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INVESTIGATION OF THE ASSASSINATION OF MARTIN LUTHER KING, JR.

APPENDIX TO
HEARINGS
BEFORE THE
SELECT COMMITTEE ON ASSASSINATIONS
OF THE
U.S. HOUSE OF REPRESENTATIVES
NINETY-FIFTH CONGRESS
SECOND SESSION
(INTERVIEWS WITH JAMES EARL RAY)

VOLUME X

Printed for the use of the Select Committee on Assassinations



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OF MARTIN LUTHER KING, JR.**

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FOURTH INTERVIEW WITH JAMES EARL RAY, AT THE BRUSHEY
MOUNTAIN STATE PENITENTIARY, APRIL 29, 1977.

MR. LEHNER: The time now is 10:38, and we are now here assembled in the conference room at Brushey Mountain; and we will all identify ourselves for the record.

I'm Robert Lehner, Deputy Chief Counsel for the House Committee on Assassinations.

MR. EVANS: Ed Evans, Chief Investigator, Select Committee on Assassinations.

MR. GANNON: Tom Gannon, Staff Counsel, Select Committee on Assassinations.

MR. KERSHAW: Jack Kershaw, attorney for James Earl Ray.

MR. RAY: James Ray.

MR. REVEL: Gary Revel, Investigator for Mr. Jack Kershaw.

(Louis H. Hindle, Stenographer, Select Committee on Assassinations).

MR. LEHNER: We have had some preliminary talks not on the record, but I understand that Gary has been taping this portion for your use, so why don't you, James, state what you wanted to state on the record.

MR. RAY: I think you raised an issue, you mentioned a former Tennessee correction - Mr. Harry Avery last week. You said something about if I have any more information -- Well, what I was concerned about now, Mr. Avery, he has made various statements about the conspiracy and he was sort of

a go-between, between Governor Ellington and Governor Ellington's Exec Asst, an attorney named William Berry. Berry later went to the Attorney General's Office. Now, also, Mr. Avery had some letter from Governor Ellington or something about how to handle me and possibly about the case. The reason I bring this up, one time Mr. Avery tried to introduce this letter to Judge William B. Miller's court, Federal Court, and Judge Miller read it and he wouldn't put it in. Of course, Judge Miller is, he's one of the most, in my opinion, one of the most independent judges in Tennessee. So, if he wouldn't put it in there, I thought there was some relevance to the case.

Now, Mr. Avery is about 75 years old now and we was going to subpoena him for the habeas corpus hearing to testify, but the prosecutor Henry Hale, told the judge that Avery was too old or something, of course, I don't really believe that. But anyway, that, what I'm getting at, is if anyone is going to talk to him I think they should talk to him before too much longer. Now, the reason I mention that, I have had about, in the last eight or nine years, I've had about 12 or 15 people look into various aspects of the case in one thing or another. Now, of all these people four of them have expired. One of them is a labor leader from St. Louis named Lawrence Callahan. Now, I'm not positive he's died, but I'm almost positive because I found out he was sick several years ago.

Another one was an attorney named Osborn from Nashville. You know his first name, I forget and --

MR. KERSHAW: I know him very well, but it surprises me

I can't recall it right now.

MR. RAY: And another one --

MR. KERSHAW: C. T. Osborn.

MR. RAY: C. T. Osborn. Another was James Hoffa, Sr.

I think Bernard Fensterwald discussed him in the case sometime.

And the other individual that has died, he looked into his, I, I went to him one time when he was trying to send me to Springfield, Missouri and also on a libel case. And his name is Clyde Watts. He's an attorney from Oklahoma City, Oklahoma.

Now, the individuals, other individuals are getting elderly who have investigated some aspect of the case at one time or another is, one of them is Judge Ralston Schoolfield from Chattanooga. I think he's the --

MR. LEHNER: May I have that again?

MR. RAY: Schoolfield, he's a judge from Chattanooga, Tennessee.

MR. KERSHAW: Was.

MR. RAY: He's a General Sessions judge now and he's, he helped me certain ways and looked into certain things.

Of course, I mentioned Avery and --

MR. LEHNER: What are your interest in Avery? Could you tell us about that one.

MR. RAY: Well, he seemed to be Governor Ellington he made several kinds of -- Well, they wasn't really clear statements, but he said, he made one statement one time and

I got the clipping out of the paper, that if everything came out about the King shooting why there would be a lot more trouble in the United States, so, it's better -- I sent the clipping to Fensterwald and ---

MR. LEHNER: Who made that statement that was reported?

MR. RAY: Governor Ellington made the statement. I sent the clipping to Fensterwald and he wrote to Governor Ellington and Ellington declined to answer. But Ellington, his closest associate was William Berry, Executive Assistant, and Berry was very close to Harry Avery. So, what I'm more or less concerned about is the correspondence they exchanged. They had some written agreements and guidelines about how they would handle the case and everything, and Avery has the letters and I think the City tried to turn them over to the newspaper, but they wouldn't publish them.

MR. LEHNER: Now, these letters that Avery has are from whom?

MR. RAY: From, well, I don't know whether they are from Ellington or whether they are from Berry, but they are from one or the other because I take it that Mr. Berry was a middle man between Avery and Governor Ellington.

MR. LEHNER: What else does Avery has, do you know?

MR. RAY: Well, he -- I think he took all my materials when I came in, some of these phone numbers, I don't know if he kept them or not, he gave them all back to me the next day. But I just don't know what he had, but apparently he has got quite a bit because the Attorney General made a

strong argument. Well, I heard some of it. They had a bench conference, Mr. Hailey, the Attorney General and Judge McGray, and this was a bench conference and I was on the witness stand and Hailey was very opposed to calling Avery up there. He said he was an old fellow and all that. But, of course, Avery is kind of old but he is still somewhat vigorous, and I don't --

MR. LEHNER: Let me ask you this, whatever materials Avery has pertaining to the case at all, from whatever source he got it, no matter what method he got it, do you give us permission to get it from him?

MR. RAY: From Avery?

MR. LEHNER: Yes.

MR. RAY: Yes. You can get anything you - as far as I'm concerned, whatever I told him or he told me. There's various clippings I got one here, but you can't, you couldn't xerox it, it's you could read it but it's xeroxed out. I was going to give it to --

MR. LEHNER: Whatever you told him or he told you, or anything else that he got in anyway that is relevant to the case, in whatever way he got it?

MR. RAY: Yes, well --

MR. LEHNER: You would give us permission to get that and look at it?

MR. RAY: Anything he told you I told him or whatever, it doesn't make any difference.

MR. LEHNER: Anything, no matter where he got it from?

MR. RAY: Yes. Anything.

MR. KERSHAW: I, I'd agreed to that too.

MR. LEHNER: Okay.

Can you -- You mentioned Lawrence Callahan, what does he have, what did he have? You said he was deceased? What --

MR. RAY: Well, he had someone investigate, he said he had Osborn, but I don't want to go into depth on that. The only reason I mentioned that, I'm trying to emphasize that four people have died here from old age or something, and there's three or four others, Avery, Percy Foreman and Judge Schoolfield, and it is my opinion that if they are not interviewed or something that they are -- That if they expire, whatever I say that they told me, well, they will say I just fabricated that or something.

MR. LEHNER: So you are suggesting that we speak to Judge Schoolfield, what would he be able to tell us?

MR. RAY: Well, I'm just telling you that these people are getting elderly now.

MR. LEHNER: Well, could you tell us what knowledge he would have of the case.

MR. RAY: Well, I think he made some contact with the late Hoffa, Sr. They was some type of friends and at one time they were going to help me investigate the case, but there was some type of realignment of the labor leaders, there was some fellow named Hardin and all that and then they decided not to help me but possibly Fensterwald would know more about that because he talked to Edward Bennett Williams, who was Mr. Hoffa's lawyer.

