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MURKIN

UNITED STATES GOV. NMENT

·Memorandum

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SUBJECT

Mr. DeLoach

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DATE: April 22, 1968

1 - Mr. DeLoach

1 - Mr. Rosen 1 - Mr. Malley

1 - Mr. McGowan

1 - Mr. Long

1 - Mr. Martindale

1 - Mr. McDonough

1 - Mr. Bishop

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This is the case concerning the murder of Martin

The Attorney General's Office has furnished a copy of a "Time" report setting forth information received from John McFerren, a Negro of Somerville, Tennessee. We previously received information concerning this "Time" report and furnished pertinent information concerning it to the Attorney General in a memorandum dated 4/20/68. Although there does not appear to be any substance to the information furnished by McFerren as set out in the "Time" report and the information furnished Bureau Agents by McFerren on interview which is substantially the same as trunning the information out. McFerren has participated in civil rights activities in and around Somerville, Tennessee, to our Memphis Office, many of which were found to be without any substance in fact.

In essence, McFerren has reported that on the afternoon of 4/4/68, the date of the shooting of Martin Luther King, Jr., he overheard one end of a telephone conversation at the LL and L Produce Company in Memphis, and the descriptions of the individuals involved as well as employed at the produce market resembled Eric Starvo Galt, believe that these individuals might be involved in the King murder.

Enclosure ENCLOSORE

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Memorandum to Mr. DeLoach Re: MURKIN

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In running out McFerren's information, Bureau Agents showed him six random photographs, one of which included the 1968 photograph of Eric Galt and he definitely eliminated Galt as the individual he saw at the LL and L Produce Company, and who he thought was identical with the sketch of the subject he saw in the newspaper. McFerren picked three photographs of individuals who are all under twentyfive years of age and do not resemble Galt at all. One individual in the photographs is known to be in prison at this time, and the other two are not known to have been in the Memphis area at any time.

MEMPHIS, TENN Investigation disclosed that the individuals referred to in connection with the telephone call received at the LL and L Produce Company are Frank Camilla biberto and James William batch, President and Vice-President respectively of this company. They have denied ever discussing the possibility of shooting King or having knowledge of the person responsible. They stated they may have made derogatory remarks about King because of the loss of revenues caused by his activities. Mr. Liberto advised that he makes frequent trips to New Orleans for produce, has relatives in New Orleans and discusses large sums of money when making produce purchases over the telephone. Mr. Liberto stated he always employs Negro males as helpers in the produce department and has not had in his employment any individual fitting the description of the unknown individual previously described by McFerren.

ACTION:

1. Although the basic facts of McFerren's allegations have been run out and there appears to be no substance to them, we are continuing to completely resolve these allegations.

2. Inasmuch as the Attorney General has already been furnished substantial details of this matter, it is suggested that Mr. DeLoach may desire to return the attached "Time" report to the Attorney General pointing out the information previously furnished him in our memorandum of 4/20/68. A copy of the "Time" report is being retained in the Bufiles.

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FROM A SOURCE WHO WANTS US TO BEND EVERY EFFORT TO PROTECT HIS IDENTITY WE HAVE THE FOLLOWING LEADS IN THE ASSASSINATION OF DR. KING:

