

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE  
Division III

STATE OF TENNESSEE

VS.

NO. 16645  
NO. 16819

JAMES EARL RAY,  
Defendant

PETITION TO AUTHORIZE DEFENDANT TO  
TAKE DEPOSITIONS OUT OF STATE

TO THE HONORABLE W. PRESTON BATTLE, JUDGE, DIVISION III,  
CRIMINAL COURT, SHELBY COUNTY, TENNESSEE:

Comes the defendant, James Earl Ray, and respectfully moves the Court to authorize the taking of depositions out of the State; defendant is advised that there are material witnesses necessary to his defense outside of the State, and owing to a lack of funds to compensate the witnesses coming to and from Memphis, desires to take their depositions at the earliest practical time convenient to the Attorney General and to the arrangements necessary with said witnesses. Therefore, pursuant to T.C.A. 40-2428, defendant respectfully moves the Court to grant leave to take the depositions of the following named witnesses; and direct the Clerk to appoint necessary Commissioners to take said depositions at the time and place to either be agreed upon or fixed by the Court.

Said witnesses are:

Warden Walter Swanson  
Department of Corrections  
Jefferson City, Missouri

Harry Lauf  
c/o Missouri Department of Corrections  
Route 5  
Jefferson City, Missouri

and

U. L. Baker  
1408 Clermont Drive  
Aero Marine  
Birmingham, Alabama

John D. Hanners  
c/o Aero Marine  
806 Meg Drive  
Birmingham, Alabama

Peter Cherpes  
2608 Highland  
Birmingham, Alabama

C. E. Kirkpatrick  
Birmingham Trust National Bank  
Birmingham, Alabama

Clyde R. Manasco  
Route 9, Box 602  
Birmingham, Alabama

and

Frank Hitt  
Agent in Charge  
Federal Bureau of Investigation  
Atlanta, Georgia

Rev. Andrew J. Young  
1088 Veltre Circle S.W.  
Atlanta, Georgia  
or  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia

J. D. Garner  
107 14th Street N. E.  
Atlanta, Georgia

Dr. William Rutherford  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia

Rev. Lowery  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia

Rev. Martin Luther King, Sr.  
c/o Ebenezer Baptist Church  
Atlanta, Georgia

George Bonebreke, Agent  
c/o Federal Bureau of Investigation, Washington, D. C.

**PREMISES CONSIDERED, PETITIONER PRAYS:**

That an order be entered directing the Clerk to appoint necessary Commissioners to take depositions at the time to be specified, with full power to continue the taking of said depositions from time to time until they are completed, and to reset the hearings thereof as is necessary.

For other, further and general relief as seems meet and proper in the premises.

**ATTORNEY FOR DEFENDANT**

STATE OF TENNESSEE  
COUNTY OF SHELBY

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_  
1969, at Memphis, Tennessee.

WITNESS my hand and Notarial Seal.

My Commission Expires:

**NOTARY PUBLIC**