, did you have cause to be done
19 to the package, please, sir?

20 A At that particular time I put a guard on it with
21 instructions to let no one touch it or move it until we
22 could take photographs of it.

23 Q Did you later take this package or bundle, as you
24 might refer to it, to Headquarters?

1 A I did, yes, sir.

2 Q All right, Inspector, if you will, come back over
3 here, please.

4 (Thereupon, the witness resumed
5 the witness stand.)

6 Q I am going to show you a spread, Inspector, and ask
7 you if that is the spread that was wrapped around the pack-
8 age?

9 A Yes, sir, it is.

10 Q All right. Can I have that back, please?

11 (Thereupon, the said object was
12 passed to counsel.)

13 Q Show you a box, Inspector, and ask you if that was
14 in the bundle down there?

15 A Yes, sir.

16 Q Show you a rifle, Inspector, and ask you if that
17 was in the box?

18 A It was, yes, sir.

19 Q All right. Show you a plastic zipper bag and ask
20 you if that was in the bundle, Inspector?

21 A It was, yes, sir.

22 Q You took these objects up to Headquarters, Inspector
23 Zachary?

24 A I did.

1 Q Did you go into the zipper bag at Headquarters?
2 A I did, yes, sir, by using a coathanger to unzip it.
3 Q I am going to ask you if you found a binocular case
4 in there, Insp. Zachary?
5 A Yes, sir.
6 Q A couple of cans of beer, Schlitz beer?
7 A Yes, sir.
8 Q Did you find those in there?
9 A I did.
10 Q Shaving kit?
11 A Yes, sir.
12 Q Show you a garment that is wrapped up. I believe
13 that is a tee shirt, Insp. Zachary.
14 A Yes, sir.
15 Q Pair of undershorts?
16 A Yes, sir.
17 Q Pair of binoculars?
18 A Yes, sir.
19 Q Pasteboard box that looks like binoculars came in?
20 A Yes, sir.
21 Q Was that in there, Inspector?
22 A Yes, sir.
23 Q And a hair brush?
24 A Yes, sir.

1 Q There is a transistor radio; was that in there,
2 Inspector?
3 A Yes, it was.
4 Q A pair of pliers and a hammer?
5 A Yes, sir.
6 Q A paper bag; was that in the bundle, Inspector, in
7 the plastic bag?
8 A Yes, sir.
9 Q There is a newspaper, Commercial Appeal, Insp.
10 Zachary, was that in there?
11 A Yes, sir.
12 Q Inspector, what did you do with the plastic zipper
13 bag at Headquarters?
14 A I turned it and the contents, with the exception
15 of the tee shirt and shorts, over to the F.B.I. sometime
16 around 10:00 P.M. that night.
17 Q Was that up there in your office, Inspector?
18 A Yes, sir.
19 Q And do you recall was Mr. Jensen of the Memphis
20 F.B.I. there?
21 A He was, yes, sir.
22 Q And those objects were turned over to him; is that
23 correct?
24 A Yes, sir.

1 Q There is some cartridges, Inspector; were they in
2 the zipper bag?

3 A No, sir. I believe they were in the pasteboard bag
4 with the rifle.

5 Q With the rifle?

6 A Yes, sir.

7 Q The purpose of turning these objects that you have
8 identified here over to the F.B.I. was to be sent to
9 Washington for its examination, Insp. Zachary?

10 A That is correct, yes, sir.

11 MR. DWYER: You may come down, Insp.

12 Zachary. Thank you very much, sir.

13 (Witness Excused)

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15 MR. DWYER: Mr. Robert Jensen, Mr.

16 Gray.

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1 Q And as a result of the call, what, if anything, did
2 you do, Mr. Jensen?

3 A I called my Washington headquarters to advise them
4 of the information which I had received, and then subse-
5 quently dispatched men to assist in the investigation.

6 Q All right, now, Mr. Jensen, you dispatched your
7 agents to enter into this investigation, at what time on
8 that date, would you say?

9 A Probably around 6:30.

10 Q All right, now, Mr. Jensen, I will ask you if you
11 recall where you were at 10:00 P.M. on that date?

12 A Yes, sir, I was in the Memphis Police Department.

13 Q And I will ask you if anything was turned over to
14 you in your official capacity on that date at that time by
15 the Memphis Police Department?

16 A Yes. Certain evidence was turned over to me that
17 night.

18 Q I am going to ask you, Mr. Jensen, to look at --
19 there is a green spread here, here is some pliers and a
20 hammer, here is a rifle, here is some shaving articles,
21 binoculars, beer cans, newspaper, tee shirt, shorts, there
22 is a transistor radio over there (indicating).

23 I will ask you if those objects were turned over to
24 you by Insp. Zachary of the Memphis Police Department?

1 A Yes, they were.

2 Q And the purpose of that was what, sir?

3 A In order that I could send them to our laboratory
4 for examination.

5 Q And did you do that, Mr. Jensen?

6 A Yes, I did.

7 Q And can you tell us briefly how that was done, sir?

8 A Yes. The evidence was taken over to my office,
9 was personally wrapped under my supervision, and when all
10 the material was wrapped, I dispatched an agent to
11 Washington to physically carry the material to the labora-
12 tory.

13 Q All right, now, Mr. Jensen, did you continue to
14 make an investigation in your capacity in this killing of
15 Dr. King?

16 A Yes, we did.

17 Q And I will ask you on the next date, April the 5th,
18 if you instructed your men to make a canvass of the hotels
19 and motels in Shelby County?

20 A Yes, I did.

21 Q As a result of that, was any evidence uncovered?

22 A Yes, sir. We found a registration card at the
23 Rebel Motel.

24 Q The name on that registration card was what, sir?

1 A Eric S. Galt.

2 Q Did you find that this Eric S. Galt was driving a
3 Mustang, white Mustang automobile?

4 A Yes, sir.

5 Q All right, now, Mr. Jensen, I guess you were co-
6 ordinating the P.B.I.'s part of the investigation; is that
7 correct, sir?

8 A Yes, sir.

9 Q And in regards to the rifle, did that direct the
10 F.B.I. to any area in our country?

11 A Yes, sir, it did.

12 Q And to where, sir?

13 A Well, first to the manufacturer, and we determined
14 that based on the numbers appearing on the rifle that it
15 had been sent to a distributor in Birmingham, Alabama, and
16 was subsequently sold by Aero Marine Supply Company.

17 Q Were you looking for Eric S. Galt in Birmingham,
18 Alabama, at that time?

19 A Yes, sir.

20 Q All right, now, Mr. Jensen, I will ask you if your
21 investigation led you to Atlanta, Georgia?

22 A Yes, it did.

23 Q Was the Mustang automobile recovered there, sir?

24 A Yes, it was. It was recovered on the 11th of

1 April.

2 Q After the automobile was recovered, Mr. Jensen,
3 did you find stickers on it to indicate that it had been in
4 Mexico?