- 1. ERIC STARVE GALT (OR WHATEVER HIS REAL NAME IS)
 IS SALLOW-SKINNED, HAS "JUNGLE ROT" OR SOME KIND OF
 SCARS OR POCK MARKS ON HIS NECK AND, MORE IMPORTANTLY, WAS
 IN MEMPHIS LAST FALL; HE WORKED AT A PRODUCE COMPANY THERE.
- 2. THE PRODUCE COMPANY SEEMS TO BE A BASE FROM WHICH THE CONSPIRACY PLOT WAS HATCHED OR CARRIED OUT OR BOTH.
- 3. KING WAS KILLED FOR DLRS5,000 BY A PROFESSIONAL HOODLUM.
- 4. THE PAYOFF -- OR AT LEAST THE FINAL ARRANGEMENTS FOR IT -- WAS ARRANGED IN MEMPHIS.
- 5. KING'S DEATH WAS PART OF A CONSPIRACY INVOLVING AT LEAST THREE MEN (THE KILLER, HIS MEMPHIS CONTACT AND A **BROTHER** WHO MADE THE PAYOFF IN NEW ORLEANS) AND POSSIBLY SEVERAL OTHERS.
- 6. TACTICAL HEADQUARTERS FOR THE PLOT SEEMS TO BE THE PROPERTY OF THE ORIGINAL PLANNING MAY HAVE BEEN CARRIED OUT SEWHERE.
- 7. THERE IS AN UNINVOLVED WITNESS TO PART OF THE ONSPIRACY, WHO OVERHEARD THE ORDER TO KILL AND OVERHEARD INAL PAYOFF ARRANGEMENTS.
- 8. THIS IS CONJECTURE, BUT IT SEEMS PROBABLE THAT GREGATIONISTS INITIATED THE PLOT AND ASSIGNED THE SASSINATION TO PROFESSIONAL HOODLUMS TO CARRY OUT.
- 9. THERE IS STRONG INDICATION THAT LAW OFFICERS TEITHER LOCAL, STATE OR COUNTY) OR EX-LAW OFFICERS ARE INVOLVED.

CENOTE FROM ROGER WILLIAMS -- WE ARE GIVING YOU THEN

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REAL NAMES, AS FULLY AS WE KNOW THEM, OF THE CHARACTERS AND LOCATIONS, BUT WE ARE ASSUMING THAT -- FOR OBVIOUS REASONS -- YOU WILL NOT USE ANY OF THEM. REAL NAMES OR NOT, ALMOST ANY DESCRIPTION OF THE PRODUCE COMPANY AND ITS OCCUPANTS THAT DAY WILL PIN THIS STORY ON OUR SOURCE, SO BY ALL MEANS LET US DISCUSS THESE DETAILS AFTER YOU HAVE WRITTEN THE PIECE.)

HEREWITH THE STORY:

ON APRIL 4, AS HE HAD DONE EVERY THURSDAY FOR SIX
YEARS, JOHN MCFERRIN DROVE INTO MEMPHIS TO BUY PRODUCE FOR
HIS SMALL COUNTRY GROCERY STORE. THE STORE IS LOCATED IN
THE HILLS EAST OF MEMPHIS, JUST OUTSIDE THE TOWN OF
SOMMERVILLE, LESS THAN 100 MILES FROM MEMPHIS. MCFERRIN
MADE SEVERAL UNEVENTFUL STOPS IN MEMPHIS. AT ABOUT 4:30
P.M. HE DROVE INTO THE PARKING LOT AT 11 AND 1 PRODUCE COMPANY,
STOPPED IN ITS OPEN-AIR PRODUCE SHED, THEN WENT INTO THE
WAREHOUSE BUILDING TO MAKE HIS PURCHASES.

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AS HE WALKED THROUGH THE DOORWAY HE HEARD A MAN'S VOICE FROM AN OFFICE JUST OFF THE HALL. "THE MAN WAS SCREAMING AND I COULD HEAR HIS VOICE BEFORE I GOT INSIDE, "SAYS MCFERRIN. "I STOPPED JUST INSIDE THE DOORWAY AND DISTENED FOR A MOMENT. I WAS STANDING IN THE HALL, JUST OUTSIDE THE OFFICE WHERE THIS MAN WAS SCREAMING."

THE MAN (WE'LL CALL HIM RED AND TRY TO FIND OUT HIS REAL NAME) WAS SITTING BEHIND A DESK IN A TINY 6° BY 6° LOTFICE.

*HE KEPT SCREAMING OVER THE PHONE: *KILL HIM. KILL
IM. I DON'T CARE HOW YOU DO IT. KILL THE SON OF A BITCH
ON THE BALCONY.**

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PHONE, MUTTERED ""YEAH, HE"S HERE" -- OR SOMETHING TO THAT EFFECT -- AND PASSED THE PHONE TO RED.