MR. LEHNER: What did Hoffa, Sr. do or was going to do?

MR. RAY: Well, these phone numbers, one of them, I've been told had some type of association, this Baton Rouge number, with the Teamsters Union. So, I decided at that time to perhaps contact, this was 1971 when I was down here, to contact -- Either contact Hoffa, Sr., but I didn't want to do that until -- It might mess up his probe or something, so I think we instead, we contacted Hoffa, Jr., James, Jr., and then we found out later that Judge Schoolfield was some type of an associate of these people. So, I think Schoolfield -- When Hoffa got out of the penitentiary whenever that was. I think Schoolfield contacted him and they showed some interest in assisting me, and Schoolfield said something about there was a realignment of forces, whatever that means, and they decided not to.

But, there is another side incident on that, when I first came down here, well not when I first came down here, but when I was here about a year, there was a inmate in here named Junior Broom or something, and he told me that he was in the penitentiary with Hoffa and Hoffa use to save all the clippings and all this, to try and find out about the King case. And so I don't know if there is anything in that or not. This inmate he's paroled now. I don't know where he's at.

MR. LEHNER: Junior Broom?

MR. RAY: I don't know -- I know they call him Junior, and he lives in East Tennessee, but something like Broom, I'm not just -- They have records of it.

MR. KERSHAW: Schoolfield will know about him.

MR. RAY: I know I don't know if Schoolfield will know

about Broom, he knows about Hoffa.

MR. LEHNER: And this fellow Broom was an inmate with Hoffa?

MR RAY: No -- Yes, and he later came down here.

MR. LEHNER: And what did he say that Hoffa had done?

MR. RAY: He said Hoffa showed a strong interest in my case and was always keeping clippings and everything. And I think he was asking other prisoners if they saw anything about it.

MR. LEHNER: And what about Clyde Watts, what was his connection with the case?

MR. RAY: Clyde Watts, well, he's a, he's a, we originally contacted him, something about a libel suit against Gerald Franks and he contacted Mr. Ryan, the Memphis attorney, Richard Ryan, but anyway he never did -- He never did get into the case, the libel case because it more or less petered out or something. The judge dismissed certain parts of it. Just, finally it just faded out. But later on when they tried to send me to the Springfield Mental Institution I had my brother Jerry Ray call up Watts and ask him about this -- This facility up there they, he called it a butcher shop. So, I was making, I was going, was thinking about trying to get him to recoooend somebody to you know, to fight the extradition and he did, he did recommend someone. I think the name was, White, a Memphis lawyer named White, but then they shortly after that the State dropped the interest to send me up there. I think another, one of the, the only other dealing we had with Watts, I think Jerry called him and tried to get him to check on a name and a guy named

Rosen or something. I think Watts checked on him and found out his name was Rosenson or something like that. He checked some federal records in New Orleans, but his -- Then later on I think Jerry called him again and tried to get him to ask him some questions about some labor man or something, and I think his wife told Jerry that he had been killed in a plane crash or something. But most of this, all these letters and everything that Watts had were in the files, whatever correspondence I had with him.

MR. LEHNER: Okay.

I understand that the Canadian Broadcasting Company has been here and interviewed you, is that correct?

MR. RAY: That's correct.

MR. LEHNER: Okay, and I understand that you and Mr. Kershaw are consenting to send us a transcript of that interview?

MR. RAY: Well, if you want to send it, it's all right with me.

MR. LEHNER: Is that true Mr. Kershaw?

MR. KERSHAW: Yes.

MR. LEHNER: Okay. I also have the last waiver of attorneys that Mr. Ray had signed and I'd like, if you would, to consider adding to that, so that we can expedite that. Is there anything else that you want to put on the record before we start our questioning of you?

MR. RAY: Well, let me read through here. Well, I have a couple of clippings here I may give you but we can xerox them.

MR. LEHNER: Okay. I just wanted also for the record to state that we are waiting at your pleasure, as far as recommending to us a ballistics expert and we will be in contact with you Mr. Kershaw and consequently --

MR. KERSHAW: I'll locate one directly, is that all right?

MR. LEHNER: Fine. Okay.

Last time we were here we had gone into the the beginning of the, your stay in Los Angeles, maybe for continuity sake you could back up at this time and tell us about when you arrived in Los Angeles from Mexico?

A. I believe it was in late November of 1967.

Q. How did you get from Mexico to Los Angeles?

A. Mustang probably.

Q. Was there any difficulty in getting across the border, did you have anything in your possession at that time that gave you any problems?

A. No. I was questioned what I had in the car and then -- I'd shook it down -- and I told them nothing.

Q. They did shake it down or did not?

A. No. I had shook it down myself before I crossed and I told them nothing.

Q. Did you have that camera equipment with you at that time?

A. That's correct.

Q. Was there any questioning of you as to the camera equipment?

A. No. I think what he questioned me, what he asked me, the customs, was I bringing anything over that I had purchased in Mexico and I hadn't.

Q. And you came back by yourself?

A. Yes, sir.

Q. And about how much money did you have with you at that time?

A. Well, it is hard to recall. I would guess, well, in the excess of \$2000, I'd say.

MR. GANNON: Did you have the .38 at that time?

A. Yes.

Q. All right, had you hidden it in the car?

A. Yes.

Q. Where was that?

A. Where did I hide that? Well, I hid it, I possibly put in way up in the upholstery. I did this once or twice, I can't recall right now, but I know I had it. I can't recall two or three places I could have put it.

Q. And where did you cross the border from Mexico into the United States?

A. Tijuana.

MR. EVANS: Did you choose Tijuana, or was it just that it was in the direction that was closest to Los Angeles?

A. Yes, it was closest to Los Angeles.

MR. KERSHAW: May I ask, was that Mustang stick or power?

A. Power.

Q. The reason I ask, did sometime or another, somebody had said

that you had some clutch trouble with it? Is this just an error on their part? Clutches are in, are in stick automobiles not in power automobiles, right, it was definitely a power automobile, automatic transmission?

A. I never had any problems with it except a couple of flat tires and a new battery and that was it.

MR. LEHNER: Why were you intent on going to Los Angeles?

A. Well, I intended to go to Los Angeles or San Francisco possibly to get a ship out of the country.

Q. In Mexico had you seen anyone with Raoul?

A. There was this driver. I didn't see anyone else.

Q. Where was that that you saw that driver?

A. First time?

Q. Yes.

A. Well, that would of been in Nuevo Laredo. The second time would have been the next day at the customs, border crossing, not the border crossing but the customs, they had customs shacks about 40 miles inside the border and that was the next, the last time I saw him.

Q. Was that the same person with him on both occasions?

A. I'm almost certain it was.

Q. What did he introduce him as, what name?

A. He didn't introduce him.

Q. Did you ever talk to the man?

A. No. I never did. I saw him from the car and I think the profile, and that would have been about it.

Q. Did you hear him talking with Raoul?

A. No.

Q. How would ^{you} describe him, the man with Raoul?

A. He had a Latin appearance, and the features were more coarse, but that's -- I most likely could identify him if I saw him, but I couldn't describe him, anyone sitting in the car with any great detail.

Q. Did you ever see him standing?

A. I don't, no I don't believe I did. I think he stayed in the car all the time.

Q. Could you give us an estimate of his age?

A. No.

Q. Or his build?

A. No. In his 30's maybe early 40's. I couldn't give you any details on that because that was, we crossed the border and he was parking the car one time and I know we was parked on the wrong side of the street once. And I seen him from a more or less a profile angle. He was parked on kind of a --

MR. KERSHAW: Well, Jim was he a little man?

A. I couldn't see him. He was in the car.

Q. Skinnv neck or fat neck?

A. Well, I don't look at all the details. The first time it was dark anyway, it was street lights on. There was no -- I may be able -- I could probably recognize the profile, in fact, a little more than a profile, but I couldn't give you any details about him.