5 A Yes, it did. There were stickers on the automobile.

6 Q Did the investigation by the Federal Bureau of
7 Investigation extend into Mexico?

8 A It did.

9 Q Now, I am going to ask you, Mr. Jensen, the pliers
10 and the hammer that were shown to Insp. Zachary and to you,
11 did they lead the F.B.I. to any area of the country?

12 A It led us to Los Angeles, California.

13 Q Did you find where they had been sold out there?

14 A We found a hardware store that maintained comparable
15 items, yes, sir.

16 Q And the name of that, if you can recall it?

17 A Ramage, R-a-m-a-g-e, is the best of my recollection.

18 Q The tee shirt and shorts, did that lead the F.B.I.
19 to any area of our country?

20 A Yes, sir, the West Coast.

21 Q And did you find where the laundry marks originated
22 from out there?

23 A Yes, sir, we did. Also in Los Angeles.

24 Q Did the F.B.I.'s investigation extend into Canada,

1 Mr. Jensen?

2 A Yes, sir.

3 Q Did the F.B.I.'s investigation extend into Portugal
4 and to England?

5 A Yes, sir, it did.

6 Q Did the investigation made by the F.B.I. culminate
7 in the arrest of James Earl Ray?

8 A Yes, it did.

9 MR. DWYER: That is all. I thank you
10 very much, Mr. Jensen. You may come down.

11 (Witness Excused)

12

13 MR. DWYER: That is all the proof the
14 State cares to offer at this time, if the
15 Court pleases, except some stipulations by
16 Mr. Beasley.

17 THE COURT: All right, sir. Is that
18 a lengthy stipulation?

19 MR. BEASLEY: Yes, sir.

20 THE COURT: Well, I think we have been
21 going about an hour and 15 minutes. Maybe
22 we had better have a short recess. Sup-
23 pose we take a short recess.

24 Gentlemen, go to your room.

(RECESS)

1 THE COURT: Are you gentlemen ready
2 for the jury, or do you want to do some
3 more scene-shifting around?

4 MR. BEASLEY: No, sir. I think we
5 are ready, yes, sir.

6 THE COURT: Bring them in.

7 (Thereupon, the following proceed-
8 ings were had in the presence
9 and hearing of the jury:)

10 MR. BEASLEY: May it please the
11 Court, Gentlemen of the Jury, I propose
12 at this time to narrate to you gentlemen
13 a stipulation of the facts and evidence
14 that the State would prove in addition
15 to the testimony that you heretofore heard
16 in the trial of this cause.

17 Gentlemen, if you look in this di-
18 rection, this is an enlargement of this
19 area that is reflected on the overall mock-
20 up here (indicating).

21 This, specifically, is the rooming
22 house designated as 422 1/2 South Main,
23 the upper floor. We have removed the roof
24 so you can see the various rooms that are

1 reflected in this mock-up.
2 The State would show in the course
3 of its proof, Gentlemen of the Jury,
4 through Mrs. Bessie Brewer, who was em-
5 ployed as manager of this rooming house,
6 that on the afternoon of April the 4th,
7 between 3:00 and 3:30 P.M. in the after-
8 noon, the Defendant appeared here at
9 Mrs. Brewer's office or apartment that
10 was used as an office in this rooming
11 house. Under the name, John Willard, re-
12 quested a room for a week.
13 Mrs. Brewer showed him room 8 which
14 is on the south side of the rooming house.
15 This room was not satisfactory. There was
16 some statement made with reference to not
17 needing a refrigerator, stove, request
18 for a single sleeping room.
19 Mrs. Brewer took him around this
20 passageway. As you will note, there is
21 a division between these two buildings,
22 a space in between which has been closed
23 out here (indicating). There is a
24 passageway that leads over to the north

1 side of 422 1/2 South Main. You see
2 here rooms (indicating). This is a
3 little corridor leading down by the
4 rooms. He was taken to room 5-B which
5 is located in this section (indicating).
6 The Defendant did rent this room for a
7 week from Mrs. Brewer.

8 The State's proof would then show
9 that at approximately 4:00 P.M., the
10 Defendant appeared at the York Arms
11 Company which is located one mile north
12 of this rooming house, one-half mile,
13 excuse me, one-half mile north of the
14 rooming house on Main Street here in
15 Memphis; that at that time he purchased
16 from Mr. Ralph Carpenter the binoculars,
17 Bushnell binoculars, that have hereto-
18 fore been shown in evidence. They were
19 in a case. That case was likewise shown
20 in evidence in a box on which the price
21 was recorded of the binoculars. They
22 were placed in a sack by Mr. Carpenter
23 after collecting some \$41.55, including
24 tax, from the Defendant.

1 Now, Gentlemen, coming back to the overall
2 mock-up, the State's proof would show that
3 between 4:30 and 4:45 P.M., Mrs. Elizabeth
4 Copeland, who worked across the street
5 from this area designated as Canipe
6 Amusement Company, observed a small white
7 automobile pull up and park in this gen-
8 eral area, as designated by the smaller
9 car here on the mock-up, to the north of
10 this light pole and to the south here of
11 Canipe Amusement Company (indicating).

12 Mrs. Copeland told Mrs. Peggy Hurley,
13 "Peggy, your husband is here for you."
14 When Mrs. Hurley came to the window and
15 looked out, she says, "No, that is not
16 my husband. Our car is a Falcon, white
17 Falcon. This is a white Mustang." She
18 did note a man sitting in the car.

19 Shortly thereafter, Mrs. Hurley's
20 husband arrived, she got in the car and
21 left. When Mrs. Copeland left her place
22 of employment, was picked up by her hus-
23 band at approximately 5:20 P.M., the car
24 was still there. There was no one in the

1 car at that time.
2 In the meantime, back upstairs at
3 422 1/2 South Main, Charles Quitman Stevens,
4 who occupied these two rooms adjacent to a
5 bathroom here (indicating), Mr. Stevens,
6 who earlier in the afternoon had observed
7 Mrs. Brewer as she talked to the Defendant
8 with reference to renting the room, Mr.
9 Stevens was working on a radio adjacent to
10 this wall right here (indicating). He
11 heard movements over in the apartment 5-B
12 rented to the Defendant, movements around
13 as if furniture being moved. He also
14 heard footsteps from this area into the
15 bathroom (indicating).

16 During this period of time, Mr. William
17 Anchuts, who lived in this apartment,
18 (indicating), had on several occasions gone
19 and attempted the door to the bathroom and
20 had even questioned Mr. Stevens about who
21 was in the bathroom.

22 At approximately 6:00 P.M., Mr. Stevens
23 heard the shot coming apparently through
24 this wall from the bathroom (indicating).

1 He then got up, went through this room
2 out into the corridor in time to see the
3 left profile of the Defendant as he turned
4 down this passageway which leads to an
5 opening with a stairwell going down to
6 Main Street (indicating).

