

VIA TELETYPE
JUL 2 1968
ENCIPHERED

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

STATE 08 09 10
IMMEDIATE 6-27-68
TO DIRECTOR
FROM LEGAT LONDON NO. 77 72 79

MURKIN.

Tip
5524

EXTRADITION HEARING COMMENCED TEN: THREE FIVE AM. COUNSEL FOR STATES OF TENNESSEE AND MISSOURI SUMMARIZED EVIDENCE SUBMITTED IN EXTRADITION PAPERS REFERRING TO VARIOUS AFFIDAVITS SUBMITTED BY FBI PERSONNEL.

BONEBRAKE TOOK STAND IN MORNING. PRESENTED FINGERPRINT EVIDENCE. WAS NOT CROSS EXAMINED ON THIS AND DID OUTSTANDING JOB IN HIS PRESENTATION. COURT OBVIOUSLY IMPRESSED BY THREE PHOTOGRAPHIC CHARTS HE PREPARED AND THEY WERE ENTERED INTO EVIDENCE.

UNEXPECTED MOVE BY DEFENSE WHICH IS PERMITTED IN MAGISTRATE COURT, ALLOWED EXAMINATION OF BONEBRAKE AS PRIVATE AMERICAN CITIZEN CONCERNING MARTIN LUTHER KING, HIS LEADERSHIP OF SOUTHERN CHRISTIAN CONFERENCE, WHETHER OR NOT KING COULD BE CONSIDERED A POLITICAL LEADER, ETC BONEBRAKE, WHO WAS REQUIRED TO ANSWER THESE QUESTIONS, GAVE HIS OPINIONS AS PRIVATE AMERICAN CITIZEN ON AMERICAN POLITICAL SENCE, WAS VERY
END PAGE ONE

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REC-51 10 JUL 2 1968

79 JUL 10 1968

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*1000 words in 2000 words
for a total of 3000 words*

PAGE TWO FROM LEGAT LONDON

IMPRESSIVE IN THIS ASPECT AS HE EITHER PREFIXED OR MADE IT CLEAR IN HIS ANSWERS THAT HIS KNOWLEDGE BASED ON NEWSPAPERS AND THAT INFO WHICH IS IN REPLY OF GENERAL PUBLIC KNOWLEDGE. COURT RECESSED ONE PM, COMMENCED TWO FIFTEEN PM. BONEBRAKE AGAIN REQUIRED TO ANSWER GENERAL QUESTIONS AS PRIVATE CITIZEN PERTAINING TO FREEDOM RIDE IN ONE NINE SIX ONE, DEMONSTRATIONS AGAINST KING, BLACK POWER GROUPS, ETC. QUESTIONS ALSO DEALT WITH NINETEEN SIX THREE MARCH ON WASHINGTON. QUESTIONS ALSO RAISED CONCERNING SIXTY FIVE CIVIL RIGHTS VOTING ACT, MARCH FROM SELMA TO MONTGOMERY, WHETHER OR NOT KING WAS ASSAULTED, TO ALL OF WHICH BONEBRAKE ANSWERED WITH QUALIFICATIONS THAT HE HAD NO DIRECT KNOWLEDGE CONCERNING THESE MATTERS.

DEFENSE THEN ASKED IF KING WAS IN MEMPHIS AT TIME OF DEATH TO HELP SANITATION WORKERS STRIKE. BEFORE BONEBRAKE COULD ANSWER MAGISTRATE STATED HE HAD AS MUCH KNOWLEDGE AS BONEBRAKE ON AMERICAN EVENTS AND THAT HE THOUGHT JUDICIAL NOTICE COULD APPLY TO ALL SUCH EVENTS.

COUNSEL FOR STATES CONCERNED THEN MADE CLEAR THAT BONEBRAKE'S ANSWERS WERE NOT ASSOCIATED WITH OFFICIAL GOVERNMENT POSITION AND BONEBRAKE WAS DISCHARGED AS WITNESS.

IN MORNING TESTIMONY CHIEF SUPT. THOMAS BUTLER, NEW SCOTLAND YARD, II PART TESTIFIED THAT WHEN AT CANNON ROW POLICE STATION, RAY MADE
END PAGE TWO

PAGE THREE FROM LEGAT LONDON
STATEMENTS "I FEEL SO TRAPPED" AND "OH GOD". IN AFTERNOON SESSION
MAGISTRATE CAUTIONED RAY AS TO HIS RIGHTS AND RAY AFTER CAUTION STATED
HE WANTED TO COMMENT ON SUPT. BUTLER'S TESTIMONY AS HE THOUGHT THE
TESTIMONY FALSE. RAYS CONSUL SAID HE CONSIDERED DIFFERENCES IMMATERIAL;
HOWEVER RAY REPLIED HE WANTED TO TELL HIS SIDE OF STORY. AFTER TEN
MINUTE RECESS WITH COUNSEL, COUNSEL SPOKE FOR RAY STATING RAY DISAGREES
WITH LARGE PART OF EVIDENCE GIVEN BY BUTLER. IN PARTICULAR HE
WANTED IT STATED MOST EMPHATICALLY HE DID NOT STATE "I FEEL SO TRAPPED"
NOR "OH GOD". NOR DID HE COLLAPSE IN HIS CELL IN MANNER DESCRIBED.
RAY WANTED IT TO BE ^{KNOW} KNOWN HE MADE NO STATEMENT TO ANY POLICE OFFICER
AND THAT HE HAD REFUSED TO SIGN FINGERPRINT FORM. COUNSEL SAID HE WAS
NOT MAKING APPLICATION FOR RECALL OF BUTLER.

