



Memphis Press-Scimitar

495 UNION AVENUE
MEMPHIS, TENNESSEE 38101

July 9, 1974

Dear Jimmy,

I left Nashville at 7:30 p.m. June 26, so it was too late to stop by prison. I plan to get back up there in August after I take the bar exam, and I would like to stop off to discuss a number of things -- if you feel up to it.

I realize the pending hearing is keeping you on your toes.

Enclosed is an article I wrote (all Kay Black did

was to call and get quotes from Haille, who impresses me as a superficial and not too profound guy)...I think ^(the article) ~~it~~ has

elicited the response from many readers, that the state is

taking a second look -- both at conspiracy possibilities,

and perhaps that it has nailed the wrong guy. I realize that

this was the furthest from Haille's mind when he went to

Thompson's office, but it was such an excellent opportunity

^{Scimitar} to maneuver him in an embarrassing situation. A radio reporter

taped an interview with Haille on quotes in the article and Haille

2...ray

really lost his cool...he used words such as "damn," etc, hell,

...Bob and I really got a good laugh at it.

He thought he was being so smooth, going to Thompson's office and threatening to subpoena those records. He had apparently forgotten all about the Benavides interview ^(if he ever knew in first pl.) in which Benavides said a Denver, Colo., hood killed King...

Russell X. Thompson tells me that there is nothing in the file damaging to you, either at the evidentiary hearing or at your second trial, if this fall's hearing goes in your favor... ~~██████████~~

Thompson has been promising me for at least five and one half years to let me go through that file, but has always backed ~~off~~ off at the last minute. He now wants your okay, because he says ~~it~~ ^{it} may ~~be~~ play a role in your defense in case you go to trial a second time. THUS WOULD YOU WRITE A LETTER

TO
RUSSELL X. THOMPSON
ATTYRNEY AT LAW
400 FIRST AMERICAN BANK BLD
147 JEFFERSON AVENUE
MEMPHIS, TENN.

Bob has already given Thompson his okay, but Thompson for some reason wants your okay. Judge Battle once threatened Thompson

with contempt of court ~~_____~~
~~_____~~

revealed the contents of his investigation. That was immediately prior to your March 1969 hearing. Thompson was in one hell of an awkward situation. He was a lawyer without a client -- at least a client with a justiciable interest. He represented Hanes who never paid him a cent to conduct the investigation, and when you fired Hanes, he was ordered by Battle to turn over everything in his files to Foreman. Then the Legal Defense Fund retained him to continue his investigation and he did.

His later investigation indicated that the state case was not as air tight as it was supposed to be, and that was when Battle and the bar association committee moved in to shut Thompson up.

Thus, I can't blame him for being cautious -- even unnecessarily cautious, as he seems to be at the ~~time~~ ^{point} in time.

Let me know if there is anything I can get you.

You probably won't hear from me until after August 1, but I will write you immediately after that and arrange a visit -- if you are still willing...

Your friend, Wayne

Wayne

for a special grand jury hearing for James Earl Ray.

The hearing is to determine whether Ray is entitled to a new trial in connection with the assassination of Dr. Martin Luther King Jr. on April 4, 1968.

THE MISSOURI prison authorities have ordered that the attorneys cannot be allowed to present their cases at that time.

Ray's attorneys have said they expect to spend several days presenting their evidence. Ray said in an interview at the Nashville prison that he expects to testify personally for three or four days.

Interview Comes to Light

Hired Killer Blamed In Slaying of King

By WAYNE CHRISTIAN JR. and RAY PITTMAN BLACK
 Lead-Staff Writer

A notorious Latin-American gunman, in six-year-old statements now being studied by the state attorney general's office, told a Memphis attorney that Dr. Martin Luther King Jr. was slain by a professional hired killer.

A record of the interview, conducted by attorney Russell X. Thompson, was taken by the attorney general's office within the past two weeks — along with Thompson's other records in the case.

The interview occurred in the office of Thompson, a Memphis attorney, who had represented the Legal Defense Fund of the National Association for the Advancement of Colored People (NAACP) in many cases. The interview came only five days after a sniper's bullet killed King as he stood on the Lorraine Motel balcony in Memphis.

