12:55 PM

July 16, 1968

MEMORANDUM FOR MR. TOLSON
MR. DE LOACH
MR. ROSEN
MR. BISHOP

I returned an earlier call from Attorney General Ramsey Clark. The Attorney General stated there were two developments in the James Earl Ray case. He stated he received a letter from or signed "Sneyd" which he thought he had mentioned to me the other day and it was fairly difficult to understand it, probably purposely so; then he, the Attorney General, received a letter from Arthur Hanes, the lawyer, on Friday or maybe it was Monday, and it referred to the earlier letter from Sneyd, or James Earl Ray, and said he was apprehensive about the return flight and requested permission to accompany Sneyd, or Ray, on the airplane. The Attorney General continued that Hanes had then called just before noon. The Attorney General stated that he has not been taking calls from him, but the man who had been taking the calls is out of town so he had his Executive Assistant, Sol Lindenbaum, take the call. Hanes said that he was en route to London leaving early in the afternoon and he was planning to waive extradition at this time and wanted to know whether he would be permitted to fly back on the plane with Sneyd, or Ray. Lindenbaum told Hanes that he had not talked this over with the Attorney General and he doubted very much that it would be possible, but if he would inquire later when he got to London, they would let him know.

The Attorney General stated he guessed this means two things: One, we will have to be prepared earlier than we thought to bring Ray back; and second, we need to make a decision as to whether we should permit Hanes to come on that plane.

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I stated I did not think the latter ought to be done as he has no status officially other than being his attorney and in the letter which ~~Ray wrote his~~ brother asking that he get $300 so Ray would have it to pay his lawyer, the brother apparently suggested this lawyer in Texas named Percy Foreman and Ray in his reply to his brother stated he would wait until he got back here and confer with Hanes as to any associate counsel as he wanted to get a prominent lawyer with whom Hanes could work so he would defer that decision until he got back to this country. I continued that in the letter to his brother, there

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was indication he might waive extradition and be back here soon. I stated that Hanes, of course, is retained by him tentatively with the expectation of another lawyer, although I doubt Hanes will agree to that because knowing his make-up, he will want to run the case himself. The Attorney General commented that he would guess letting him on the plane would bring him closer to Ray and it would be more difficult for Ray to get another lawyer if he wanted one. I stated also that it would allow him to carry on about his conversation with Ray or bring an objection by Hanes of not talking to him; that in other words, at that time, Ray is in the custody of FBI Agents and I do not believe anybody should be allowed to sit down and have a long conversation with him and Hanes would try to do it.

I continued that there is no reason why he should worry about the plane flight; in other words, if he is afraid the plane is going to fall, Hanes can't stop it and if he is convinced somebody is going to talk to Ray and get information, he could make a disturbance on that although one of the four men on the plane is the Supervisor of the case who knows all the angles so if Ray volunteered anything, we would have somebody who knows all the aspects and after telling Ray of his rights, Ray could answer if he so desired, but we are instructing our man to make no effort to question him. I stated also that Hanes when he got back would give a long interview as to what transpired on the plane and we are trying to keep it as quiet as we can with no publicity either in London or Memphis. The Attorney General stated that, of course, he would be in the way.

I stated he would be in the way and I did not think he has any right to be on the plane. The Attorney General stated he could not imagine that he has any right and, in fact, he could not remember any case when we are transporting a prisoner where the lawyer is allowed to accompany him. I said no lawyer, relative, or anybody outside the immediate officials are allowed to go with the prisoner. The Attorney General said this would be a bad precedent. I said it would be a very bad precedent and no doubt would be brought up in future cases and it is such an outstanding case it would certainly be a precedent seized upon by others. I said I felt no representative

of the State of Tennessee should go along because there would be articles written or long interviews given about things that happened that never did happen, whereas with our own people, we have tight control and they won't say anything and we have indicated to the Sheriff in Memphis to keep his mouth shut, although I don't know if he will.

I told the Attorney General that I had sent him a memorandum on what the Sheriff's plans were in transporting Ray from the airport to jail; that I thought he had five armored cars and the officials, or officers, will be the same ones who will guard him in jail. I said they have also put up bullet-proof material in the cell block where he will be detained and there will be no other prisoners in the cell block, so I thought the security at Memphis was pretty well assured. I stated that as to the activity on the plane, I did not think there should be anybody on board; that, of course, the Air Force Doctor will be on board, but he is really a member of the crew and I thought it would be a bad precedent to set and with a fellow like Hanes, I thought it would be undesirable to make an exception, even if he were a high class person. The Attorney General said that if he were honorable, we might figure it would eliminate the question of coercion of force or anything. I said the doctor will be aboard, but he is an officer of the Air Force and, therefore, would be able to testify. I said the plan is to have Ray examined immediately upon boarding the plane at the airport in London before it takes off and before leaving the plane at the airport in Memphis. I said the Air Force doctor will do that.

The Attorney General said then that my feeling is that Hanes should be advised he may not come back on the plane and I told him I thought so definitely.

The Attorney General said they would tell him that and let me know, or perhaps Legal Attache Minnich in London would be the first to get the word, about the waiving of extradition and when he might be returned. I told the Attorney General that we would advise Minnich this afternoon that Hanes is going over to London.

The Attorney General asked if we had any fear of Klan infiltration in the Sheriff's Office in Memphis and I told him no. I told him that the Prison Bureau has two men down there who are instructing the guards who will have Ray in custody in jail as to how to handle the custody of a prisoner considered dangerous and apparently they are going into the technical aspects of it. I said we have looked the jail over and talked to the Sheriff as to his plans on the removal of the prisoner from the airport to jail and the transportation there if the Sheriff is going to handle this. I said we did not tell him he was going to, but learned how it would be done if he were going to do it. I said he has no idea, of course, when the fellow will be coming in nor do we at the present time.

I said I thought we ought to get the plane over to London as rapidly as possible even if it has to stand by over there so the minute the proceedings are over we can get him aboard and out, particularly in view of Hanes going over because we do not know what kind of motions he can file in the British courts, although I doubted he could do anything, because he will do everything he can to try to raise questions. I said our relations with the Home Office and Scotland Yard are such that they will see the situation as we do.

The Attorney General said that maybe he better have Assistant Attorney General Fred Vinson call Hanes now and tell him he will not be allowed to return on the plane before he gets to England. I told him I thought so as he may not go as it is an expensive trip and he has no cash yet from Ray so far as we know because Ray was trying to get $600 from his brother which, I think, was to be a kind of retainer fee for Hanes and if Hanes does not have any cash yet, he may not spend more money to make the trip to London. I said that so far as Hanes knows, he may be ready to depart at any time and I thought the sooner we move the departure up, the better. The Attorney General agreed and said he was not sure we know enough now to send the plane over now. He said he did not know where it was and I told him the plane is at Andrews Air Base. The Attorney General said also that I would want to send my men in it too. I told him I did and we have four men available to go over. I told him the reason I knew the plane is here is because Vinson sent over word to Assistant Director Rosen this morning that he thought they should go look the plane over so I presume it is at Andrews now and is being kept there.

The Attorney General suggested that maybe I could find out from Mr. Minnich what happened at the hearing today and get his advise as to whether the plane should go over now. I told him I could do that.

The Attorney General said he had not talked to Assistant Attorney General Vinson and to let him talk to Vinson and then he would get back to me.

Very truly yours,

J. E. H.

John Edgar Hoover
Director

SENT FROM D. O.
TIME 3:48
DATE 7-16-68
BY [illegible]