MR. LEHNER: You could tell he was Latin just looking at him?

A. Well, I assumed he was, he had dark complexion.

Q. What about Raoul could you tell that he was Latin too, just by looking at him?

A. Well, that word is kind of a broad term, Latin, could be an Italian, Spanish, but from my associations it, I would think so ---- But I think certain Latins have different racial mix, make up, in Mexico there's more Indians and Spanish. And I assumed in my opinion this was, would conform more to Puerto Ricans.

Q. Raoul?

A. But I'm not familiar now with Cubans or anything of that nature.

Q. When you refer to Raoul as Latin are you referring to him as a Latin American as opposed to an Italian or someone from the Mediterranean area?

A. Well, I'd have to give you my definition of a Latin. That would be someone from southern Italy or Sicily or Spain or South America, but, of course, everybody that lives there is not Latin, I understand that. But there is certain, you get certain things in your mind what you - a Latin is.

Q. But what I'm asking is, when you are talking about Raoul, are you talking about someone who has Spanish background or are you talking about someone who has Italian background?

A. Well, I'd say Spanish from the accent.

Q. From his accent, he had a Spanish Accent, Raoul?

A. It's my opinion based on my association with Mexicans, Mexico and the Federal penitentiary.

Q. So Raoul had a Spanish accent?

A. That's correct.

Q. Did he also look Spanish; as opposed to looking Italian?

A. Well, that's very hard, I'm not an ethnologist or anything like that. It's difficult for me to say. I think I would say -- I would say, I would just say from his accent, I'm not familiar with accents, I'm not familiar with Italian accents or there's various accents that are different, I think the Italian, and Portugal, I think they even have a different language from the Spanish, so --

Q. So you are familiar with accents from meeting people with Spanish backgrounds in prisons, right?

A. Not only prison, but in the Mexico I use to have considerable association with them. I played handball with them, with Mexicans in Leavenworth.

Q. When he was in Mexico did he speak Spanish to the people, for instance, in the motel?

A. I can't ever recall him ever speaking to anyone except maybe ordering a beer or something like that.

Q. And when he ordered a beer this was in the bar?

A. This was in Canada, that was in Montreal, yes.

Q. What about in Nuevo Laredo did he order any drinks there in the bar?

A. We never did go in any bars or anything. He never did - He didn't go to the customs with me, the only thing that I assumed he speaks Spanish, he did come to the motel in Nuevo Laredo so I assumed he was, but, of course, most of these people

speak English, these clerks, but I assumed you might - Being as he's familiar with them why they might let him in whereas they wouldn't let an English speaking person in there.

Q. Well, did you ever hear him speak a foreign language, Raoul, for instance speaking Spanish in Mexico?

A. No. I think the two or three times I would have had an opportunity he was in another car so - But I'm - that wouldn't be necessary because I'm converse enough in the Spanish language to differentiate between Spanish and some other language.

MR. GANNON: Did he ever speak French in Montreal?

A. I don't think so. He usually just ordered beer. He's not, but, it's my impression that when you go into these places and you are with someone they usually speak the language you speak unless they talk, unless they get into some kind of side conversation or something. But I never heard any side conversations with any party.

MR. LEHNER: When did you first realize that he was a person of Spanish background?

A. I think when I first talked to him.

Q. And has that changed since that first time, your impression that he was a person of Spanish background?

A. No. That has never changed.

MR. EVANS: Did you ever ask him, James, did you ever ask him what his background was?

A. No. I was never, he never indicated what his background was. He mentioned one time, I think I have testified last week something about Cuba, but that was kind of a garbled

reference that I could go there and get a passport. It was never any indication of how I was going to get there or under what conditions.

Q. How many hours in total had you spoken to Raoul?

A. I don't think, in actual conversation I don't think it would be too much. I think it would be better how much time I actually was in his presence.

Q. Well, why don't we answer that one if you can?

A. I think, but I don't say too much, but usually I don't think it would ~~been over~~, except when we was right in the car or something, I don't think it would be over three or four hours in all total. Except maybe driving from one spot to another.

Q. Well, how many different occasions did you see him in Montreal?

A. Six or seven I would guess.

Q. And you were with him in Birmingham and Atlanta as well, right?

A. That's correct.

Q. In fact, you roomed with him in Atlanta, is that right?

A. Well, no, he knew where I was rooming at and we made some kind of arrangements where he could get in through the back door, but there was never any, I know no one was rooming there except me and some other individual up stairs.

Q. During the times when you spoke with him, when you were not talking about illicit activities, planning, planning

smuggling operations, what did he talk about?

A. Well, I don't recall any indepth conversation about anything. It might be a comment about the weather or something like that or --

Q. Did he ever tell you whether he was married, had any children, had a, had a girl friend, where he spent his time, whether he had relatives, brothers, did you get any kind of that conversation from him?

A. Well, I never had any personal conversation. In fact, I have known people for years, the criminal associates and I don't know any more about them now then when I first met them.

Q. Did he ever tell you any of his opinions about anything, politics?

A. No, I never discussed political things with anyone while I was out there except, perhaps this Stein woman and --

MR. EVANS: What kind of dress, what kind of clothing did he wear, what kind of clothing did he favor, did he have the same things on every time you saw him or --

A. Usually dark suits and shirt with no neck tie. I don't think he ever wore a white shirt, it was just a regular, something to offset the suit he was wearing. I never --

Q. Well, were these sports shirts or were they dress shirts that, with just the tie absent, just the collar open?

A. I don't recall ever seeing him wearing a ties. He always wore a coat and Fensterwald had a, Bernard Fensterwald had an idea that he might have been on narcotics, but, of course,

Fensterwald has his access to more information than I do. So, it's --

Q. Was he given to wearing sport clothing other than business suits or?

A. No, this was usually a business suit.

Q. Business suit?

A. Something.

Q. Did you formulate any ideas as to what his front was. I mean, when I say "front" I mean perhaps when he was not with you that he was engaged in some other sort of business?

A. I assumed he had something to do with the sea, some type --

Q. With the sea? What gave you that impression about his dress, gave you the impression?

A. That he was involved in --

Q. That he was involved with maritime, maritime or seamen or something of that sort?

A. Well, from his conversation about, well, the travel documents all our meetings were usually on some type of seaport or river, in Memphis, Mobile, New Orleans and Montreal. And I've -- I've had some association with Merchant Seamen while I was in the Army and they, I guess that was in the back of my mind. He impressed me as being involved someway in, maybe not a Merchant Seaman, I don't know too much about that trade, I know that business agencies and recruiters and that stuff, I know that you have to have schooling. Once when I was in New Orleans, I was trying

to get some papers down there. They told me you had to go to Merchant Seamen's School or something. I'm just not familiar with all the details of the Merchant Seamen's.

MR. GANNON: When he talked to you about travel documents: did he talk about why it was essential or important for him to get them?

A. Well, to begin with I knew there was no really big problem to get these things, but I think they cost a thousand dollars a piece, but from the criminal sources as far as passports, but he mentioned travel documents. I assumed that was either a passport or a Merchant Seaman's papers. But I didn't go into any detail with him, I didn't want to argue about it, I was just interested in getting the papers and --

Q. Did he give you assurances that he could get them?

A. Yes. He gave me, well, I believed the assurance once or twice and then I, after that it was -- there was assurances, but, later on I was more concerned about the money I was ---

Q. This is to go back just a little bit but, when Mr. Lehner asked you whether you ever talked politics, toward the end like March, April of 68 he was talking about running guns then wasn't he?

A. Yes.

Q. Did he ever tell you what those guns were to be used for?

A. Well, I understood that they were to be transferred into Mexico. Just three or four days ago I read where, I

didn't know at the time, but I read where, I think I took the clipping out of the paper two or three days ago where there was Army surplus rifles and things in Mexico where I think they are worth seven or eight hundred dollars. So, I don't know if this was the same thing seven years ago, but probably if it had of I'd have been in my own trade.

