

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

JAMES EARL RAY,

VS.

JAMES H. ROSE, WARDEN.

)
)
)
)
)
)
)
)

CIVIL ACTION

NO. C-74-166

VOLUME IV

WEDNESDAY AFTERNOON

OCTOBER 23, 1974

HW

JUDSON EUGENE GHORMLEY

1
2
3 The said witness, having been first duly sworn,
4 testified as follows:

DIRECT EXAMINATIONBY MR. FENSTERWALD:

5
6
7 Q. Will you state your full name, please?

8 A. Judson Eugene Ghormley.

9 Q. And how are you presently employed?

10 A. With the Shelby County Public Defender's Office.

11 Q. And how were you -- what was your position at the
12 time of Dr. King's murder?

13 A. I was a lieutenant with the Shelby County Sheriff's
14 Department.

15 Q. Could you tell me where you were that day, where you
16 were stationed?

17 A. Do you mean at the time of the death?

18 Q. I think it would save time if you would just tell us
19 from a few minutes before the shot until a few minutes after
20 the shot what your activities were?

21 A. Well, we had -- at the time they were having a garbage
22 strike, and my TAC unit was assigned to patrol Main Street
23 until the garbage strike was over.

24 This usually took two or three hours, and when it was
25 over we went to the fire station at Butler and Main Street.

1 A lot of the men wanted to use the restroom and call home
2 and such as this.

3 Q. And where were you when the shot was fired?

4 A. Inside the fire station in the restroom.

5 Q. And could you tell us what you did immediately there-
6 after?

7 A. Yes, sir. As soon as someone remarked that Dr. King
8 had been shot we -- most of the fellows went out and turned
9 and started going east alongside the fire station toward the
10 motel.

11 And, of course, I followed likewise, and when I got
12 to the wall I looked across at the motel and the people were
13 pointing toward the building on Main Street.

14 And at this time I backtracked and went back to Main
15 Street and up north on Main Street.

16 Q. Did you eventually come to Mr. Canipes' amusement
17 company?

18 A. Yes.

19 Q. Could you estimate the length of time between the
20 firing of the shot and your arriving at Canipes?

21 A. I don't know, but it was just a very few minutes.
22 I wouldn't say over two or three minutes.

23 Q. You ran to the street and to the back of the lot and
24 then toward Mr. Canipes, is that correct?

25 A. Yes.

1 Q. Would you describe to us what you found when you
2 arrived at that spot?

3 A. Well, when I got to Mr. Canipes', if memory serves
4 me, I believe there was a suitcase, and there was a blanket
5 and also a rifle box. And one end of the rifle box had
6 bulged up to where there was approximately six to eight
7 inches of the barrel showing in the gun box of the rifle.

8 Q. Was this package completely outside the door, or was
9 it partially outside and partially inside?

10 A. No, sir. As best I can remember it was completely
11 outside the door.

12 Q. And did you notice anyone running away from the
13 scene at that time that you thought might have dropped it?
14 Did that thought cross your mind?

15 A. No, sir, I did not see a sole on Main Street.

16 Q. If someone had been running south on Main Street they
17 would have run into you?

18 A. Yes, sir.

19 Q. And you did not see anyone running north?

20 A. No, I didn't see anyone at all.

21 Q. Was there anybody else standing over the package when
22 you discovered it?

23 A. No, sir. Mr. Canipes, and I believe two black
24 gentlemen inside his place of business, but there was no one
25 standing near or around the box or the articles.

1 Q. Did you report this over your walkie-talkie?

2 A. Yes, sir, I did.

3 Q. And assuming that the shot was fired, I think at 6:01
4 p.m., I gather from what you are testifying it would have
5 been two or three minutes thereafter?

6 A. I would say that, yes, sir. I don't know the exact
7 minute, though.

8 Q. I understand.

9 Tell me how long it was between the time you reported
10 on the walkie-talkie and Inspector Zachary arrived?

11 A. Well, it didn't seem like but between five or ten
12 minutes. A very short period of time.

13 MR. FENSTERWALD: No further questions.

14 MR. HAYNES: At this time I move to strike
15 Mr. Ghormley's testimony. It is our position it
16 is just not relevant.

17 MR. FENSTERWALD: Your Honor, I think it is
18 quite relevant, because in the stipulations that
19 were agreed to at the mini trial, it was said that
20 Inspector Zachary discovered this material.

21 I think it is clear from his testimony that
22 part of the stipulation is not correct. I might
23 ask one other question.

24 Q. Did you talk to Mr. Percy Foreman about this?

25 A. Mr. Foreman?

JAMES M. MCCRAW

1
2
3 The said witness, having been first duly sworn,
4 testified as follows:

5 DIRECT EXAMINATION
6 BY MR. FENSTERWALD:

7 Q. Mr. McCraw, would you state your full name for the
8 record?

9 A. James M. McCraw.

10 Q. What is your present address, Mr. McCraw?

11 A. 2061 Carr.

12 Q. And your present occupation?

13 A. Yellow cabdriver.

14 Q. Could you tell me whether back in 1968, April of
15 1968, at the time of Dr. King's murder, whether you were a
16 Yellow cabdriver at that time?

17 A. I was.

18 Q. Could you tell me whether you were acquainted with
19 one Charles Stephens?

20 A. I was.

21 Q. And how long had you known him?

22 A. About eight to ten years.

23 Q. And did you see him frequently?

24 A. Yes, I saw him pretty frequently.

25 Q. And did you carry him in your cab from time to time?

1 A. Yes, sir.

2 Q. And did you, on occasion, take him to liquor stores?

3 A. Plenty of times.

4 Q. Could you tell me whether on the afternoon of the
5 murder you received a call to come to the rooming house to
6 pick up Charles Stephens?

7 A. Well, I didn't know who it was until I got up there.

8 Q. You had more than one customer there?

9 A. Yes. We had lots of calls to come there.

10 Q. When you got there you discovered it was to pick up
11 Charles Stephens?

12 A. That's right.

13 Q. Approximately what time was this?

14 A. About a quarter to six.

15 Q. Was he waiting?

16 A. I went upstairs to get whoever it was, and that's
17 when I found out who it was.

18 Q. What did you find?

19 A. I found him drunk.

20 Q. How drunk was he?

21 A. He was lying on the bed. He couldn't get up. I would
22 say he was pretty drunk.

23 Q. He was not in walking condition?

24 A. He was not.

25 Q. Do you think he could have gotten up and gotten to
the door?

1 A. I doubt it very seriously.

2 Q. You went on about your business?

3 A. I went back downstairs and told the dispatcher I
4 wasn't aiming to haul him.

5 Q. ^{Investigation} At some point after Dr. King's murder did the FBI
6 come and take your records of the cab company with respect
7 to this day?

8 A. Somebody come and got it. I don't know who it was.
9 I wasn't there.

10 Q. How did you become aware of this?

11 A. They told me at the cab company.

12 Q. Had anybody from the defense requested those records?

13 A. Yes, I believe a lawyer did.

14 Q. You don't recall who?

15 A. Yes, Foreman out of Texas.

16 Q. Do you know if he ever got the records?

17 A. No, I don't.

18 MR. FENSTERWALD: No further questions.

19 MR. HAILE: No questions.

20 MR. FENSTERWALD: I have one further question.

21 THE COURT: All right.

22 BY MR. FENSTERWALD:

23 Q. Mr. McCraw, did Mr. Foreman talk to you?

24 A. Yes, many times.

25 Q. Did Mr. Stanton speak with you?