7 How, Gentlemen, in -- you can see
8 here this mock-up, this offset area here
9 is in front of Canipe Amusement Company
10 (indicating). It is reflected here on
11 this mock-up at this point (indicating).
12 Mr. Guy Warren Canipe, along with two
13 customers, Bernell Finley and Julius
14 Graham, were in Canipe Amusement Company
15 when they heard a thud in the area im-
16 mediately here and up in this little off-
17 set (indicating), and, looking out, saw
18 the back of a white man going away from
19 that area in a general southern direction
20 on down Main Street, observing momentarily
21 thereafter a white Mustang pull from the
22 curb, head north on Main Street with one
23 occupant.

24 This package was subsequently guarded

1 and found to be the rifle, the box, the
2 suitcase, wrapped in the green spread,
3 etc., that has heretofore been intro-
4 duced to you gentlemen through some of
5 the witnesses.

6 Various officers from attack unit,
7 which consisted of three cars, had come
8 in at approximately five minutes before
9 6:00 P.M. to utilize the facilities of
10 the Butler Fire Station as depicted here
11 (indicating), for a short break, having
12 worked all day. This consisted of three
13 squad cars. These cars had pulled in,
14 parked with the foremost car up, extending
15 out here toward the sidewalk (indicating).
16 This is immediately south of the rooming
17 house.

18 These officers being in the assembly
19 room area, some in the rest room, etc.,
20 upon hearing the shot, various officers
21 would testify as to coming out the rear
22 door here (indicating), coming over into
23 this area, jumping down some 10-foot wall
24 here (indicating), and proceeding over

1 into the motel where they could observe
2 the body lying there, as has been here-
3 tofore described to you.

4 Some of these officers went back up
5 into this area (indicating), particularly
6 Patrolman Landers, climbed, scaled this
7 wall, went back up in this area, checked
8 this area (indicating). Other officers
9 proceeded on down to the next intersecting
10 street back and come back south, running
11 south on Main Street.

12 As has been testified to, a guard
13 was placed on the package of evidence in
14 this area (indicating), and was subse-
15 quently turned over to Mr. Jensen of the
16 F.B.I., who delivered it to one of his
17 agents who carried it to Washington.

18 Upon the officers of the Memphis
19 Police Department reaching the scene,
20 going up into the area, talked with Mrs.
21 Brewer, Mr. Anchutz, Mr. Stevens, they
22 entered Room 5-B.

23 The testimony would show, Gentlemen,
24 that there had been a chest of drawers

1 sitting by a window located on the south
2 side of this apartment. This chest of
3 drawers had been moved from the time Mrs.
4 Brewer rented the apartment. There was
5 a straight chair sitting at that location.
6 You could sit in this chair and could look
7 from the window and could see the Lorraine
8 Motel, in a rather awkward position you
9 would have to get into to look out through
10 there.

11 In the officers entering this room,
12 they found two leather straps, one lying
13 upon a couch in the room, one lying upon
14 the floor, which was subsequently deter-
15 mined to be straps which would fit the
16 case and the binoculars that were found
17 down in front of Canipe Amusement Company.

18 There were certain items taken from
19 this room by the officers, such as a
20 pillow, some coverings on the bed for
21 subsequent comparison, and I will touch
22 on those briefly with you in a few min-
23 utes.

24 The proof would show, Gentlemen,

1 that the homicide officers coming into this
2 area of the bathroom, inspecting the bath-
3 tub here (indicating), found marks in the
4 bottom of the tub consistent with shoe or
5 scuff marks.

6 The window, which is in line, as I
7 will indicate here, this is the window that's
8 reflected here with the Lorraine Motel
9 (indicating), was open. At the bottom, from
10 the bottom, the screen was pushed off and
11 was found down in this area here
12 (indicating).

13 The sill of this window in the bath-
14 room was observed by Insp. Zachary to have
15 what appeared to be a fresh indentation
16 in it. This sill was ordered removed, was
17 out away, was subsequently sent to the
18 F.B.I. for comparison, and the proof would
19 show through expert testimony that the
20 markings on this sill were consistent with
21 the machine markings as reflected on the
22 barrel of the .30.06 rifle which has here-
23 tofore been introduced to you gentlemen.

24 In an effort to identify any and all

1 white Mustangs in the area of Memphis on
2 that night, extensive investigation was
3 made, including to the Rebel Motel, where
4 a registration card reflected one, Eric
5 S. Galt, had registered at approximately
6 7:15 P.M. on the evening of April the 3rd.
7 He was driving a Mustang, bearing Alabama
8 license 1-38993, with an address, 2608
9 South Highland, Birmingham, Alabama.

10 The proof would further show that
11 Mr. Ivy Welch, who was the night manager
12 of this Rebel Motel, observed this par-
13 ticular car parked there during that night;
14 he observed the Mexican stickers on this
15 car, and also verified the license number.

16 After having traced the rifle through
17 the manufacturer and to Birmingham, the
18 State would show through Mr. Hugh L. Baker
19 of Aero Marine, a sporting goods place lo-
20 cated in Birmingham, that on Friday, March
21 29th, he sold a 243 caliber Winchester
22 rifle, which is a little smaller caliber
23 than this 30.06, to the Defendant under the
24 name of Harvey Lowmeyer, with an address in

1 Birmingham that was different to the
2 2608 South Highland, proved to be no one
3 of that name living at that address.

4 Capt. John DeShazo would be brought
5 from his duty station in Japan to testify
6 as to his being present and observing the
7 purchase of this rifle along with a
8 Redfield Scope which was mounted on the
9 rifle by Mr. Baker at that time.

10 Mr. Donald F. Woods of the Aero Marine
11 Supply Company would be called to testify
12 that later in the evening or afternoon of
13 March the 29th, he received a phone call
14 from a person identified as Harvey Lowmeyer
15 with reference to exchanging the rifle,
16 the 243 caliber for a 30.06 caliber. Mr.
17 Woods gave directions with reference to
18 bringing the gun in at 9:00 o'clock on
19 Saturday morning, which would have been
20 Saturday morning, and that was done. He
21 changed the scope from the 243 to the 30.06,
22 and at 3:00 o'clock that afternoon de-
23 livered the 30.06, which is the same rifle
24 which has been identified here in the

1 courtroom to the Defendant along with --
2 he didn't have a box with a scope on it.
3 The regular Remington box wouldn't fit
4 and that's the reason for the Browning
5 automatic shotgun box being used to deliver
6 this rifle in.

7 The proof would show in the investi-
8 gation in the Birmingham area that the
9 license on this vehicle, that this vehicle,
10 the Mustang, was formerly owned by Mr.
11 William B. Paisley. Mr. Paisley would
12 be called to testify with reference to
13 having sold this white Mustang for \$1,995
14 on August 30th, 1967, to Eric S. Galt
15 after having run an ad in the Birmingham
16 newspaper with reference to the car.