MR. GANNON: Did he ever tell you anything about, like the guns were to be used for political purposes to overthrow a government or something like that?

A. Well he mentioned, he asked me one time to look at military rifles in the sporting goods store in Birmingham, which I don't know if you have ever been there, but it's a huge place, it looks like a warehouse. And they do have various miliary rifles there and I did handle four or five of them and I asked the owner there how much they sold there for and all that. So, I don't know, I think that was the extent of our conversation on the --

Q. He didn't say anything about revolutionaries using the guns when they eventually got to Mexico?

A. There was never any details on that.

MR. KERSHAW: But they were Army rifles and not hunting tools?

A. Well, I was under the impression that I was suppose to get two different kinds, scopes plus the regular. I think they were Mauserrifles the ones in Birmingham, if I'm not mistaken or M1's

MR. LEHNER: When you got to Los Angeles where did you go?

A. I went to a, I rented an apartment on Serrano Street.

Q. How did you come upon that place?

A. Well, I just parked the car in a residential area, which, what I thought would be the most safest for police surveillance and started looking around that area before I found a suitable place.

Q. And how did you know they had rooms there?

A. I think they had a sign on the door I believe it was.

Q. What happened when you went there, what did you say?

A. Well, I believe I told - I don't believe - I believe I rented off a lady, I don't believe she asked me too many questions. I just don't recall what I did tell her.

Q. What name did you use?

A. I made, I probably told her I was from Mexico and I was in some business in Mexico. The name I gave was Eric Galt.

Q. And did you sign the register? Was there a register?

A. I don't think there was a register. I can't recall. I, I didn't have too much conversation with the woman and I believe she was married or something. I couldn't recognize her now if I saw her.

Q. And you say you had in excess of \$2000 at the time?

A. I'm pretty sure I did because I think I spent - I didn't spend too much in Mexico because I stayed in these more or less frugal establishments. I think I probably had about \$2500.

Q. In what, what country's money, United States currency?

A. Well, probably most of it. See, you can spend United States currency in Mexico. I would say most of it, I may have had a small amount of pesos or whatever.

MR. GANNON: Did you have any Canadian money with you at this time?

A. Yes, I had Canadian.

Q. Did you, well I guess my question is, with that much money did you rent a safe deposit box in Los Angeles the same way you did in Birmingham?

A. No. I didn't rent any safety deposit box in California.

Q. Where did you keep the money, that much?

A. I usually had, that was kind of divided up. I think I had some of it locked in the car. I had a different kind of an apartment in Los Angeles than I had in Birmingham. In Birmingham they had the maid and things and people going in and out of your room all the time and cleaning it up. ~~Where~~ in Los Angeles no one ever came in your apartment, you had your own keys and everything.

MR. LEHNER: It was a furnished apartment?

A. Yes. Well, see in Birmingham had you had meals and everything there. It was called economy grill. It was a home or something. Whereas in Los Angeles it was a considerable ~~better~~ place and no one came in your room or anything like that. It wouldn't be no problem.

Q. In Los Angeles it was a furnished room, however, was it not?

A. You --

Q. You didn't have to buy furniture for the place?

A. Yes, it was furnished, that is correct.

Q. And, but you did not have any maid service, you did, you cleaned your own room and made your own bed?

A. Yes. I'm pretty sure that's how it worked.

Q. What did you do after arriving in Los Angeles and taking a room?

A. I'll never be able to get all this in sequence until probably I get these papers I gave William Bradford Huie, but --

Q. Which papers are you referring to that you gave to Huie?

A. Well, now, not even some of these are not correct because I made corrections on them, but these are the papers that I wrote out for Huie that he based, that he wrote his book on.

Q. What's called the 20,000 Words you mean?

A. Well, something, somewhat different than 20,000, somewhat less but that's the one that I think Mr. Kershaw will be able to get them within a couple of weeks, see Hanes or someone else -- Well, let me get to your question. You want to know all the details I went on in California?

Q. Yes. As best you recollect.

A. I think it would be better -- I can't get them in sequence. I think it would be better just to take one section at a time for instance where did I work at, what action did I take to get jobs, what action did I take to get passports. But I think the first night, the first thing I did, I didn't get,

naturally I didn't try to go find a job but later on I did. But I think in that area I think I called a Big Bear Lake one time. I think they had an ad in the paper. I think -- I think I put an ad in the Los Angeles Times one time as a culinary assistant. But then I think I answered several ads but something always came up, social security card number for the Galt name, which I didn't have, but I -- Now, these, this, attempt to get jobs came back when I was getting more short on money. Because things are a little more expensive in Los Angeles than they are in Mexico. Anyway, nothing ever come of that. Now, these various things which you call wasteful money, I think I went to bartending school. I don't consider that too wasteful. I think I spent a couple of hundred dollars there. And I went to dancing school. I think I spent about three hundred some dollars there. And I went to this doctor, that practiced - I had hypnosis, I think I spent, there's two of them. I think I spent about in excess of a hundred dollars there.

Q. Why did you go to the hypnosis sessions.

A. Well, that was just -- That was just something like the locksmith sessions, it was something I got interested in in the penitentiary and there was a lot of advertisements in California about hypnosis and I wrote to some - I called some individual that I had read a book about in the penitentiary. I can't recall his name now, but again I gave that to Huie, and that's all in the papers, and he recommended these individuals, you know, you go to. I thought it was kind of a -

something to pass the time with or something. But anyway, that never come out to too much of anything. I was just, like I say time passing.

Let's see, the bartending school, hypnosis, the dance school, I can't think of anything else in that area. I looked into employment. Maybe you want to ask some questions?

MR. GANNON: What about the -- You were talking before about the passports, seamen's papers, things like that. What did you do?

A. The efforts I made to try to get them?

Q. That's right.

A. Well, I think I -- I think I checked on a country called Columbia. I know there was an article in the paper when I got out there saying that Columbia waived, in order to get more tourist, they waived the requirement that you have a passport. In other words, you can get into Columbia, South America and Bogota with just a visa. As I mentioned the last time, I seen the article in U.S. News and World Report about Rhodesia and you could get -- They wanted immigrants. And when I got to Los Angeles I followed that up. I think I wrote to some organization called the South African Regional Conference or something and asked them about immigrating to English speaking countries in Africa. I don't recall ever getting an answer from them. I did call the Coast Guard several times, two or three times, asking about information to get in the Merchant Seamens and I don't know if I ever, these would probably be in the -- I rented a telephone. I forgot

to mention, as soon as I got into the Serrano apartment to make these various phone calls with. I don't know if I -- I don't know if the Coast Guard, what information they gave me.

MR. LEHNER: What was the number of the Serrano apartment do you remember the address?

A. I don't recall.

Q. And what name did you take the phone out under?

A. Galt.

Q. Did you make any long distance calls from that number?

A. Well, I think I called the Bear -- There was an ad in the paper one time. They wanted employees at a place called Bear Lodge, and I believe it was in, was close to the Nevada border. I think Charles Stein once, this is the individual that I took to New Orleans, he didn't have no money, I believe he called his sister or something and said he was coming down to pick up the children or something.

MR. GANNON: He used your phone in the apartment?

A. That's correct.

Q. I see.

MR. LEHNER: And where did he make that call to?

A. To New Orleans I assumed.

Q. But that was to a relative of his in New Orleans?

A. Now, I -- There's phone records somewhere. I don't have them, but, of course, you will probably find that out anyways.