RED WAS IN NO MOOD FOR FURTHER TALK. HE SAT WITH BOTH

THE DESK AND GROWLED: "DON'T CALL ME NO MORE,

AND DON'T COME NEAR MY PLACE. YOU KNOW MY BROTHER IN

NEW ORLEANS -- HE'LL GIVE YOU THE DLRS5,000. DON'T BRING

YOUR ASS NEAR MY PLACE AGAIN." RED SLAMMED THE PHONE DOWN

WITHOUT WAITING FOR A REPLY.

THINK I'M DEAF ANYWAY, "CAUSE EVERYTIME I GO IN THERE I PLAY LIKE I'M HARD OF HEARING," SAYS MCFERRIN. "I WENT UP AND PAID MY BILL AND LEFT."

JOHN MCFERRIN HAS NOT BEEN BACK TO THE PRODUCE COMPANY SINCE.

BUT FOR SEVERAL YEARS -- ABOUT SIX, SAYS MCFERRIN -HE HAD GONE THERE EVERY THURSDAY. MCFERRIN SAYS THE PRODUCE
COMPANY IS A HANGOUT FOR POLICE, COUNTY OFFICERS AND SOME
STATE LIQUOR OFFICERS. USUALLY THEY SIT AROUND IN RED'S
OFFICE, WATCH TV AND GOSSIP; THEY OGLE RED'S PICTURES OF
BATHING BEAUTIES WHICH HANG IN FRAMES ON THE WALL. THEY
ARE SNAPSHOTS, USUALLY SHOWING RED AND SEVERAL GIRLS IN
BATHING SUITS AT A BEACH OR SWIMMING POOL. "EVERY TIME
I GO IN THERE, HE'S GOT A NEW SET OF PICTURES ON THE WALL,"
SAYS MCFERRIN.

RED TRAVELS A LOT, MCFERRIN SAYS, IS OFTEN GONE FOR
TWO OR THREE WEEKS AT A TIME AND IN THE SIX YEARS THAT
MCFERRIN HAS BEEN TRADING THERE, HE HAS NEVER HEARD RED
LK ABOUT HIS TRIPS. RED IS A BIG MAN -- WEIGHS ABOUT
O POUNDS, OVER SIX FEET TALL, WITH A SALLOW COMFLEXION AND
IDE-SPACED TEETH. MCFERRIN SAYS THERE ARE GAPS IN HIS
FETH, BUT I DON'T THINK HE MEANS THE MAN IS SNAGGLE-TOOTHED.

CONCE, ONLY A FEW WEEKS BEFORE THE ASSASSINATION, RED AND COME OUT TO THE PARKING LOT WHERE MCFERRIN WAS LOADING SPICKUP TRUCK AND SAID, "WELL, WHAT ARE YOU GONNA DO SOUT YOUR BUDDY?"

**WHAT BUDDY? ** ASKED MCFERRIN.

DO YOU THINK ABOUT THAT TROUBLEMAKER? **

**I TOLD HIM, *I JUST TEND TO MY OWN BUSINESS, * **

SAYS MCFERRIN. **I DIDN'T WANT TO GIVE HIM A CHANCE TO START NOTHING WITH ME.

FRIENDS, USUALLY COPS, SITTING IN THE OFFICE AND TALKING
POLITICS. OFTEN HE HAS HEARD THEM SAY THE USUAL SOUTHERN
SEGREGATIONIST THINGS ABOUT LBJ, THE CIVIL RIGHTS MOVEMENT,

ETC. ONCE HE OVERHEARD RED SAYS ABOUT MARTIN LUTHER KING:
SOMEBODY OUGHT TO KILL THAT SON OF A BITHC.

MCFERRIN SAYS ERIC STARVO GALT -- OR A MAN CLOSELY
RESEMBLING GALT'S DESCRIPTION -- WORKED AT THE PRODUCE
COMPANY LAST FALL FOR ABOUT THREE WEEKS. "HE WASN'T THE
KIND OF MAN WHO USUALLY YORKED THERE," SAYS MCFERRIN.
"AND HE DIDN'T TALK LIKE THE OTHER MEN WHO WORKED THERE."
GALT -- IF THAT'S WHO IT WAS -- WAS A SLENDER, DARK-HAIRED
YOUNG MAN IN HIS LATE TWENTIES. HE HAD A JAUNDICED COMPLEXION,
A RASH OR POCK MARKS ON HIS NECK (MCFERRIN CALLS IT "JUNGOE
ROT") AND HE WAS USUALLY DRESSED "CLEAN AND NEAT."
HIS HARI WAS BLACK AND STRAIGHT. HE SEEMED TO BE FRIENDLY
WITH RED.