Henry Halle, assistant attorney general, confirmed that the interview transcript was one of about 100 items in Thompson's files examined by his office.

Thompson said the files were part of an investigation he conducted into the King slaying in the summer and fall of 1968. Arthur Hanes, a Birmingham, Ala., attorney retained by James Earl Ray in July 1968, in turn retained Thompson to act as co-counsel and engaged Thompson to conduct a full investigation.

Late in the NAACP Legal Defense Fund retained Thompson to probe all conspiracy possibilities when Ray dismissed Hanes as his first attorney.

Thompson said a man came to his office five days after King was killed and said he was a professional gunman. He called himself Tony Benavides, but almost in the same breath he told me the name was an alias. Thompson

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Records Indicate King's Slayer Hired Professional

"He said the police had picked him up the day after King's death and had taken him up to the rooming house from which they would later say the bullet that killed King was fired," Thompson said.

He insisted he was an expert on firearms and talked about elevation, wind driftage, and then said the fatal bullet could not have been fired from the window," Thompson added.

His friend, Pete, fired the shot from bushes in back of the rooming house, Thompson quoted his visitor as saying.

The State of Tennessee contended that James Earl Ray, then 41 and an escaped convict from the Missouri State Prison, fired the fatal shot from a bathroom window in a rooming house at 427 1/2 South Main.

Ray pleaded guilty to the murder of Dr. King in March 1969 and accepted a 99-year sentence, which he is now serving. At the same trial, however, Ray interrupted his defense attorney, Percy Foreman of Houston, and said he did not agree with Foreman's statement to the court that Ray acted alone and that there had been no conspiracy behind Dr. King's death.

Ray has won an evidentiary hearing in federal court in Memphis after exhaustive appeals in both state and federal courts. The hearing, expected to be held this fall, is to determine whether Foreman properly represented Ray.

Halle said he is not interested in the Benavides' interview, but was prepared to subpoena Thompson's files to prove that the defense conducted an exhaustive pre-trial investigation.

Ray accuses Foreman of coercing him to plead guilty and of not conducting a thorough investigation.

Robert I. Livingston, one of three attorneys now representing Ray, said he has never examined Thompson's files, but from conversations with Thompson does not believe they contain any material that will be damaging to Ray at the evidentiary hearing.

"Ray is charging that Foreman did not conduct his own investigation," Livingston said. "Mr. Thompson never directly represented Mr. Ray. The investigation he conducted was for the benefit of the NAACP — not my client."

Livingston, however, said he believes that if Ray is granted a trial in state court, Thompson's files will be extremely beneficial to Ray. Thompson's investigation pointed "toward a conspiracy," Livingston said.

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"They (police) never think of frisking a guy in the back. A man with large shoulder blades can always carry a small revolver there."

Then "Benavides" rolled up his shirt sleeve, showing strong sinews and a tattoo — a T and a B — separated by a slash mark.

"They say you can't erase tattoo marks," Benavides said. "Of course, identifying marks — such as a tattoo — among the many things cops look for when they pick up a suspect in another city, they assume you are not the guy are looking for and let you go."

The man then made a strange rubbing motion on his arm, and again revealed his arm — sans tattoo — to Thompson.

"That trick also drives the cops crazy," Benavides quoted as saying.

Thompson described the visitor as about 6 feet tall, an athletic build. He spoke with shifting speech patterns, sometimes speaking excellent English, at other times with a Spanish accent.

"I decided to inform the FBI, Mr. Canale, and F. Holloman (then director of the Memphis police department)," Thompson said.

"They seemed very interested in my looking over photographs to see if I could find one that might be calling himself Benavides," Thompson said.

About that time, Eric Starvo Galt — the alias of Earl Ray — would later admit using both before and after assassination of King — emerged as the top suspect. Thompson said.

"After that, the FBI and Memphis authorities just called to lose all interest in 'Benavides,' and for some reason they never showed me the photographs they earlier wanted me to look over," Thompson said.