

This book is largely rehash, largely uncredited, was written several years ago and updated only slightly (indicating trouble getting it published), so slightly it wasn't corrected when the HSCA proved some of it wrong and there is only barest mention of it, HSCA.

However, it does have a few things I got in C.A. 75-1996 and believe have not been published. The two agents who moved into Garner's flophouse in Atlanta (96) did so. Some of the detail here suggests an FBI source, like the retired agent Murtaugh. Some I cannot attribute to any source, like the account of the fingerprint search (100) and I do not know whether it is accurate. (Continued onto 101) The mailing of the Birmingham, safe deposit box key from Baton Rouge was published (165) but I do not recall that the date of the mailing, 12/13/67 was. It is accurate according to the FBI records I got. That Arthur Hanes became security agent for Hayes Aircraft (174) may have been published but I do not recall this.

A Case of Conspiracy

by Michael Newton

AND
THE
LONE ASSASSIN THEORY!

**KNOCKS THE LID OFF THE
LONE ASSASSIN THEORY!**

identified a rough sketch of Galt; one claimed he had picked up the suspect at the corner of 10th and Peachtree on the morning of April 5, while the other thought he had collected the same fare on the evening of that day, near the junction of 13th and Crescent. The second driver was certain his fare was the man in the FBI's sketch, but he later confided to newsmen that the Bureau's drawing was radically different from the one printed in national newspapers.

The last known address of Galt in Atlanta turned out to be a rooming house managed by one Jimmy Garner, in the heart of a so-called hippie neighborhood. Agents moved in cautiously, hoping against hope to find Galt still in residence. They learned that the suspect still kept a room in the house—number two on the ground floor—and round-the-clock surveillance was established at the scene.

FBI leaders decreed that the probe must be conducted in utmost secrecy. Two agents disguised as flower children rented a room from Jim Garner on April 14, rejecting several until they got one adjoining Galt's, with a connecting door between the two. No sounds issued from Galt's room, and the door was padlocked on his side. Finally, the agents phoned headquarters in Washington and received personal orders from Assistant Director Cartha DeLoach, Hoover's second in command, to illegally enter Galt's apartment without a search warrant. They promptly removed the connecting door from its hinges and scoured the apartment, turning up various personal items and a collection of maps. Everything was left as they found it, and that same evening—Easter night—other G-men arrived with a search warrant to sweep the apartment clean.

Landlord Jim Garner had maintained precious little contact with his reclusive tenant. Indeed, from the time Galt first rented the room on March 24 until agents

arrived with their warrant, Garner had seen him only three times, and had spoken with him only once. He had been when Galt first rented the room, and when he paid for the first week in advance. The second time was on March 31, when Galt paid a second week's rent. On a third occasion Garner had glimpsed Galt briefly through the open door of his apartment. Garner entered room 2 on April 5 to change the sheets. He found a note on the bed: "Had to leave. Left TV. Will pick up soon."

Jim Garner looked at several snapshots, and chose the bartending photograph as a likely likeness of the vanished tenant.

The contents of Galt's apartment in Atlanta were examined at the Bureau's Washington lab, but the nature of those findings remains obscure. One of the items was the collection of maps—representing Mexico, Louisiana, Oklahoma, Arizona, New Mexico, California, Florida, Birmingham and Atlanta—technicians used to lift a single fingerprint. It came from a map of Mexico, and reportedly matched those recovered from the rifle and binoculars found in Memphis. It has been widely reported that the map of Atlanta was covered with cryptic markings, grimed around Dr. King's home, office, church, and headquarters. Those markings are frequently cited as proof of Galt's—and Ray's—maniacal devotion to King, but the best evidence indicates that no such markings existed on the map at all. To begin with, there are no wonderfully detailed city maps exist, containing street names and individual homes recognizable as such, at the time that "conclusive proof" of premeditation entered as evidence, or even mentioned, by the prosecution during Ray's day in court. Since the state attorneys that day dredging up every iota of surmise and speculation that it could muster, we may assume that no

And yet, in the case of Dr. Martin Luther King's assassination, with G-men conducting the greatest manhunt in law enforcement history, not one but fifteen days elapsed before suspect Eric Starvo Galt was finally identified as fugitive James Earl Ray. The reason for that tardy fingerprint identification has never been officially explained.

Of the 82 million persons listed in the Bureau's fingerprint collection in 1968, some 53,000 were current fugitives from justice. George Bonebrake and his staff took that group as their arbitrary starting point, and then reduced the number of potential Eric Galts still further by weeding out women, ethnic minorities, and any white males obviously different from the suspect's known description. The weeding process left agents with some 2,000 cards to examine, but in fact they had scrutinized only 702 cards before they identified their man. Taken in that light, the excessive delay in identification becomes even more mysterious.