WHEN THE FBI SHOWED MCFERRIN MUG PICTURES YESTERDAY, ONE
OF THE FIVE MEN IN THE PICTURES HAD "JUNGLE ROT" ON HIS NECK;
ASIDE FROM THAT, HE LOOKED VERY MUCH LIKE THE MAN MCFERRIN
HAD SEEN WORKING AT THE PRODUCE COMPANY LAST FALL. "THEY DIDN'T
HAVE A SIDE VIEW OF HIM", SAYS MCFERRIN (HE MEANS THREE QUARTERS
VIEW) "CR I COULD HAVE TOLD FOR SURE. BUT HIS FACE LOOKED
ABOUT RIGHT, HE HAD SLENDER SLOPING SHOULDERS AND JUNGLE ROT
HIS NECK. I PICKED HIM OUT AS MY FIRST CHOICE."

MCFERRIN HAS NO WAY OF KNOWING IF THE MAN WHO WORKED AT
THE PRODUCE COMPANY IS GAULT. HE HAS ONLY A GUT FEELING THAT
HIS MAN WAS AN ITINERANT HOOD, PROBABLY LAYING LOW FOR AWHILE
ND USING THE JOB AT THE PRODUCE COMPANY AS COVER, PLUS THE
HOWLEDGE THAT THE MAN RESEMBLES NEWSPAPERS DESCRIPTIONS OF
JULT. THE FBI HAS NOT DENIED THAT THE MAN MAY HAVE BEEN GAULT.
WHEN MCFERRIN LEFT THE PRODUCE COMPANY HE PUZZLED ABOUT THE
TRANGE PHONE CONVERSATIONS HE HAD OVERHEARD. "I DIDN'T KNOW

HEN WHAT THEY MEANT AND I DIDN'T WANT TO STAY AROUND THERE

TO FIND OUT BECAUSE IT SOUNDED FISHY TO ME. WHEN I GOT HOME AND HEARD THAT DR. KING HAS BEEN SHOT, I KNOW RIGHT THEN WERE TALKING ABOUT. MY WIFE TOLD ME THE RADIO HAD SAID DR. KING HAD BEEN WHOT THAT AFTERNOON. I TOLD HER HE COULDN'T HAVE BEEN SHOT THEN - THAT IT HAD TO HAVE HAPPENED AROUND 5:30 OR 6 BECAUSE I HAD HEARD THESE MEN ON THE PHONE AT ABOUT FIVE O'CLOCK."

FOR FOUR DAYS, MCFERRIN PONDERED WHAT TO DO WITH THE INFORMATION. HE WAS SCARED; SCARED HE WOULD ENDANGER HIS LIFE BY NOT TELLING; SCARED THAT HE WOULD ENDANGER A BUSINESS HE HAD WORKED MIGHTY HARD TO DEVELOP IF HE DID TELL ANYONE. FINALLY ON SUNDAY EVENING HE MADE UP HIS MIND.

BAXTON (PLEASE PROTECT NAME AND USE FICTIOUS NAME); BRYANT OF THE STATE COUNCIL ON HUMAN RELATIONS MADE A CHANCE TOUR OF SOMMERVILLE (PLEASE USE FICTIOUS NAME) AND MCFERRIN DREW HIM ASIDE TO TELL HIM THE STORY. HE HAS KNOWN BAXTON FOR YEARS AND BAXTON IS ONE OF THE FEW WHITE MEN MCFERRIN COMPLETELY TRUSTS. (MCFERRIN IS A NEGRO). BAXTON WENT BACK TO MEMPHIS, CONTACTED AN ACLU LAWYER NAMED DAVID CAYWOOD (PROTECT HIS NAME TOO) AND THE TWO MEN WENT BACK TO SOMERVILLE, TALKED WITH MCFERRIN AGAIN AND ARRANGED A MEETING IN MEMPHIS - IN BAXTON'S HOTEL ROOM AT SHERATON PEABODY

FINALLY, THERE'S THE MYSTERIOUS ESPISODE OF THURSDAY MORNING:
THE MEMPHIS COMMERCIAL APPEAL NEWSPAPER IN ITS FIRST
DNESDAY NIGHT HEADLINED: - "FBI CHARGES ERIC STARVO GALT IN
SASSINATION AND CONSPIRACY, LINKS SUSPECT AND "BROTHER".