Q. Have you seen those phone records?

A. I never saw them. I haven't got a scrap of evidence from the government since --

Q. Well, do one of your investigators have them. For instance, Mr. Lesar, Mr. Lesar was your attorney, but Mr. Weisberg --

A. Well, Weisberg filed a Freedom of Information Act and I signed a waiver. Do you want those waivers by the way?

Q. Yes.

A. From the CIA and the FBI, he claims he's got about 1 pages in there dragging them out. He claims he's got, he wrote a letter and inferred that he's got all the phone numbers and I think Gerald Franks has got them, and George McMillian's got them, everyone has them but me, so --

Q. The phone numbers of the toll calls you are talking about?

A. Of everybody I called from the Serrano Street apartment. I have a vague idea of the places I called, but I can't remember them all.

Q. Now, what efforts did you make to get out of the country from Los Angeles?

A. Well, other than -- Well, other than contacting the Coast Guard several times and, of course I had, I wasn't really just hooked up on this one getting out of the country from Los Angeles. Later on I thought maybe I could do something from New Orleans. Now, as I mentioned I did call the Coast Guard. I think I checked on Columbia. I don't know if I wrote there. I don't know if they have a consulate there in Los Angeles or not. I may have called them, but, of course,

you would have to see the phone number. I wrote to this South African Regional Council and -- I probably made other efforts, but I just can't recall until I see, until I see these other papers.

MR. GANNON: What did you do for recreation while you were there in L.A.?

A. Well, I didn't go out too much. I had a -- I did have the auto, I was -- I didn't like to drive it too much unless it was necessary on the freeway or something. I had a TV in the room. I think I bought a TV off some party in Los Angeles. I had a set of dumbbells. I use to work out with weights.

Q. You bought the TV in Los Angeles?

A. That's correct.

Q. Did you go to any taverns or bars?

A. That's correct.

Q. Do you remember their names?

A. Well, I just seen one last night. A prisoner here that was in there, one of them was the, was underneath this hotel. I moved to a hotel after I was out there about a month and a half. It was, I done forgot it, I seen the name yesterday. It was -- Well, I can answer any questions about it, but I just can't recall the name of it right now.

Q. You don't know the name of the bar?

A. The Burning Lounge, maybe, no, I think that was one in New Orleans, I just don't recall. I could get it.

MR. LEHNER: You saw it on television yesterday, you say?

A. No, a prisoner here he's just come in here from Cali-

fornia and he had a bunch of addresses and he asked me if I recognized any of them. And I saw this bar and I said yes -

Q. Was this in the newspapers? Did you mention something about the president was --

A. A prisoner.

Q. A prisoner, all right. A prisoner showed you some -

A. He recently had been extradicted from California here to Brushey Mountain and he asked me if I knew any of these addresses and I said yes, I recognize that one tavern. It was the one I use to frequent occasionally. It was underneath the hotel I stayed in.

Q. Which hotel was that?

A. I can't recall that name. It was on Hollywood Boulevard.

Q. Well, how many different places did you stay in Los Angeles, the Serrano and what else?

A. The Serrano and the hotel on Hollywood Boulevard.

Q. Is that the St. Francis?

A. The St. Francis, that's correct.

Q. And the bar is underneath the St. Francis?

A. I would recognize it if I heard the name, but I can't think --

Q. When did you move to the St. Francis?

A. I believe after about two months.

Q. What month would that be in?

A. Well, that would be in January.

Q. What was the reason for moving from the Serrano to the St. Francis?

A. Well, there was no particular reason. I believe the rent was cheaper and I usually just, it's probably a good idea to move around a little bit, not to stay too long.

MR. GANNON: And you said you bought the TV from some party out there. Did you buy it from a regular appliance store or was it like a street purchase?

A. No. It was just a private party. I think I got the name out of the New York - I mean the Los Angeles Times. It was a console. I know I had to drive quite a way to get it and -

Q. And this was just advertised in the papers that somebody had a television set they would like to sell?

A. Later on I traded it to another party in the St. Francis hotel for a smaller one.

Q. Who was that, the other party?

A. Well, see, some female barmaid that I -- Gretta Stein I believe her name was. Merita Stein I think it was.

MR. EVANS: James, you said you ran an ad in the Los Angeles papers for jobs?

A. That's right.

Q. How long did you take that out, one day, a week, a month how long?

A. I think it was two or three days.

Q. Two or three days. Did you make that when you originally went to the papers or did you call the papers and run the ad, or how did you go about placing the ad?

A. No, I went to the newspaper office.

Q. Yes.

A. And I asked, I inquired about it, and they told me how much they, because they charged so much a word, or line or something.

Q. Yes.

A. And they asked me to write out I think what, what I wanted to say, and I paid him and that was it.

Q. Right. And you asked - what did they offer you, a week, what was the - what I'm trying to get out --

A. I don't know if there's a limit on it or not.

Q. Was there a limit on the days, did you have to take it for a week, did you have to take it for a day, and then, just what?

A. I don't recall. I think you had your, I think you had your choice on it. I think, I took it for two or three days but, I don't think, there was no certain amount of days you had to take it out.

Q. Is there any particular reason why you chose not to use another alias?

A. In Los Angeles?

Q. Yes, in Los Angeles, I mean, was it a situation where you had parking privileges at that particular place?

A. On Serrano Street I had parking privileges, and I think the St. Francis Hotel there is also parking privileges, but, well, it would been ridiculous you know to use another alias to use an alias when all my identification is in Galt. Usually the only time I use an alias is when I might be traveling throught the country and I might stop at a hotel or something, and I might use an alias, but --

MR. LEHNER: Why would it not be ridiculous to use an alias when you are at a motel, but you would use an alias while you are at a hotel? Couldn't a hotel, a person at a hotel ask you to, for some identification when you checked in?

A. I never had anyone in the United States ask me. In Europe they ask you for your passport, but I never had anyone in the United States ask for identification when you check into the hotel. I guess you usually check in, or if, as long as you pay in advance they are more or less interested in getting your money than they are - But, of course, if you come in broke, I mean, you come in with no luggage and you wanted a room for a few days later, why they might --

Q. Why would you not use Galt at a hotel?

A. Why would I not use it? There was no, really a reason for it, I would just rather not use my correct name at a, in a hotel that I'm staying in over night. I can't-- force of habit maybe.

Q. Now, at the St. Francis, did you also have a phone in your room?

A. No, I don't believe there was. I think they had one down in the lobby.

Q. Where would you make your phone calls from?

A. Most likely in the lobby or out in the street, or in this phone calls there's phone booths all around. I think I would probably have made most of them from the street. Because I know in Los Angeles there was several phones around in, in the area. I know I had a lot of trouble with, with calling out there because you put your money in and something would

happen and I know several times the operator would say, well give me your name and we'll send you your dime back. So, I know from that, I remember making several phone calls.

MR. EVANS: Did you ever have a dime sent back to you?

A. I'd just tell them to keep it.

MR. LEHNER: Which phone booth did you use?

A. You'd pay 13 cents to get it.

Q. Which street booth did you use?

A. It would have been the immediate area of the St. Francis Hotel, or the Serrano Street.

Q. Well, why would you use a phone both in front of Serrano Street, if you had a phone in there?

A. Well, if I was to make some phone, something that might be illegal I probably would use - I know - I don't recall but I know I wouldn't use my own phone if I was calling a thief or something.

Q. What illegal things did you deal in, for instance, that you had to make phone calls from in front of the Serrano rather than from your own phone?

A. Well, I think twice I called New Orleans. I know I would never have used that phone number, that particular phone. Also, I know one time I was getting these addresses of various hippy type organizations and I think I did use the phone to a certain extent on that, but I was using a different address than the one I was dealing with?

MR. GANNON: Did you call New Orleans from the pay phone while you were in Los Angeles?

A. Yes. I'm almost positive I did.

MR. LEHNER: Was that in front of the Serrano or from the St. Francis?

A. It would probably be in that area between the Sir Serrano - The St. Francis is not too far from the Serrano Street, the apartment, I would say it was about three blocks at the most.

MR. GANNON: Did you call this number that Raoul had given you?

A. Yes, I called.

MR. LEHNER: Did you call collect or did you pay for it yourself?