17 At the time Mr. Paisley delivered this
18 car and received the money, there was some
19 conversation with reference to not having
20 a driver's license. He cautioned the per-
21 son, the Defendant identified as Eric Galt
22 about this, and was told that he would
23 take, when he went to get his driver's
24 license, he must have a licensed driver with

1 him. So he said, "I will take the fellow
2 from the rooming house."

3 Investigation would move over to
4 2608 South Highland in Birmingham, Alabama.
5 Mr. Peter Cherpes would be called to testi-
6 fy as the manager of that place that he had
7 rented a room to Eric Galt on August the
8 26th, 1967, for \$22.50 a week, including
9 breakfast and supper, and proof would fur-
10 ther show that Mr. Cherpes did accompany
11 Galt to obtain his driver's license. The
12 driver's license record which we would
13 introduce in the cause in this case would
14 reflect that the driver's license number
15 of Mr. Cherpes on the application which
16 was signed with the full name, Eric Starvo
17 Galt.

18 The state would show through these
19 records also that the 1967 license number,
20 which was assigned to Mr. Paisley, was
21 transferred to Eric S. Galt, and that
22 subsequently on October the 2nd, that the
23 new license number was obtained, the 1968
24 license, 1-38993, by the Defendant as

1 Eric S. Galt.

2 The State's proof would further show
3 that the Defendant left the Birmingham
4 vicinity on or about October the 5th.
5 He entered Mexico on October the 7th. He
6 remained there in Mexico until about the
7 middle of November, 1967.

8 The State's proof would then pick
9 the Defendant up, using the name, Eric
10 Starvo Galt, when he appeared in Los
11 Angeles, California, at an address, 1535
12 N. Sirano, and rented an apartment from
13 a Mrs. Marguerita Powers, who would be
14 brought in to testify with reference to
15 this.

16 Also from Los Angeles, the State
17 would call Mrs. Marie Martin, who would
18 testify that she met the Defendant under
19 the name Galt, while she was working at
20 the Sultan Room there in Los Angeles,
21 and that pursuant to having met Mr. Galt,
22 became acquainted with him, that she later
23 introduced him to her cousin, one, Rita
24 Stein, and Rita Stein had two children in

1 New Orleans, Louisiana, she wanted brought
2 to Los Angeles.

3 As a result of this friendship be-
4 tween Miss Martin and having met Rita Stein
5 and also her brother, Charles Stein, it
6 was agreed on the 15th of December that the
7 Defendant, driving his Mustang, would take
8 and he did take Charles Stein to New Orleans,
9 Louisiana.

10 The State's proof would introduce the
11 records through the manager of the Provincial
12 Hotel to show that the Defendant as Eric
13 Galt, 2603 South Highland, Birmingham,
14 Alabama, driving the Mustang, did register
15 and stayed in room 126 on December 17th,
16 checked out on December 19th.

17 At that time the proof would show
18 that, along with Charles Stein and the two
19 children of Rita Stein, the Defendant pro-
20 ceeded back to Los Angeles.

21 The State would show through Mrs.
22 Mary Lucy Panella, the manager of the
23 Home Service Laundry Company, located at
24 5280 Hollywood Boulevard, that the

1 Defendant, as Eric Galt, was customer of
2 her laundry during the period of December
3 1967 until early March '68. She will
4 identify laundry markings as reflected
5 on the shorts and the undershirt dropped
6 in front of Campa's as being laundry
7 marks she had placed on these two par-
8 ticular garments while the Defendant
9 was there as a customer.

10 Mr. Avidson, Rodney Avidson, who
11 operated the dance studio at Long Beach,
12 California, would testify with reference
13 to knowing the Defendant as Eric S. Galt
14 during the period from December the 5th
15 until February the 12th while Mr. Galt
16 was taking dancing lessons at his place
17 of business.

18 Through the testimony of Mr. Thomas
19 Reeves Lau, the State would show that
20 the Defendant, under the name of Eric S.
21 Galt, enrolled in the International School
22 of Bartending there in Los Angeles, and he
23 attended this school from January the 19th
24 until March the 2nd, when he graduated.

1 We were able to obtain a photograph in
2 color reflecting the graduation picture
3 from Mr. Lau, which you will see does
4 show the Defendant along with Mr. Lau,
5 who was standing, as you gentlemen view
6 the picture, to the Defendant's left and
7 is holding the diploma in front of him
8 with the name, Eric S. Galt.

9 Dr. Russell C. Hadley, of Hollywood,
10 California, would be called by the State
11 to testify that, in his capacity as a
12 plastic surgeon, he did perform an oper-
13 ation on the nose of the Defendant under
14 the name, Eric Galt, on March the 5th of
15 1968.

16 We would show that on March the 17th
17 of 1968, the Defendant, using the name of
18 Eric S. Galt, executed a change-of-address
19 card from the St. Francis Hotel, where he
20 had moved to from 1535 N. Sirano, showing
21 the new address to be General Delivery,
22 Atlanta, Georgia; that in route from Los
23 Angeles back east across the country, the
24 Defendant did deliver certain items of

1 clothing and some books or a carton of
2 personal belongings to the daughter of
3 Mary Martin who was residing in New
4 Orleans, Louisiana.

5 Further tracing the Defendant still,
6 as Eric S. Galt, he spent the night of
7 March 22nd at the Flamingo Motel located
8 in Selma, Alabama.

9 We would show through Mr. Jimmy
10 Garner, who operates a rooming house in
11 Atlanta, Georgia, that he rented a room
12 to the Defendant under the name, Eric
13 S. Galt, on March the 24th, 1968; that
14 he collected a week's rent and subse-
15 quently on March the 31st, collected a
16 second week's rent from the Defendant as
17 Eric S. Galt; that at the time of col-
18 lecting the rent on March the 31st, that
19 the Defendant did write his name out as
20 Eric S. Galt on an envelope, and this en-
21 velope was subsequently turned in in the
22 course of this investigation.

23 That on the morning of April the 5th,
24 Mr. Garner went into the room that had been

1 rented to the Defendant as Eric Galt, and
2 for purposes of changing the linen, at that
3 time he found a note in substance saying,
4 "I have to go to Birmingham. I will be
5 back later to pick up my, within about a
6 week to pick up my television set and my
7 other articles"; that on April the 14th of
8 1968, some ten days after the murder in
9 Memphis, Mr. Garner did give permission
10 to the members of the Atlanta F.B.I. office
11 to make a search of the premises there
12 at his rooming house which had, the room
13 which had subsequently been rented to the
14 Defendant.

15 Mrs. Annie Peters would be called by
16 the State to testify with reference to the
17 operation of the Piedmont Laundry, which
18 is located around the corner from Jimmy
19 Garner's rooming house; that on April the
20 1st, the Defendant, as Eric Galt, left
21 certain laundry and cleaning there; that
22 on the morning of April the 5th, 1968, at
23 around mid-morning, he returned and picked
24 up this laundry and dry cleaning.