WHAT INFORMATION HIT MEMPHIS STREETS AT ABOUT 11 PM WEDNESDAY
ND PRESUMABLY WAS BROADCASTED OVER THE RADIO EVEN EARLIER
THAN THAT.

SHORTLY AFTER SEVEN AYEM THURSDAY, A MAN NAMED ROBERT POWERS
LEASE USE FICTICIOUS NAME AGAIN) BEGAN MAKING
VOUERIES ABOUT MCFERRIN IN SOMMERVILLE. HE STOPPED FIRST AT
LICFERRIN'S STORE - A COMBINATION GROCERY, FILLING STATION
AND LAUNDROMAT - AND THEN WENT DIRECTLY TO MCFERRIN'S HOUSE.
HE DROVE UP IN A WHITE CADILLAC AND MET MCFERRIN IN HIS FRONT

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YARD.

"I'VE GOT SOME URGENT BUSINESS HERE IN SOMMERVILLE BUT I
GET IT CLEARED UP TONIGHT OR TOMORROW NIGHT," POWERS
TOLD MCFERRIN. HE NEVER REALLY EXPLAINED HIS PURPOSE FOR
VISITING MCFERRIN. HE SAID ONLY; "I JUST WANTED TO SEE YOU.
YOU HAVE CHANGED SOME IN THE LAST EIGHT OR 10 YEARS. YOU ARE
NOT AS TALL AS I REMEMBERED YOU AND YOU ARE NOT AS SLIM AS YOU
USED TO BE." THEN HE ASKED MCFERRIN ABOUT A LITTLE-USED
COUNTRY ROAD THAT RUNS IN BACK OF MCFERRIN'S HOUSE. "I TOLD
HIM WHAT HE WANTED TO KNOW BECAUSE I FIGURED HE WOULD GET IT
FROM HIS KIN FOLKS IF HE WOULDNT GET IT FROM ME. (POWERS'
RELATIVES LIVE IN SOMMEPVILLE) I DIDN'T WANT HIM TO THINK
THAT I WAS SUSPICIOUS." MCFERRIN SAID.

POWERS WAS WEARING NEAT SPORTS CLOTHES; HE WAS NOT DRESSED FOR A HUNTING OR FISHING TRIP OR FOR A PICNIC AND, SAYS MCFERRIN, THERE IS NO ONE POWERS WOULD BE LIKELY TO WANT TO VISIT WHO LIVES ON THE DIRT ROAD BEHIND MCFERRIN'S HOUSE.

MRS. MCFERRIN WATCHED THE STRANGE MEETING FROM HER WINDOW.

"ONE THING THAT STRIKES ME AS STRANGE IS THAT HE (POWERS) SHOOK
HANDS WITH JOHN. AIN'T NO WHITE MAN IN THIS COUNTY EVER PUT OUT
HIS HAND TO A NEGRO," SAID MRS. MCFERRIN. "AS FAR AS I KNOW
HE HAD NO REASON TO BE VISITING JOHN OR TO BE ACTING LIKE THAT
CAUSE HE AND JOHN HAVEN'T EVER BEEN FRIENDLY." (THIS DOESN'T
MEAN THAT THEY HAVE BEEN ENEMIES - THEY JUST HAVEN'T BEEN
FRIENDLY.)

MCFERRIN CALLED ME IMMEDIATELY AFTER THE MEETING. HE WAS
"ZZLED, WORRIED AND SCARED. "THE ONLY THING I COULD FIGURE OUT
THAT POWERS WANTED TO SEE ME, BECAUSE HE WANTED TO KNOW WHAT
LOOKED LIKE SO HE COULD POINT ME OUT TO SOME TRIGGER MAN."

