

AFFIDAVIT

CITY OF BIRMINGHAM }
STATE OF ALABAMA } SE:

I, Donald F. Wood, being duly sworn, depose and say:

1. I reside at 405 Lance Lane, Birmingham, Alabama, and am employed by my father, Robert E. Wood, Sr., at his store, Aeromarine Supply Company, 5701 Airport Highway, Birmingham, Alabama, as a salesman.

2. On Friday, March 29, 1968, in the early afternoon I observed Mr. U. L. Baker, also a salesman at the Aeromarine Supply Company, completing the sale of a rifle to an individual unknown to me. The purchaser had given his name as Harvey Lowmeyer. He purchased a Remington Model 700, caliber .243 Winchester with a Redfield scope mounted thereon, and 20 rounds of .243 ammunition.

3. Either later that afternoon or early the following morning (Saturday) someone identifying himself as Lowmeyer called on the telephone and stated that he had had a conversation with his brother and had decided that he wished to exchange the rifle he had purchased for a Remington Model 760, 30.06 caliber. I agreed to make this exchange at additional cost.

4. At approximately 9:00 a.m. on Saturday, March 30, 1968, the same individual returned to the store with the gun he had previously purchased. I told him that I would change the scope from the caliber .243 rifle to the

model 760, but that it would take me until approximately 3:00 in the afternoon.

5. He returned that afternoon and I gave him the model 760 gun with the scope mounted on it. The serial number of the gun was 461476, and a copy of the sales invoice is attached to this affidavit as Exhibit I. I also exchanged the box of .243 caliber ammunition for a box of 30.06 ammunition. I did not charge him the additional amount as anticipated because the base and rings used for mounting the scope on the second gun were less expensive and made up the difference. The purchaser left the store carrying the gun in a cardboard box utilized by the Browning Manufacturing Company. This box was given to him because, with the scope mounted on it, the rifle would not fit in the normal Remington box.

6. On April 16, 1968, I was visited by two agents of the Federal Bureau of Investigation and shown photographs of seven white males. After viewing the group of photographs, which were identified to me only by number, and after careful consideration, I selected the photograph which had been marked No. 5 (attached to this affidavit as Exhibit II) as the man to whom the rifle was sold on March 29, 1968, and who returned it to me on March 30, 1968, in exchange for a Remington Model 760. At that time I advised the agents of the Federal Bureau of Investigation as follows: "I can't say exactly at this time but I think this is the man. To the best of my memory I believe that this is the man that bought the gun."

AFFIDAVIT

CITY OF BIRMINGHAM)
STATE OF ALABAMA) ss:

I, John Webster De Shazo, being duly sworn,
depose and say:

1. I reside at 17 Montevello Lane, Mountain Brook, Alabama, and am a regular and frequent customer at the Aeromarine Supply Company, 5701 Airport Highway, Birmingham, Alabama.

2. On March 29, 1968, I went to the Aeromarine Supply Company, arriving sometime around 3:00 p.m. I stayed there for approximately one to one and one-half hours.

3. About 20 minutes after I arrived, a man in a dark brown business suit came into the store. He looked at and handled several different weapons and finally decided to buy a Remington Model 700, caliber .243 Winchester. He also wanted a Redfield variable scope.

4. I recall saying to this man, "You have really got quite a gun there. You'll have to learn how to use it." I made this statement because the man did not appear to be a hunter and looked out of place in the store. He replied that he was going deer-hunting in Wisconsin with his brother or brother-in-law who had invited him to hunt.

5. On April 16, 1968, I was visited by two agents of the Federal Bureau of Investigation who showed me seven photographs of white males. From this group of photographs, which were identified to me only by number, I selected the photograph which had been marked

No. 5 (attached to this affidavit as Exhibit I)
as the photograph of the man who could be identical with
the one I observed on March 29, 1968, at the Aero-
marine Supply Company in Birmingham and who purchased
the Remington caliber .243 Winchester rifle and Redfield
variable scope. I then told the agents: "I believe
this is a photograph of this man, but I could be more
positive if I saw this purchaser in person."

6. I have reexamined this photograph and re-
affirm today my identification of it.

JOHN WEBSTER DE BIAZO

Sworn to before me this
_____ day of June, 1968.