1 The State would then show that on the
2 morning of April the 5th, 1968, several
3 people who lived in the Capitol Homes
4 Apartment Project, located in Atlanta,
5 Georgia, included among them, a Mrs. Lucy
6 Cate, who would be called as a State's
7 witness, observed this white Mustang pull
8 into this parking area of the Capitol Homes,
9 back in, and a white man leave this Mustang,
10 a sole white man.

11 The State would further show that this
12 car stayed in this location from approxi-
13 mately between 8:15 and 8:30 A.M., some-
14 where in that area, of the morning of April
15 the 5th, until April 11th, when as the re-
16 sult of several of the people in the neigh-
17 borhood talking about the car, a pastor of
18 one of the people was called to the scene,
19 and he subsequently called the Atlanta po-
20 lice, and we would show through Detective
21 Roy Lee Davis of the auto theft division
22 of the Atlanta Police, that he was dis-
23 patched to the scene; he did observe this
24 1966 Mustang, bearing license No. 1-38993.

1 In the course of checking to check out
2 whether or not this was a stolen car, of
3 course, following the customary police pro-
4 cedure, the information on this car was
5 picked up and, of course, it was the car
6 being sought in reference to the investi-
7 gation here in Memphis already. And, sub-
8 sequently, the car was taken into custody
9 by the officers of the Federal Bureau of
10 Investigation. And the officers, in check-
11 ing this car out, observed several items in
12 the trunk which proved to be significant.

13 Specifically, and without taking time
14 to bring these all out, they are wrapped,
15 we do have them here, a dark blue short
16 sleeved shirt; there were two bed sheets in
17 the trunk of the car; a pillowcase; a rug
18 from the trunk was taken, along with a
19 pillow; sweepings were made of the floor
20 mats all through the car. There was a
21 styrofoam case which was determined to be
22 the styrofoam case in which, the type
23 styrofoam case in which a Polaroid 220
24 camera is packaged and shipped and sold.

1 Also, the 1967 license number which had
2 tag, which was in the car. This is the
3 same tag that had been registered to Mr.
4 Paisley, was transferred in early
5 September to the Defendant as Eric S.
6 Galt, and, of course, bearing the 1968
7 Alabama license, 1-38993.

8 The officers of the Bureau there,
9 who made the search of the room rented
10 by Jimmy Garner, would testify with ref-
11 erence to a number of maps that were
12 found, including the maps of Atlanta,
13 maps of Texas and Oklahoma, maps of Los
14 Angeles, map of California, maps of
15 Louisiana, map of Arizona and New Mexico,
16 map of Birmingham, and also a map of
17 Mexico; that these items along with the,
18 these maps along with the handwritten
19 name, Eric S. Galt, was delivered over to
20 the laboratory and will be touched upon
21 in the testimony from that end in just a
22 moment.

23 The state's proof would then shift
24 to Toronto, Canada, where we would show

1 through Mrs. Adam Sokowski that on April 8,
2 1968, the Defendant appeared at her home.
3 She had rooms for rent there at 102
4 Ossington West at Toronto, Canada. That
5 the Defendant rented a room under the name,
6 Paul Bridgeman. That after the Defendant
7 had moved from her establishment, she re-
8 ceived a letter from the office of the
9 Registrar General, which handles, among
10 other things, birth certificate applica-
11 tions, addressed to Paul Bridgeman, and
12 it was returned unclaimed.

13 Mrs. Mable Agnew, who operates a
14 photographic studio there in Toronto, Canada,
15 would testify that on April the 11th of
16 1968, she took passport photographs of the
17 Defendant under the name of Paul Bridgeman.
18 Copies of those photographs would be, of
19 course, introduced in evidence.

20 Mrs. Lillian Spencer of the Kennedy
21 Travel Bureau, which is located in Toronto,
22 Canada, would testify that the Defendant,
23 using the name of Ramon George Sneyd,
24 did contact her on April the 16th, made

1 application for a Canadian passport and
2 booked passage to London on an excursion
3 flight that was to leave May the 6th and
4 return May the 21st; that he subsequently
5 returned to her place of business and
6 picked up the passport and his tickets on
7 May 2nd, 1968.

8 Mrs. Sung Fung Loo, who is a Chinese
9 lady operating a rooming house or a home
10 in which she rented rooms, would testify
11 that the Defendant came to her place at
12 962 Dundas in Toronto, Canada, and rented
13 a room from her on April the 19th under
14 the name of Ramon George Sneyd.

15 We would call the Hon. H.P.C. Humphreys,
16 who is a Deputy Registrar of the province
17 of Ontario, Canada. He would testify and
18 produce from official records a letter
19 signed Paul Bridgeman, dated 4/10/68, re-
20 questing a copy of a birth certificate.
21 Said certificate was subsequently mailed
22 to 102 Ossington West and returned not
23 claimed.

24 He would introduce a letter signed

1 George Ramon Sneyd, dated April 16th, 1968,
2 requesting a copy of a birth certificate
3 be mailed to 962 Dundas Street.

4 He would identify the birth certifi-
5 cate card in the name of Ramon George
6 Sneyd as being the one sent by his office
7 in response to this request, this being
8 one and the same birth certificate card
9 recovered from the Defendant at the time
10 of his arrest in London, England.

11 The State would show through intro-
12 ducing these gentlemen, Eric S. Galt to
13 be a prominent business man in Toronto,
14 Canada; Paul Bridgeman is a Consultant
15 with the Toronto Board of Education;
16 Ramon George Sneyd is a member of the
17 Toronto Metropolitan Police, and although
18 these men live in rather close proximity
19 to each other in the City of Toronto,
20 until this investigation they never knew
21 each other nor did any of them ever know
22 the Defendant.

23 The State's proof would then con-
24 tinue and show that the Defendant, as

1 Ramon George Sneyd, did fly to London,
2 arriving on May the 7th, 1968.

3 A Miss Monica Baker, who is a re-
4 ceptionist for the BOAC in London, would
5 testify with reference to exchanging the
6 return ticket back to Toronto for the
7 Defendant in exchange for a ticket to
8 Lisbon, Portugal, and giving a small re-
9 fund, as I recall, something around \$14.00.

10 Inspector Passou of the Portuguese
11 National Police in Lisbon, Portugal, would
12 be called by the State and would introduce
13 through him official records reflecting
14 the entry into Lisbon, Portugal, by the
15 Defendant on May the 8th, 1968, and his
16 exit on May the 17th, 1968, and, further,
17 with reference to pursuant to law there,
18 where they have to make a record of any
19 foreigner staying even overnight in a motel
20 or a hotel, with reference to his staying
21 at the Hotel Portugal during this period
22 of time.