Of the four fingerprints finally used to identify Ray as Eric Galt, three had been in the FBI's possession since the predawn hours of April 5, less than twelve hours after the murder. Nonetheless, G-men did not isolate the suspect's prints until 9:15 a.m. on April 19, 1968. In short, a full staff of the Bureau's experts, working around the clock and with the aid of computers in history's greatest manhunt, managed to examine a leisurely fifty fingerprint cards per day.

Two sources have attempted to explain the gross delay, but neither version reflects kindly on the Bureau or its personnel. Gerold Frank, in *An American Death*, maintains that it took only twenty-four hours for G-men to examine the 702 fingerprint cards. However, for some unknown reason, the search in Frank's version did not begin until 9:30 a.m. on April 18, fourteen days after the assassination. Still later, the Justice Depart-

ment carried matters a step further, claim report that fingerprint identification was only *two hours* of effort. If that is true, the was made to identify the suspect's prints using of April 19, 1968. In either event, there to be no logical or justifiable reason for the

The fingerprint card finally selected by and company bore FBI identification number. It belonged to one James Earl Ray, an escapee from Missouri State Prison currently at large. In the noon of April 19, 1968 mugshots of Ray appeared on pages around the world, and on the following day came an official member of the FBI's "Wanted" club.

Despite the apparently positive fingerprint identification, James Ray seemed to be the least likely suspect in an assassination. True, he had spent sixteen years in more or less constant confinement, but the very nature of his offense showed obvious inability to avoid swift capture after escape. It seems unlikely that he could lead the mighty FBI on such a daring chase.

Born on March 10, 1928 in Alton, Illinois, the son of an ex-convict father and an alcoholic mother, two of Ray's brothers also served time, and his background and Depression upbringing, it is inevitable that James would also run afoul of the law. The first trouble had come in 1948, with Ray in the Army in Germany. On October 31 he was drunk in quarters and served a brief stockade before being discharged on grounds of "inadequate lack of adaptability to military service." In 1949 he was arrested for burglarizing a Los Angeles cafeteria and received a ninety-day sentence, which was commuted early due to good behavior and upon fulfillment of his promise to leave California. In

of Dr. Martin Luther King's conducting the greatest man- history, not one but fifteen-ct Eric Starvo Galt was finally nes Earl Ray. The reason for dentification has never been

ns listed in the Bureau's finger-ome 53,000 were current fugi- Bonebrake and his staff took ary starting point, and then re-ntial Eric Galts still further by nic minorities, and any white t from the suspect's known process left agents with some ut in fact they had scrutinized y identified their man. Taken ve delay in identification be- us.

finally used to identify Ray as in the FBI's possession since pril 5, less than twelve hours eless, G-men did not isolate :15 a.m. on April 19, 1968. In e Bureau's experts, working ith the aid of computers in- nt, managed to examine a ards per day.

tempted to explain the gross reflects kindly on the Bureau ank, in *An American Death*, ly twenty-four hours for G- gerprint cards. However, for search in Frank's version did on April 18, fourteen days ill later, the Justice Depart-

ment carried matters a step further, claiming in a 1977 report that fingerprint identification was made after only *two hours* of effort. If that is true, then no attempt was made to identify the suspect's prints until the morn- ing of April 19, 1968. In either event, there would seem to be no logical or justifiable reason for the delay.

The fingerprint card finally selected by Bonebrake and company bore FBI identification number 405942G. It belonged to one James Earl Ray, an escapee from the Missouri State Prison currently at large. By the after- noon of April 19, 1968 mugshots of Ray adorned front pages around the world, and on the following day he be- came an official member of the FBI's "Ten Most Wanted" club.

Despite the apparently positive fingerprint identifi- cation, James Ray seemed to be the least likely possible suspect in an assassination. True, he had spent the past sixteen years in more or less constant conflict with authority, but the very nature of his offenses, and his obvious inability to avoid swift capture afterward, made it seem unlikely that he could lead the agents of the mighty FBI on such a daring chase.

Born on March 10, 1928 in Alton, Illinois, Ray was the son of an ex-convict father and an alcoholic mother. Two of Ray's brothers also served time, and given his background and Depression upbringing, it was perhaps inevitable that James would also run afoul of the law. The first trouble had come in 1948, with Ray serving in the Army in Germany. On October 31 he was arrested drunk in quarters and served a brief stockade sentence before being discharged on grounds of "ineptness and lack of adaptability to military service." In October 1949 he was arrested for burglarizing a Los Angeles cafeteria and received a ninety-day sentence. He was re- leased early due to good behavior and upon the condi- tion of his promise to leave California. In April 1950

Seventeen
'RAOUL'

ystery man Ray calls Raoul is
ation. If he existed, or exists
y is innocent, the unknowing
murder Dr. King. If, as the
figment of Ray's overactive
self is probably guilty of the
theories of how he financed
must be given more respectful

vestigation, Raoul has played
nan. He is ever there, lurking
ng into flame the sparks of
the same time, he is as elusive
creature seemingly of misty

imagination rather than substance. For a decade the prosecution and its apologists in the press have insisted that Raoul does not, and never did, exist. In maintaining that position, however, the government has been required to willfully ignore and, on occasion, actively cover up inconvenient evidence to the contrary.