A F F I D A V I T

CITY OF MEMPHIS)
STATE OF TENNESSEE) ss:

I, GUY WARREN CANIPE, Jr., being duly sworn
depose and say:

1. I reside at 1078 Brower Road, Memphis, Tennessee, and am the owner of the Canipe Amusement Company, 424 South Main Street, Memphis, Tennessee. My store is located immediately adjacent to the rooming house at 422 1/2 South Main Street in Memphis.
2. My store was closed and unattended most of the day on April 4, 1968, and I returned to it shortly after 5:00 p.m.
3. Sometime around 6:00 p.m., I heard a thud in the vicinity of the front door of my store. When I looked up I saw a bundle lying in front of the door to the store. Almost simultaneously, I saw a white man walking on the sidewalk in front of the store.
4. I then walked onto the sidewalk to see what had happened to the man who had dropped this bundle. At that time a small white car, in which there was only the driver as occupant, pulled away from the curb just south of my store.
5. Immediately thereafter, I saw a deputy sheriff and other officers walking south on the sidewalk past my store. I called their attention to the bundle lying in front of my store.
6. The bundle or package appeared to include a large pasteboard box, the top of which was ajar and from which the portion of a gun barrel was extended. Some type of green cloth was over the top of the bundle.

The box had the word "browning" on it. There was also some type of suitcase or brief case underneath the cloth.

7. The bundle was taken into custody by officers of the Memphis Police Department.

GUY WARREN CANIPE, JR.

Sworn to before me
this _____ day of
June, 1968.

NOTARY PUBLIC

My Commission expires:

AFFIDAVIT

DISTRICT OF COLUMBIA) ss:

ROBERT A. FRAZIER, being duly sworn, deposes and says:

1. I am 49 years old and I reside at 2705 Gaither Street, Hillcrest Heights, Maryland.

2. I obtained a Bachelor of Science Degree from the University of Idaho in 19 . I have been a Special Agent of the Federal Bureau of Investigation since December 1942. I am Chief of the Firearms Unit of the Physics and Chemistry Section of the Federal Bureau of Investigation Laboratories in Washington, D. C. I have been assigned to the Firearms Unit continuously since June 9, 1941. I received the specialized training program in firearms identification of approximately one year; duration from the Federal Bureau of Investigation when I was initially assigned to the Firearms Unit. Since being assigned to this unit I have made thousands of comparisons of bullets and cartridge cases with firearms for the purpose of determining whether a particular firearm fired a certain bullet or cartridge case. I have testified on numerous occasions in federal and state courts, as well as in military courts martial, as a firearms identification expert witness.

3. On April 5, 1968, at the Federal Bureau of Investigation Laboratory, I received certain items of evidence from Special Agent [redacted], who had brought

them by airplane from Memphis, Tennessee. These objects has been obtained in connection with the investigation of the shooting of Martin Luther King on the previous day.

4. Among the items of evidence I received was a 30.06 Springfield caliber Remington "Gamemaster" Slide-action rifle Model 760, Serial Number 461476, with Redfield telescopic sight, Serial Number A17350, with clip. I also received from Special Agent Fitzpatrick a .30 caliber metal-jacketed "soft-point" sporting type Remington-Peters bullet, a 30.06 Springfield Remington-Peters cartridge case, and Peters cartridge box, bearing manufacturers index number 3033 containing five 30.06 Springfield Remington-Peters cartridges and four 30.06 Springfield U. S. military cartridges containing full metal-jacketed bullets.

5. Because of distortion due to mutilation and insufficient marks of value, it was not possible to establish that the submitted bullet was fired from the submitted rifle. However, I determined that the .30-caliber metal-jacketed rifle bullet had been fired from a barrel rifled with six lands and grooves, right twist, and that the submitted rifle produces general rifling impressions on fired bullets having the physical characteristics of those on the submitted bullet. I also determined that the submitted bullet was a 150-grain soft point bullet identical to the bullets in the five cartridges contained in the submitted Peters cartridge box.

6. The 30.06 Springfield Remington-Peters cartridge case was identified by me as bearing an extractor mark made by the extractor of the submitted rifle. Based on physical characteristics, I determined that the submitted bullet and the submitted cartridge case could originally have been portions of the same cartridge, which would have been similar to the cartridges in the Peters cartridge box.

7. On April 6, 1968, I received a window sill from Special Agent Fitzpatrick. This sill was identified to me as having been removed from the bathroom of the room house at 422 1/2 Main Street in Memphis, Tennessee. I examined the surface of this window sill and found a recent indentation which bore microscopic impressions. Even though there were not sufficient microscopic impressions in the indentation for positive identification of the object which made it, these impressions on the dent have characteristics similar to those produced by the polishing marks on the side of the barrel of the submitted rifle near its muzzle.

ROBERT A. FRAZIER

Sworn to before me this
_____ day of June, 1968.