23 Mrs. Manuella T. Lopez, employed by
24 the Canadian Embassy in Lisbon, Portugal,

1 would testify as to how the Defendant came
2 to the embassy on May the 15th of 1968,
3 for the purpose of having a name corrected
4 on the Canadian passport. The name re-
5 flected Sneya, S-n-e-y-a, rather than
6 S-n-e-y-d. The passport was cancelled,
7 a new passport was issued with the name
8 correctly spelled S-n-e-y-d.

9 Mr. Pama, who was a member of the
10 Portuguese Police there in Lisbon, checked
11 both passports and allowed the Defendant
12 to leave for flight to London on May the
13 17th.

14 The State's proof would show,
15 Gentlemen of the Jury, that upon the
16 Defendant's return to London, as Ramon
17 George Sneyd, he lived at the Heathfield
18 House Hotel from May the 17th to May 28th.
19 He lived in New Earl's Court in London,
20 England, from May 28th to June the 5th,
21 and at the Pax Hotel from June 5th until
22 June the 8th.

23 In the meantime, after many hours of
24 extra duty by members of the Royal

1 Canadian Mounted Police, including preparing
2 this picture of James Earl Ray with all
3 passports, it was determined that the pic-
4 ture on the passport of Ramon George Sneyd
5 was identical to James Earl Ray, although
6 in the passport picture the Defendant was
7 wearing glasses.

8 Through the cooperative efforts in
9 law enforcement, officials of New Scotland
10 Yard in London, England, and the Portuguese
11 International Police, the search was started
12 for Ramon George Sneyd.

13 Upon request for assistance in this
14 case, Chief Inspector Ron Burroughs of New
15 Scotland Yard set up the investigation.
16 All entry and exit points in the country
17 were notified and a special fugitive team
18 was set up.

19 We would show that Detective Chief
20 Inspector Kenneth Thompson of New Scotland
21 Yard and Detective Sgt. Peter Ayl were
22 making an extensive investigation and learn-
23 ing the things that I have heretofore
24 enumerated to you.

1 The Defendant, as Ramon George Sneyd,
2 appeared at the Heath Row London Airport,
3 attempting to board a flight to Brussels;
4 that at approximately 11:30 A.M. on June
5 the 8th, 1968, Detective Sgt. Phillip
6 Frederick Birch, of New Scotland Yard, who
7 was seated next to the immigration officer
8 checking passports, when the Defendant
9 presented the two passports, the one can-
10 celled in the name Sneya, the current pass-
11 port in the name Sneyd, which both of these
12 passports would be introduced and shown to
13 you gentlemen.

14 Immediately Sgt. Birch, based on in-
15 quiries that had previously come to him,
16 asked the Defendant to talk with him, step
17 out of the line and talk with him with
18 reference to these passports.

19 Sgt. Birch would testify that after
20 the Defendant accompanied him from this
21 area around to the office that was used
22 there by the police and he placed a call
23 to the headquarters and told them that he
24 had Ramon George Sneyd, he was instructed

1 at that time to make a safety search, which
2 he did make, and he found one .38 caliber
3 snub-nosed Liberty B revolver on the person
4 of the Defendant.

5 Also on his person were the tickets
6 from London to Brussels and some of the
7 ticket stubs, etc., on the London to Toronto
8 flight along with various items of corres-
9 pondence which would be introduced as being
10 relevant but not particularly for purposes
11 of this inquiry.

12 Chief Insp. Arthur Bryan, of New Scotland
13 Yard, would be called as the fingerprint ex-
14 pert with over 21 years experience. He
15 would testify that he accompanied Supt. Butler
16 of New Scotland Yard to Heath Row Airport in
17 response to this call. He obtained prints
18 from the Defendant. He compared them with
19 prints that had been sent to them in the
20 course of this investigation from the United
21 States, and would testify that this was one
22 and the same person, Ramon George Sneyd and
23 James Earl Ray were one and the same person.

24 Chief Supt. Thomas Butler, who is now

1 retired after some 34 years of service with
2 New Scotland Yard, would be called to testi-
3 fy with reference to his going to the airport
4 in response to this call, his questioning
5 the Defendant with reference to the pass-
6 ports and a pistol and cautioning him with
7 reference to his rights, et cetera; that he
8 then contacted the American authorities and
9 subsequently turned the Defendant, was
10 subsequently turned over to the American
11 authorities.

12 From the luggage of the Defendant there
13 were numerous items which, moving along I
14 will just mention to you here rather than
15 taking the time to pull them out of this
16 area here, a Polaroid camera which was de-
17 termined to fit the styrofoam box that had
18 been recovered from the Mustang in Atlanta,
19 Georgia; a suit of clothes which Mr. J. B.
20 Pluvier, of the Tip-Top Tailors in Montreal,
21 Canada, would testify he sold to Eric Galt
22 of 2589 Notre Dame Street back on July 19th,
23 1967.

24 There was another suit of clothes,

1 which Mr. Edward John Fagan, who is the
2 owner of the English and Scotch Woolens
3 and Linens-- that is a tailoring concern
4 in Montreal, Canada -- would testify that
5 on April -- excuse me -- that on July the
6 21st, 1967, Eric S. Galt was measured for
7 a suit of clothes, at that time living at
8 2589 Notre Dame in Montreal, Canada; that
9 between the ordering and the completion of
10 the suit, their records reflect a request
11 that this suit be forwarded to the Defendant,
12 as Eric S. Galt, at 2608 South Highland in
13 Birmingham, Alabama.

14 This was done. This is the same suit
15 that was recovered from the Defendant at
16 the time of his arrest in London, England.

17 The State would also, in the Montreal
18 area during the period of July and August
19 of 1967, show that the Defendant, as Eric
20 S. Galt, did rent an apartment at 2589 Notre
21 Dame in Montreal, and that he occupied this
22 in the general period of July the 15th through
23 August 29th of 1967.

24 Also, and going even back beyond that,

1 the State would introduce in evidence
2 proof to show that during the period of
3 May 3rd to June 24th, the Defendant, as
4 John L. Raines, was employed by a Mr.
5 and Mrs. Klingerman at the Indian Trail
6 Restaurant which is located in Winnetka,
7 Illinois.

8 Various experts from the F.B.I.
9 laboratory would be called to testify, and
10 their testimony would be in substance as
11 follows:

12 Mr. George J. Bonebrake, who has been
13 working with fingerprints since 1941,
14 would testify that at 5:15 A.M., April 5th,
15 1968, he received the following items as
16 has been heretofore testified to; that is,
17 the rifle, the items that, from the bag,
18 that were delivered to him by the repre-
19 sentative from the Memphis F.B.I. office,
20 with reference to this material from the
21 front, recovered from the front of Canipe's
22 Amusement place here, that he found a
23 print of sufficient clarity, fingerprint
24 of sufficient clarity on the rifle itself;

1 he found another print of sufficient clarity
2 for identification on the scope, the Redfield
3 scope mounted on the rifle; he found a print
4 on the aftershave bottle, which is in the
5 little packet that was obtained or purchased
6 from the Rexall Drug Store in Whitehaven,
7 Tennessee, which was part of the items that
8 we have heretofore mentioned to you. He
9 found a print on the binoculars. He found
10 a print on one of the Schlitz Beer cans.
11 He found a print on the front page of the
12 April 4th issue of the Memphis Commercial
13 Appeal. That on April the 17th he received
14 this map of Mexico which was, the State
15 would have shown, was obtained from the
16 room, Jimmy Garner's rooming house; that
17 he found prints of sufficient clarity on
18 that map for identification purposes; that
19 he started an extensive investigation
20 through fugitive files consisting of some
21 53,000 fingerprint cards, and on April the
22 19th he identified all the above-mentioned
23 prints that I have mentioned to you from
24 these items as being identical with the

1 records bearing the name and photograph of
2 James Earl Ray.