The first clue to the existence of Raoul—or some accomplice in King's murder who might have used that alias—concerns the key to James Earl Ray's aforementioned safe deposit box. Ray had taken the key along with him when he left Birmingham for Mexico on October 7, 1967, and it was received back at the Birmingham Trust National Bank on December 13 of that year, having been postmarked from Baton Rouge, Louisiana. In order to be received in Birmingham on December 13, logic dictates that the key must have been mailed from Louisiana at least two days earlier, around December 11.

The dilemma of the prosecution becomes obvious when one recalls that James Earl Ray never set foot outside Los Angeles between November 18 and December 15. Clearly then, Ray's safe deposit key was at least temporarily in the possession of someone else, someone who did him the favor of mailing it from Louisiana on or about December 11. That "someone" may well have been Raoul, and in that light it is interesting to note that Baton Rouge constitutes one terminus of Airline Highway, the same thoroughfare hosting the state police barracks which Ray called repeatedly from roadside telephones.

An incident similar to that of the safe deposit box key occurred in Alabama during early 1968. We have already mentioned that James Ray lost his car keys and Alabama driver's license in a violent and confusing altercation with patrons of a bar in Los Angeles near the end of February 1968. He desperately needed to replace

evidence, described by one reporter as "at least an inch thick," reached England the following day.

James Ray was most emphatically a man in need of a lawyer. Various British solicitors were handling the charges against him in London, but as his extradition to the United States became more and more of a foregone conclusion, Ray cast about for an American attorney equal to the task. His first choice, millionaire lawyer F. Lee Bailey, declined the case on grounds that his personal friendship with Dr. King created a conflict of interest. Thus rebuffed, Ray turned to his second choice, attorney Arthur Hanes, Sr., of Birmingham, Alabama.

Art Hanes was a curious choice as Ray's prime legal defender; his legal career was unmarked by spectacular cases, and his personal life was almost as chock-full of riddles and dark corners as the King investigation itself. To begin with, Hanes was a former special agent of Hoover's FBI, the organization which first persecuted Dr. King and then manufactured the leaky case against his supposed assassin. Upon leaving the Bureau in 1959, Hanes had become a security officer with the Hayes Aircraft Corporation in Birmingham, doubling all the while as a contract employee of the Central Intelligence Agency. The CIA had recruited Hayes employees as pilots for the 1961 Bay of Pigs fiasco, and when four of them died in the abortive raid Hanes drew the assignment of warning their widows to keep eternal silence. Still later, in 1963, Hanes had entered the headlines as mayor of Birmingham, a hard-bitten leader of the same racist administration which boasted Bull Connor as police commissioner. After police excesses against Dr. King's peaceful marchers prompted a successful movement to oust top incumbents, Hanes had returned to the private practice of law. His only memorable case was the 1965 defense of three Klansmen charged with

murdering a female civil rights worker.

One of Ray's English attorneys flew to Birmingham via trans-Atlantic telephone on June 17 to get out his reactions to Ray's offer. A Birmingham lawyer defendant himself arrived shortly and spurred on no doubt by a possible \$100,000 fee, Hanes finally accepted to handle Ray's case. As he soon learned, it was not so easy to fill.

Ray had made his second brief appearance in court on June 18, at which time his formal extradition hearing was scheduled for June 27. Art Hanes appeared the following day in an effort to represent his client, but Judge Milton barred Hanes from representing the defendant although Hanes had already represented him in Alabama. Hanes hung around for 21 days before giving up and returning to Birmingham in disgust.

The American government was in a dilemma in the extradition of James Earl Ray. The provisions of the 1931 extradition treaty between the United States and the United Kingdom, legal requirements for extradition are clearly spelled out in detail. For the defendant, American authorities must provide evidence sufficient to warrant trial and then, on return to the US, the defendant must be tried on those specific charges and not on those narrowly defined charges of those narrowly defined charges. Extradition automatically illegal. An interesting note, then, that when Ray's hearing on June 27, Art Hanes devoted to the lone-assassin theory of Ray's extradition on dual charges of murder in Missouri state prison, and conspiracy to murder Dr. King. If they were successful in winning Ray's extradition on those grounds, they would, at least