POWERS IS A NATIVE OF SOMMERVILLE AND HAS A RECORD OF SCRAPES WITH THE LAW. HE HAS BEEN IN THE PENITENTIARY IN ENNESSEE (ABOUT 1935) AND HE LOST A BEER LICENSE BECAUSE OF LEGAL WHISKEY POSSESSION IN 1958 OR 1959. HE'S BEEN NVOLVED IN BOOTLEGGING AND IN OTHER SHADY DEALS AND IS SELIEVED TO HAVE MURDERED AT LEAST ONE MAN SEVERAL YEARS AGO. NOW POWERS LIVES IN NEW ORLEANS AND OPERATES A GULF STATION AND TRUCK STOP THERE AND IT SEEMS CLEAR THAT HE IS MEXED UP IN THE RACKETS. RUNS MOONSHINE AND DOPE INTO MEMPHIS AMONG OTHER

THINGS. (WE ARE CHECKING POWERS OUT THRU OUR NEW ORLEANS STRINGER DAVID SNYDER).

IT SEEMS A VERY FAR FETCHED COINCIDENCE THAT A STRANGE MAN ORLEANS - OF ALL PLACES - SHOULD SHOW UP ON MCFERRIN'S DOOR STEP THE MORNING AFTER THE NEWS STORY CAME OUT.. MY BELIEF IS THAT THE MAN AT THE PRODUCE COMPANY APPARENTLY PUT TWO AND TWO TOGETHER - THEY SAW MCFERRIN OVERHEAR THEIR TELEPHONE CONVERSATIONS. BUT AT THE TIME THEY THOUGHT THAT MCFERRIN WAS DEAF AND DIDN'T HEAR THEM TALK ABOUT A "BROTHER" IN NEW ORLEANS. THE COMMERCIAL APPEAL STORY - AND THE FACT THAT MCFERRIN DIDN'T BUY PRODUCE THERE LAST THURSDAY. APPARENTLY HAS CONVINCED SOMEONE THAT MCFERRIN ISN'T DEAF AFTERALL.

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MCFERRIN NOW IS A BADLY FRIGHTENED MAN, BUT HE REMAINS FIRM IN HIS STORY AND HE BELIEVES THAT HE MUST TELL IT. " IT'S NOT RIGHT TO LET A MAD DOG GO LOOSE."

THERE'S YET ANOTHER INDICATION THAT MCFERRIN SEEMS ON TO SOMETHING SOLID:

A PART TIME WORKER IN THE PRODUCE COMPANY IS A MAN WHO IS OR HAS BEEN A LAW OFFICER. MCFERRIN DOESN'T KNOW WHAT DEPARTMENT THE MAN HAS WORKED WITH (WE ARE WORKING TO FIND THAT OUT, AS WELL AS THE MAN'S NAME) BUT HE HAS SEEN THE MAN DRIVING OFFICIAL CARS, WITH RADIOS AND WITH ANTENNAS AND HAS KNOWN THE MAN TO MAKE LIQUOR ARRESTS FOR ILLEGAL POSSESSION OF LIQUOR. HE ALSO KNOWS THE MAN - AND OTHER SOURCES VERIFY THIS - TO HAVE OPERATED A BOOTLEGGING BUSINESS ON THE SIDE. HE IS THE KIND OF A MAN WHO WILL SHAKE DOWN COMPETING MOONSHINERS AND WILL LET EM OFF THE HOOK IF THEY AGREE TO CUT HIM IN ON A PERCENTAGE THEIR BUSINESS. HE IS NOT ABOVE TAKING BRIBE MONEY EITHER,

TUR SOURCES SAY IN SHORT, HE IS A COP AND A CROOK, NOT

VECESSARILY IN THAT ORDER.

THIS IS CONJECTURE, BUT THIS IS THE KIND OF MAN WHO COULD KNOW HOW TO TAKE THE RADIO MESSAGES THAT SO CONFUSED MPHIS POLICE LAST WEEK. HE IS ALSO THE KIND OF MAN WHO DULD HAVE THE EQUIPMENT AND, PRESUMABLY, THE OPPORTUNITY TO DO IT.

MOTE TO TK.