A. No, I paid for it when I called it.

MR. KERSHAW: This new prisoner in there -

A. I never made a collect call while I was on the street.

Q. This new prisoner in here from California, what's his name?

A. Well, I don't want to go into anybody's name. I just mentioned that I recognized that --

Q. Okay, that's all right.

MR. LEHNER: Which calls did you make from the St. Francis lobby phone and which calls did you make from the pay booth phone in front of the St. Francis?

A. Well, if I, if I, I think if I made some calls, if I called New Orleans it wouldn't be in the St. Francis. I think I made most calls, anything I consider criminal, would have been outside on

a pay booth, plus some of these socalled - I don't know if hippy is the right word, I probably called some of them from outside the, from outside of the regular pay phone.

Q. Which was the calls that you made, say in the St. Francis lobby, from that phone?

A. I think probably I may have called that dance studio. I really don't know. I think the FBI got that phone. Somebody said they took it off a wall, but I don't know. I didn't make considerable phone calls while I was in Los Angeles, but I can't recall where I made them all at -- I think there was a phone in the lobby --- I probably called some harmless phone calls from there, but --

MR. EVANS: Did you ever do any writing on the walls?

Why would the FBI have those numbers?

A. Did I ever write on the walls?

Q. Yes.

A. I never wrote nothing on no walls.

Q. I think you just said something about the FBI, they have those numbers?

A. They took the phone off the wall.

MR. LEHNER: The phone itself?

MR. EVANS: They took the phone?

A. I understand they took the - They took the phone and the surrounding areas. They took all the records and in some places they just took the whole phone.

I don't know why anybody would want the whole phone.

MR. LEHNER: You say you heard about them taking the

phones. From what source did you hear that they took the phone?

A. It was in some publication, I think William Bradford Huie or somebody. He was privy to the FBI and he saw a copy down there, at that time at the FBI or something.

Q. Did you ever write on the areas outside of these phone booths in the street or the one in the St. Francis or any other, for instance, telephone numbers?

A. No. I'm almost positive, I never write any or make any notes on, on a phone booth, or anything like that.

MR. KERSHAW: If you did the FBI has the whole phone booth.

MR. GANNON: Why were you calling these hippy organizations?

A. Well, I was, I had really two reasons for them, one reason was kind of irrational. I was thinking about, I did send them some pictures, they was all exactly a like. They were a profile. I seen the pictures and I may have them here.

No, I don't neither. It was all in the exact profile. I was getting kind of leary, I guess, you would call it towards the end. I had been going through Mexico and Canada and all these various aliases. I thought maybe the police would make a better effort to look me up, especially if I got Merchant Seamen's papers or something so I wanted to, to alter my apperance, especially if I got the Merchant Seamen's papers and I did mail these various pictures out at one time. The other reason I used these addresses in several incidents, I think when I was stopped in Montreal -- In

Toronto after I got, went, had gotten in Canada the second time. I gave this - I was stopped for jaywalking. That's a serious charge in Toronto. It's more serious than it is up here. They take your name and address and everything and I gave them the address of this loney hearts hippy female or whatever you called it.

Q. What name did you give them on that jaywalking charge?

A. I gave them the Galt name and that was before the - they started looking for me and the FBI hadn't released the Galt name.

I give them because I had identification under that. I didn't know if the police were going to ask me for my identification or not. I gave them this woman's address and I went back to the apartment and destroyed all the Galt identification and I decided I wouldn't do any more jaywalking. And shortly after that I got the Bridgeman passport.

MR. GANNON: How did you find out about these hippy -

MR. LEHNER: Sorry. You say you got the Bridgeman passport?

A. Not the passport, the birth certificate.

MR. GANNON: How did you find out about these hippy organizations?

A. I read about them in a pub- publication. I read up on them a little bit. One time, I thought it might be a good idea to get one of these colonies because they said the police never come there because the police don't like to fool around in that type large groups. I got the addresses of most of them out of a

publication called the -- It's published in Los Angeles, it's called the L.A. Free, Free Press, I think is what it's called.

Q. Were these organizations running ads in that paper?

A. Yes.

Q. And what was the pitch of the ads?

A. Well, I didn't understand the terminology. It was all -- They got code names or something, I know I used one of the ads to get the names and I just copied more or less out what was written.

Q. Did they ask you to send a picture to them?

A. I think some of them does, but I don't recall. These ads, some of them are kind of farout. It is difficult if you are not in that culture to understand what they are talking about.

MR. LEHNER: What were your motives in doing this?

A. Well, I had two motives. One, I was going to send these pictures out later on, that was the bright idea of mine, if I did get some type of a false identification, false United States identification -- Now, as I mentioned I was going to use, I did use their addresses several times.

Q. You say if you did get a false U.S. identification?

A. If I did get a false --

Q. If you did?

A. Well, if I got one I thought at one time I had a pretty good chance of getting it before I got, went back to New Orleans, but I thought possibly the way you have to understand this is that I wasn't just working on one effort

to get out of the United States. I had to - It was also the Merchant Seamen, possibility of going to Columbia if I had enough money and all these other, this New Orleans connections and all those, I don't think you can look at it in just one context just try to get a Merchant Seamen's papers.

Q. You said if you did get a false U.S. identification then what was your motive as far as this was concerned?

A. I thought possibly that if I got a Merchant Seaman's papers, it might be a good idea to circulate them pictures, but I also thought that the possibility if I, if the police made a greater effort into looking for me, possibly some informant that said I was doing something illegal on the borders - but I think I thought that they might assist some way in that way by my appearance, because a lot of people - when you get a lot of heat on you, especially the FBI start circulating your pictures, you can get identified through your pictures and I was attempting to alter my appearance and give people a false impression of what I looked like.

See, the only pictures I ever had in my life time was mug shots in penitentiaries and they are, for some reason, they are very poor identification. I don't know why, but it don't take too much altering to, in other words, you just have to make slight alterations and there's no comparison between two pictures. In other words, a commercial picture that you take on the outside versus the mug shot that you get in a penitentiary. But you usually - I don't like to get a picture in a penitentiary, I attempt to alter my expression some

way, anyway, to make it more difficult to identify me.

MR. EVANS: Would you do me a favor, would you go into the whole thing about how you happened to select the doctor or the surgeon to alter your appearance?

A. What?

Q. First of all, you, I'd like for you to give me an idea as to why - I think you just went through why -

A. Yes.

Q. All right, now how did you go about, what were the processes you used to make your choice?

A. Well, I knew at the time that it was best to call a medical association if you wanted a competent doctor. I called -

Q. How did you know that? Did you ask someone?

A. Well, that's some knowledge I've picked up and I think that's -- usually you call an organization, well, if you want a doctor you call a medical association. If you want a good lawyer you usually call a bar association, but, of course, in my position that would be an error there, to call the bar association for a recommendation. But anyway I did call the medical association. I think it was the Los Angeles Medical Association. They said they didn't recommend specific doctors but they would give you a list of three competent ones and you could take your choice. And, they give me this list, now, that was on the phone. I called them on the phone. I don't think, I think that was on the pay phone on the street. They gave me a list of three doctors.

MR. LEHNER: They mailed it to you or gave it to you

over the phone?

A. I think they give it to me on the phone and I wrote it down. I can't remember all the details, but I know I did call the Los Angeles Medical Association, I believe they call it. So they gave me the numbers, so, I think I decided on the doctor, well, the one that was closest to the St. Francis Hotel where I was staying. So, I went and seen the doctor and I told --

MR. EVANS: Did you call any -- You made one call or two calls? Did you talk to any of the other two before you spoke to Hadley.