3 That on June the 24th, 1968, he com-
4 pared the prints from these items that I
5 have mentioned to you with the prints that
6 he obtained from Insp. Bryan in London,
7 England. Mr. Bonebrake went to London.
8 He also compared on July the 22nd the prints
9 obtained from James Earl Ray when he was
10 brought and delivered to the sheriff of
11 Shelby County here at our jail, and would
12 testify that in his opinion all the above-
13 mentioned prints were made by one and the
14 same person to the exclusion of all other
15 persons in the world.

16 That on May 6th, 1968, he also examined
17 a modern photo book store coupon, bearing
18 the name, Eric S. Galt, 2608 Highland,
19 Birmingham, Alabama, and found a thumb print
20 identical with the other prints heretofore
21 mentioned and which he attributed to James
22 Earl Ray. That further on August the 27th,
23 1968, he examined several checks from the
24 Indian Trail Restaurant payable to John L.

1 Raines and found a thumb print identical
2 with the left thumb print of James Earl
3 Ray.

4 Mr. Robert A. Frazier, the chief,
5 firearms identification unit at the F.B.I.,
6 with 27 years experience, would testify
7 as to examination and firing of this rifle,
8 30.06, that has been heretofore introduced.

9 He examined the cartridges, the hull
10 from the chamber of this rifle, the slug
11 removed from the body of Dr. Martin Luther
12 King, Jr., and would testify as to his con-
13 clusions as follows:

14 The death slug was identical in all
15 physical characteristics with the five
16 loaded 30.06 Springfield cartridges found
17 in the bag in front of Canipe's. The cart-
18 ridge case had in fact been fired in this
19 30.06 rifle. That the death slug removed
20 from the body contained land and groove
21 impressions and direction of twist con-
22 sistent with those that were in the barrel
23 of this rifle.

24 That he also made microscopic

1 comparison between the fresh dent in the
2 sill of the window at the bathroom, 422 1/2
3 South Main, and concluded that the micro-
4 scopic evidence in this dent was consistent
5 in all ways with the same microscopic
6 marks as appear on the barrel of this rifle,
7 30.06 rifle.

8 That his examination of the 243 caliber
9 Winchester rifle, which had been purchased
10 on March the 29th and returned on March the
11 30th, was not capable of chambering or fir-
12 ing a slug. There were certain deposits
13 on the end of the bolt which had to be
14 chiseled away before this gun was capable
15 of being fired. That is the gun that was
16 returned.

17 Morris S. Clark would be called as
18 another expert from the F.B.I., with ref-
19 erence to hair and fiber examinations, and
20 he prepared microscopic slides from this
21 green spread. He also made examinations
22 of the pillow that was removed from 5-b,
23 the bed clothing removed from 5-B, and he
24 found fibers of the same type as is on this

1 green bedspread on the following items which
2 were obtained from Room 5-B; that is, on
3 the bed coverings as well as this little
4 pillow which was found on the sofa in Room
5 5-B. That is the room in the rooming house.
6 That he found fibers of the exact same type
7 on the following items recovered from the
8 white Mustang in Atlanta, Georgia: on the
9 sweatshirt, on the two sheets, on a jacket,
10 pillowcase, walking shorts, rug from the
11 trunk, pillow from the trunk, and sweepings
12 from the car. That he prepared slides of
13 hair, human hair he removed from this hair
14 brush that was recovered at the scene in
15 front of Canipe's, and that he found hairs
16 on the sweatshirt, sheet, pillowcase, the
17 rugs from the trunk, and in the sweepings
18 from the Mustang, and found these hairs to
19 have the same characteristics in every
20 respect as the hairs found on the hair
21 brush dropped in front of Canipe's, and
22 also as to hairs which were recovered after
23 a haircut here in the Shelby County Jail
24 as the Defendant, James Earl Ray.

1 He would further identify the
2 styrofoam covering that I have mentioned
3 to you, or the styrofoam case, which was
4 taken from the Mustang in Atlanta, as
5 being identical as the type used to
6 package Polaroid 220 camera, which was
7 the camera that was found in Ray's luggage
8 at the time of his arrest in London,
9 England.

10 The State would also offer the testi-
11 mony of James H. Morgan, who is an expert
12 examiner of questioned documents, com-
13 monly referred to as a handwriting expert,
14 and would show his examinations and con-
15 clusions, as follows:

16 That the same person who prepared and
17 signed the application and note under the
18 signature of Eric S. Galt, identified as
19 the Defendant, along with Mr. Lau out at
20 the bartending school in Los Angeles, also
21 signed the registration card at the Rebel
22 Motel in Memphis, signed the registration
23 at the Provincial Hotel in New Orleans,
24 signed the motor vehicle transfer application

1 from Mr. Paisley to Eric S. Galt; signed
2 the driver's license application under the
3 name of Eric Starvo Galt to obtain an
4 Alabama driver's license, and to be the
5 same person who rented a safety deposit
6 box at the Birmingham Trust National Bank
7 in August, 1967, under the name of Eric
8 S. Galt.

9 Also to be the same person who pre-
10 pared the writing on the Modern Book Store
11 coupon which also bore a print of James
12 Earl Ray; and also the same person who
13 wrote on the envelope for Jimmy Garner at
14 the rooming house in Atlanta the name Eric
15 S. Galt.

16 There were many other documents used
17 in tracing the Defendant in establishing
18 who he was and bringing this case down to
19 this point, and I've just tried to high-
20 light those for you gentlemen.

21 If the Court please, that covers our
22 stipulation.

23 THE COURT: All right, is there any-
24 thing anyone would want to say at this time?

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MR. FOREMAN: No, Your Honor.

THE COURT: All right, gentlemen.

All of you who can do as you said you would do and accept this compromise settlement on a guilty plea and punishment of 99 years in the State penitentiary, hold up your right hand.

(Thereupon, the jury complied with the request of the Court.)

THE COURT: I believe that is everyone. All right, you can have someone sign the verdict, Mr. Blackwell.

(Thereupon, the verdict was signed.)

THE COURT: James Earl Ray, stand.

(Thereupon, the Defendant complied with the request of the Court.)