DEFENSE THEN CALLED ON A LONDON TIMES CORRESPONDENT, PETER HOPKIRK,
WHO HAD BEEN SUBPOENAED FOR DEFENSE. HOPKIRK TESTIFIED RE TIME SPENT IN
AMERICA AND THE AMERICAN SCENE, POINTING OUT HE HAD BEEN IN MEMPHIS
DAY AFTER KING WAS KILLED. COUNSEL LED HIM THROUGH SERIES OF SITUATIONS
CONCERNING WHETHER OR NOT KING LIKED OR DISLIKED BY WHITES IN THE SOUTH,
ETC. MAGISTRATE AGAIN INTERRUPTED DURING THIS TESTIMONY TO POINT OUT
THAT MUCH OF WHAT COUNSEL WAS STATING WAS COMMON KNOWLEDGE, AT LEAST
TO EDUCATED PEOPLE. MAGISTRATE ALSO POINTED OUT IT WAS OBVIOUS THE
DEFENSE WAS TRYING TO MAKE POLITICAL FIGURE OUT OF KING IN ORDER TO MAKE
A CASE THAT RAYS EXTRADITION BEING SOUGHT AS A POLITICAL REFUGEE.
END PAGE THREE

PAGE FOUR FROM LEGAT LONDON

RAY THEN TOOK STAND AND MADE STATEMENT NOT UNDER OATH OR AFFIRMATION WHICH PRECLUDED ANY CROSS EXAMINATION BY COUNSEL FOR STATE CONCERNED. IN ANSWER TO QUESTIONS BY HIS COUNSEL RAY ADMITTED TO HIS ARREST AT LONDON AIRPORT ON JUNE EIGHT LAST. HE STATED HE DID NOT KNOW KING PERSONALLY, HAD NEVER MET KING AND HAD NEVER HAD GRUDGE AGAINST KING. IN ANSWER TO COUNSEL'S QUESTION "DID YOU KILL DR. MARTIN LUTHER KING, JR." HE REPLIED "NO". THESE QUESTIONS AND ANSWERS WERE REDUCED TO WRITING BY COURT REPORTER AND WHEN RAY ASKED IF HE WISHED TO SIGN IT, HIS COUNSEL INSTRUCED HIM NOT TO SIGN STATEMENT.

DEFENSE COUNSEL IN COMMENCING SUMMATION DEALT WITH APPLICATION FOR EXTRADITION BY MISSOURI FOR ROBBERY WITH VIOLENCE. HE WENT INTO LENGTHY DISCOURSE, CITING VARIOUS AUTHORITIES IN EFFORT TO ESTABLISH THAT ROBBERY WITH VIOLENCE DOES NOT MEET DEFINITION OF ROBBERY AS STATED IN EXTRADITION TREATY. HE THEN CITED VARIOUS AUTHORITIES DEALING WITH POLITICAL CHARACTER OF EXTRADITION FOR VARIOUS OFFENSES AND WHETHER OR NOT OFFENSE HAS BEEN COMMITTED IN THE POLITICAL CONCEPT. HE ALSO DWELT UPON WHETHER BURDEN OF PROOF TO SHOW POLITICAL CHARACTER OF OFFENSE RESTS ON DEFENSE OR PROSECUTION. HE POINTED OUT THAT ONE REASON HE REQUESTED RAY TO MAKE STATEMENT WAS TO SHOW RAY HAD NO CAUSE FOR PRIVATE REVENGE OR PERSONAL MALICE TOWARD KING.

END PAGE FOUR

PAGE FIVE FROM LEGAT LONDON

COURT ADJOURNED FOUR: FOUR FIVE PM AND MAGISTRATE STATED WOULD REMAND RAY ON ALL COUNTS UNTIL JULY TWO NEXT. HE THEN ASKED BOTH COUNSELS IF THEY FELT THEY COULD FINISH IN ONE DAY AND BOTH RESPONDED YES.

PRIOR TO EXTRADITION HEARING RAY WAS REMANDED ON LOCAL CHARGES FOR ADDITIONAL EIGHT DAYS TO JULY EIGHT NEXT.

BONEBRAKE DEPARTING LONDON ONE: THIRTY PM JUNE TWO EIGHT, TWA FLIGHT SEVEN ZERO NINE, DUE TO ARRIVES DULLES FOUR: FOUR ZERO PM.

ASSISTANT ATTORNEY GENERAL VINSON HAD PLANNED TO DEPART LONDON JUNE TWO EIGHT BUT INDICATES MAY STAY OVER UNTIL JULY TWO, HAS NOT YET DECIDED. ON BASIS OF ABOVE PROCEEDINGS IT WOULD APPEAR DEFENSE COUNSEL WAS LAYING GROUNDWORK FOR APPEAL TO QUEENS BENCH COURT ON GROUND THIS IS POLITICAL EXTRADITION. CONCEIVABLY HIS REJECTION OF QUESTION OF DEFINITION OF ROBBERY BY VIOLENCE COULD BE BASIS OF FURTHER APPEAL FROM QUEENS BENCH COURT TO HOUSE OF LORDS ON A QUESTION OF BRITISH LAW.

FOREGOING FOR INFORMATION.

RECEIVED: 5:16 PM FJB

JEPS
CALLED:
M. A. Brennan
By: C. A. Brennan Time: 7:05 PM

3RD CC MR. BRENNAN