A. I don't believe I did. I think I chose him because he was --

Q. Closest?

A. Closest.

Q. And then you called him. Okay, go on.

A. I don't know if I called him. I may have went to his office. I think I finally went to his office. It's kind of a casual operation because that's something like hypnosis out there, everyone is you know into it more or less. And I think I told the receptionist that I wanted to see the doctor about some type of plastic surgery and she didn't appear to be -- she just asked me where I was, the name and address or something. I think she asked me, I think I volunteered some other information about my brother in St. Louis or somewhere. But I'm not sure about that, but anyway, now I talked to him and he seemed to be kind of a professor type, he didn't seem too interested

in my business affairs, and I told him I was thinking about being a commercial announcer and he -- I asked him about the details of it and he looked at me and examined me and he said, made an appointment, and I think he told me what the price was and to bring the money when I came and something like a lawyer. So --

Q. What was the price that he quoted you?

A. \$200.

Q. Had you expected it to be that, that price, had you expected that price, had anyone given you an idea as to what the price range might be?

A. Well, I didn't know. I think I asked, I made inquiries about that. I may have, I don't know if I asked the receptionist or not. But I wasn't going to spend a considerable amount of money which I didn't have to spend, but I possibly could have seen an advertisement in the newspaper, but I knew something, I did have enough knowledge to know something relatively minor wouldn't been, you know, real expensive, some of those operations would cost you a thousand dollars.

Q. Well, the price, the price he quoted, you thought that was reasonable?

A. Yes, that was reasonable.

Q. Was it expensive?

A. Yes, it -

Q. Were you surprised at all that it would be, that it would be that inexpensive?

A. Well, I was prepared to go another \$100 or

but I might have been surprised in the mid west or something, because that stuff it's not, it's an exception there, but out there it's advertised and it's not considered no big operation. It's really a casual deal. They just act like it's a simple operation, the fact is, they performed the operation right in the office. And they just take a picture of you and then they -

Q. Okay, do you want to go through the whole procedures as to what happened now after you agreed on the price? What did he do?

A. Well, he set a date for the operation and then the, of course, I came, I went through with it and came back up there and before he performed the operation I gave him \$200 and he seemed very confident other than being the professor type, as I mentioned, and did the, then he give me some local anesthetic. They can't give you, you don't go under ether or anything and then after, after the operation which doesn't take very long, 40, 40-45 minutes they mold your features and put the tape on and he did all that and told me to come back and check for infection I think a couple of weeks. I owed him, he -- Well, they put this grayish tape on it to just keep it like they want. Well, I took the tape loose and tried to mash my nose down further because my nose originally was kind of a sharp pointed, more or less normal. Then I went back in about, whenever it was, I think it was two weeks and he said I was coming along good, there was no infection he told me to come back. I think it was nother three or four weeks and he was going to have my picture taken for

his journal or something. I don't know if I signed a paper waiving that right or not but I never did return for the picture taking session.

Q. Were there any stitches in your nose?

A. I think it's possible. I believe it must have been, I think it's possible he took those out on the two week examination. Maybe I took some of them out, I can't recall. I think, I know there was stitches in there, there's no doubt because there was considerable cutting.

Q. Were these the type of stitches that dissolve into your system or were they the type that had to come out?

A. I just don't recall. I assumed they were, they make stitches but I can't recall. I know he examined me and he said the operation was a, there was no infection, that's what they are concerned about.

MR. EVANS: What did you do for the three weeks or two weeks that your nose was bandaged? Did you carry on normal activities or --

A. Yes, I didn't - Actually the soariness went out in a couple of days. He had me - My eyes were a little, slightly dark, but I didn't - that didn't really, the only thing you had to be concerned about is getting punched or something, but there was no curtailment of your activities. You could go, go ahead about our business.

MR. LEHNER: What was your business during this time?

A. Not too much of anything at that time, except what I have already testified to here.



Q. Where were you going, and what, what particular hangouts were you spending your time?

A. Well, there were two of them. There was one between - Now, I didn't spend too much time there, I never did get what you call drunk or anything of that nature. I think three or four drinks would probably be the maximum which would be whiskey or something of that nature. One was a bar right underneath the St. Francis Hotel, and another one was a club which I thought was, to my mistake was a quiet place a couple of blocks to the east of there, but I don't -

Q. What was the name of that place.

A. I can't recall, it set on the corner of Hollywood and some other street. Hollywood Boulevard and some other street.

Q. How did you get to meet Marie Martin?

A. Marie Martin. She was a barmaid in the St. Francis Hotel, and I was just talking to her more or less.

MR. GANNON: Was this the lounge underneath the hotel?

A. That's correct.

MR. LEHNER: That's the one that you say the prisoner had the address of, or had the name of?

A. Yes. I recognized the name of the bar.

Q. Can you tell us what your activities with Mary Martin, how you came to meet her, and what you did with her?

A. Well, let's see, I think, well, the first time I met her would probably be in the, probably before I went to the St. Francis, before I moved up there, because I went in

those bars, as I mentioned a while ago they are close, close to Serrano Street. I think she was from New Orleans originally. I think her accent was an -- She was, as I mentioned a barmaid in the St. Francis in this lounge and after I talked to her may be two or three times she started telling me something about her family, her social relationship or something. She said she had a boyfriend doing five years in San Quentin for possession of marijuanna I believe it was.

MR. GANNON: Did she sit down and drink with you while you were in the lounge?

A. Well, she didn't come around from behind the bar, no. She more or less - The conversation - She found out I was from Birmingham being she was from the south, I think she thought there was some type of a -

Q. Connection?

A. - connection, yes.

Q. Did you ever take her out to some other place?

A. No, I didn't.

LEHNER: And tell us about the conversations with her?

A. Well, the conversation more or less was like a man and woman conversation. She mentioned once that she -- one of the highlights that stuck out in the conversation was that she was concerned about her boyfriend in the penitentiary and all that, and she wanted to know about all - how to get him out and things like that. But, of course, I didn't tell her that I was in jail and had some --

MR. EVANS: You didn't give her any escape tips?

A. Hints -- No, and she did mention one time that she would like to get in politics and see lawyers and all that stuff. So --

MR. LEHNER: See lawyers?

A. Get a lawyer with influence who could possibly help her. A lot of, a lot of lawyers go before parole boards and things like that. So one thing led to another and I think we had some conversation about getting involved in politics, and I took - I've been down to a place in north Hollywood and there was some kind of a registration place down there and I don't know just how all the details of the conversation come up, but anyway I told her I'd take her down there and she should get in politics or something and, of course, all the time I thought this was kind of foolish, but you don't want to argue with a woman about things that may be foolish. So, she registered and I understand she registred for Wallace, George Wallace out there. I don't know, if, I'm not positive because I think you can register for anyone. So, she mentioned two or three times later, she started talking about this, her boyfriend she needed to do something for him. She had a letter from him and all that I guess. So, I mentioned to her another time that if she was really serious about it that she sould try to get someone who has political influence or something and I suggested that she register Republican out there, because I think they were in charge of the government or something, the State government. So, she went back down there and registered. I didn't take her down this time, she went down on her own. The time I took her down

there I went next door and purchased two tires for my -- they had a used tire shop right next door. But, anyway, the second time I didn't take her she went down there herself and then she come back and told me that she had some registration paper. She told me she registered for Republicans or something and I think that's the last conversation I had with her, on her boyfriend. I think the other conversation had something to do with - I told her I had to go to New Orleans one time or something, and she asked me if I, if I could pick up - she had two nieces down there or something and I said I probably could, and she said something about she had some cousin or something that would help me drive or something. His name was Charles Stein or Martin or something. So I made some kind of arrangements with her that if he possibly helped me drive or something why I'd go ahead and haul these two children back. So, the next day when we got ready to leave I saw Stein and he was broke and he wanted to call his sister or something, and he was sort of a hippy type, he had beads and sandals and all that, a beard and all that stuff. Anyway, I decided to go on down there with him and so I think he called and let them know he was coming down ahead of time and he told me if he, that if he paid our - that he'd pay the trip back if, that he there and pick them up, he'd have the expense money back. so, we drove on down there and he - he was I mentioned he was kind of odd. He started seeing flying saucers and all that. And, when we got down there and I took care of the business I had to take care of and I was in a hurry to get back, and we

drove straight on down there and we didn't stop anywhere. Well, he wanted to stay down there a couple of days and he had something he wanted to take care of, so I think we stayed there two days and then we came on back, straight through back.