THE COURT: On your plea of guilty to murder in the first degree, as charged in the indictment, it is the judgment of the Court that you be confined for 99 years in the State penitentiary.

You may be seated.

(Thereupon, the Defendant complied with the request of the Court.)

1 THE COURT: Now, we have been here
2 for some time and I don't propose to keep
3 us here much longer, but I think that the
4 Court should make a few remarks at this
5 place in the proceedings.

6 The fact was recognized soon after
7 this tragic murder took place that there
8 was no possible conclusion to the case
9 which would satisfy everybody. And it
10 was decided at that time that the only
11 thing that the Judge who drew the unlucky
12 number, which was me, could do was to try
13 this case as nearly as possible like all
14 other cases and to scrupulously follow
15 the law and the dictates of his own con-
16 science. I feel that I have done this.

17 Memphis has been blamed for the death
18 of Dr. King, to me, wrongfully and ir-
19 rationally. Neither the decedent nor his
20 killer lived here and their orbits merely
21 intersected here.

22 The State has made out a case of first
23 degree murder by lying in wait. And the
24 question might arise in many minds, "Why

1 accept any plea at all? Why not try him,
2 try to give him the electric chair?"

3 Well, I have been a Judge since 1959,
4 and I myself have sentenced at least
5 seven men to the electric chair, maybe a
6 few more. My fellow Judges in this County
7 have sentenced several others to execution.

8 There has been no execution of any
9 prisoners from Shelby County in this State
10 since I took the Bench in 1959.

11 All the trends in this country are
12 in the direction of doing away with capital
13 punishment altogether.

14 Then how about the conspiracy angle
15 of this case and the punishment of any co-
16 conspirator?

17 It has been established by the prose-
18 cution that at this time they are not in
19 possession of any evidence to indict any-
20 one as a co-conspirator in this case. Of
21 course, this is not conclusive evidence
22 that there was no conspiracy. It merely
23 means as of this time there is not suf-
24 ficient evidence available to make out a

1 case of probable cause against anybody.

2 However, if this Defendant was a
3 member of a conspiracy to kill the de-
4 cadent, no member of such conspiracy can
5 ever live in peace or security or lie
6 down to pleasant dreams, because in this
7 State there is no statute of limitations
8 in capital cases such as this. And while
9 it is not always the case, my 35 years in
10 these criminal courts have convinced me
11 that in the great majority of cases, Hamlet
12 was right when he said, "Murder, though it
13 hath no tongue, will speak with most mi-
14 raculous organ."

15 I believe the settlement of this
16 case is a just one to both the Defendant
17 and the State. I have accepted and ap-
18 proved the settlement. The Defendant is
19 represented by able and eminent counsel.
20 All his rights and all the safeguards sur-
21 rounding him have been zealously and con-
22 scientiously observed and adhered to.

23 I cannot let this occasion pass with-
24 out paying tribute to Tennessee, Southern,

1 American and Western free world justice
2 and security which was truly a team ef-
3 fort involving scores and even hundreds
4 of persons.

5 You have heard from stipulation here
6 the police departments of Canada, of
7 Mexico, of Portugal, of England, of the
8 F.B.I., the local police, the State of
9 Tennessee, the Sheriff's office here has
10 had the onus of this prisoner's security.
11 I highly praise them all. I think that
12 it took the team effort to bring this
13 case to a just conclusion.

14 I must also mention Mr. Charles Holmes,
15 the Sheriff's liaison with the news media,
16 and finally, my amici curiae committee,
17 whose efforts have been of inestimable
18 value to me.

19 I wish all these people to know
20 officially and personally that I appreciate
21 their efforts in bringing this case to a
22 just conclusion, and if I have overlooked
23 anyone I want to especially thank them too.

24 Defendant in open court has voluntarily

1 admitted his guilt to first degree murder,
2 this in the presence of the Court and this
3 company, and he has pled guilty before
4 this jury and accepted his punishment.

5 This Court, nor no one else, knows
6 what the future will bring, but I submit
7 that up to now we have not done too badly
8 here for a "decadent river town".

9 If I may be permitted to add a light
10 touch to a solemn occasion, I would like
11 to paraphrase the great and eloquent
12 Winston Churchill, who, in defiant reply
13 to an Axis threat that they were going to
14 wring England's neck like a chicken, said,
15 "Some chicken, some neck."

16 I would like to reply to our Memphis
17 critic, "Some river, some town."

18 Is there anything else?

19 GEN. CANALE: Yes, sir. Your Honor,
20 we have this dangerous weapons indictment,
21 and I would like for the Court to -- I
22 recommend a nol pros on that without cause.

23 As Your Honor knows, he was indicted
24 for this before he was apprehended in

1 London. Carrying a dangerous weapon is
2 not an extraditable offense under our
3 treaty with England, and the treaty also
4 says that whatever he wasn't brought back
5 on, he cannot be held to try it on, and
6 as far as carrying a dangerous weapon,
7 I recommend a nol pros without cause on
8 it, Your Honor.

9 THE COURT: I have already ruled that
10 we couldn't travel --

11 GEN. CANALE: Your Honor has already
12 said we couldn't travel on that, didn't
13 you?

14 Just one more thing for the record,
15 Your Honor.

16 It was stipulated and agreed between
17 the defense and myself that these mock-ups
18 we have in the courtroom, the two mock-ups
19 of the scene, were accurate replicas of
20 the scene down there. We have referred to
21 them quite a bit, but I just thought I
22 better put it in the record, that it was
23 stipulated and agreed that they were ac-
24 curate mock-ups to scale.

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THE COURT: All right, sir. Now, 18
I believe that I have been told that 17
lunch has been prepared for the jury. 16

DEPUTY: Yes, Your Honor. 15

THE COURT: All right, gentlemen, 14
you have spent a long morning, so you 13
will get a lunch out of it anyway. 12

All right, is there anything else 11
before we recess? 10

All right, you can adjourn the Court.

(ADJOURNMENT)

1 IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

2 DIVISION III

3
4 STATE OF TENNESSEE,)

5 Complainant,)

6 versus)

No. 16645 Murder in The
First Degree

7 JAMES EARL RAY,)
8 ALIAS ERIC STARVO GALT,)
9 ALIAS JOHN WILLARD,)
ALIAS HARVEY LOWMYER,)

No. 16819 Carrying a
Dangerous Weapon

10 Defendant.)

11
12 BE IT REMEMBERED, That the above-styled cause came

13 on to be heard this 10th day of March, 1969, before the
14 Honorable W. Preston Battle, Judge, presiding, before a jury
15 duly impaneled and sworn to try the issues herein joined,
16 wherein evidence was introduced and the following proceedings
17 were had, to-wit:

18
19 APPEARANCES

20 For the Complainant—Gen. Phil M. Canale
21 Mr. Robert K. Dwyer
22 Mr. James Beasley
23 Assistant Attorneys General
24 Shelby County Office Building
Memphis, Tennessee.