Q. Let me ask you this, you say you took Marie down to the place where she registered, what place was this?

A. It was North Hollywood. I used to go down there occasionally. I went down there one time to - I seen an ad in the paper, they had recapped tires on sale or something. It was right next to this registration office and I subsequently purchased two tires there or something.

Q. Was this a Board of Elections place or was this a place where one of the candidates had his headquarters?

A. I think it was a registration place. I have never registered to vote. I don't - I'm not familiar with that. But I assumed that you go in the place to register. Anyone can register for anyone you want to.

MR. GANNON: Had you been in this place before you had took her there?

A. No. I had never been in there. I did go in there that time though, because I went next door to purchase, purchase these tires and I can't, they were busy at that time and she told me to come back the next day or something and I went and looked for them, I went and asked them if they were ready and they said -

Q. You hadn't been in the place you had been next door

looking for tires, is that the idea?

A. I had never been in that registration place, no. That was the first time I had ever been in there. There's a sign on the - There's a large sign on the front, registration, something of this nature.

MR. LEHNER: Well, had you been to a Wallace campaign place in Los Angeles?

A. No. That was the extent of my - I think that was the place there that's been, at least where I read in the book, that was the extent of my going in any political headquarters there. I had Hanes, you can ask me more on this later. I had Hanes check up on this other deal and he said something about some senator in California, I can't think of his name, but anyway, he got beat a couple of years later. But that was the one that the Stein woman was trying to make some contact with or something. He was a Republican and he was, he had a law office in Los Angeles, but getting back to your question.

Q. In Los Angeles, did you go to a Wallace Campaign Headquarters or was this a story?

A. No. When I first came there, that was my only contact with any Wallace - When I first came there I was looking for a - some type of cover - some type of front for me to stay in Los Angeles for however long I stayed there, particularly if it was four or five months. And I think I called this Wallace Headquarters once and asked them something about how long they were going to be there or something. And what I was going to do, I had all Alabama identification. If I was

stopped by the police, well, I would just say I was associated with this Wallace group out here in some manner, but I found out that they probably wouldn't be there very long, so whenever I'd apply for a job or dance school or anything, or bartending school, I'd just tell them I was some sort of a entrepreneur out of old Mexico, and I was trying to go into business in Los Angeles somewhere in some manner.

Q. I'm not quite clear with what you say, you had some contact with the Wallace Headquarters or not?

A. When I first, when I first came there I was, I thought maybe that would be a good cover because there was something in the newspaper about it or something, and being I had Alabama identification I didn't, I think I called this organization and asked - I was trying to find out how long they were going to be there or something, to the best of my recollection it was not too long.

Q. You called them, did you actually visit them?

A. No. I never did visit them. I just called them on the phone.

Q. So your only contact with Wallace, the Wallace campaign was a call on the phone?

A. That's it, a call on the phone.

Q. Did you ever sign any petition for Wallace?

A. No.

Q. To your knowledge, did Marie Martin, or Charles Stein or the other Stein sign any petition for Wallace?

A. I don't know. If it was a petition I think it was

a registration. I think Stein did.

Q. Stein did or didn't?

A. I believe he did. That's the reason I went in the place in the first place. I met, I went to the tire shop, I came back and they wasn't there. I think it was him, Stein and her, and when I got - When I went to this polling place, this registration place Stein was arguing with them about coffee or something, they didn't have cream or sugar in their coffee. He'd been arguing with them for five or ten minutes about that and I asked them if they were ready to go and they said yes, and I don't know if I went to the car with them or if I went back later on.

Q. This registration place was this a place that was a Wallace place or was it for all candidates?

A. Well, I didn't make no assumption, but I assumed from the knowledge now, that you can register for anyone, any of these particular places.

Q. Was this a place that Wallace had setup, a place that had Wallace's picture or Wallace name on it, or something like that?

A. I think they had the name. I think Wallace was the name on it. I think they was some registration on it or something. I remember the name, the registration is about the only thing I recall specifically about it.

Q. Had you encouraged Stein or Martin to register for Wallace?

A. No. I didn't encourage them. I didn't care one

way or another. As far as my personal opinion, now not at that time, I'd just assumed he couldn't be any sorrier than the rest of them, but I wouldn't have spent any effort or money or anything like that, to, to promote one of them versus the others.

Q. That is your opinion now, what was your opinion then?

A. Well, I didn't give it much thought. If I'd have give it much thought it would be the same as it is now.

MR. GANNON: Did you drive Charles Stein along with the woman down there?

A. No. I think there is another - I don't know. Yes. There was another woman too. Now, I don't know who she, I think she was Stein's sister, but -

Q. Did you take all three of them to this registration place when you were going to the tire place?

A. No. I just drove by there. I didn't take them there. I parked on the street and they went around to the registration place and I went to - I think I parked in a real small street, I went to the registration, I went to the, what it was, I think it was a JNR or Firestone place. And they went around there, but I didn't go around with them or anything like that.

Q. So you let the three of them out of the car and they went to the registration place and you went to the place where you can get some tires?

A. Yes. These places are all real close together. I don't think they is a half a block separating where I parked

from the registration place form the used tire -

Q. Were the other two going down for the same reason that Marie Martin was going down there, that is to register in order to get some, so that they could go to a politician sometime and say, here's this woman's boyfriend who is a good guy, can you do anything to help him get out? Is that the reason?

A. This took me completely by surprise when Stein and this other lady came along. I thought it was just Marie Martin. I didn't know, the fact is, I think this was the first time I ever seen Stein.

Q. But you didn't know the reason why Stein and his sister were going along with Marie Martin?

A. No, I didn't. I knew Martin, I never -- Well, as I mentioned I never had any conversation with the woman before that Stein -- I don't think, I may have seen him one time in the bar but I didn't, he was -- I know I always strike up a conversation with him without somebody, you know, running in on me.

Q. How long was this before you agreed to make this trip to New Orleans?

A. Well, I had already decided that it was necessary to make a trip to New Orleans before I took them down there. This came up in a general way. I think I mentioned this to the Martin woman, that I was going there and she asked me something about would I pick up a certain party.

MR. LEHNER: Why don't we cut here for a little break for our stenographer and take a couple minutes to stretch.

Mr. James H. Leavelle
att at Law
Wash. D.C.

April 29, 1972

Dear Jim:

The House committee investigating
the King case with Ed Ford-
witness material I gave him
to write his Book.
also, I need the papers
for defense purposes.

Please give the papers to

Mr. Robert Lehner
House Committee on assassins
Wash. D.C.

S/ James E. Ray
65477
P. O. Box-72

MR. LEHNER: Okay, it is now 12 minutes after 12 and we are on the 30th of March today.

MR. GANNON: I believe today's the 29th.

MR. LEHNER: Okay, I'm corrected, it's the 29th of April. I missed a day and a month, 29th of April, 1977. We have the year right and we are continuing our interview with James Earl Ray.

On the trip to New Orleans with Stein, did he make any phone calls?

A. No. He didn't have any money.

Q. Did you make any phone calls?

A. As I recall, two.

Q. And what were those phone calls?

A. What were the two? To Jerry Ray.

Q. And do you recall where you were when you made those two calls?

A. Well, a long ways from Los Angeles. I would guess in New Mexico or Arizona.

Q. What were the purpose of those calls?

A. I just called him -- I think I called him once probably and he wasn't there, and I just wanted to tell him I was all right and, of course, I didn't want to call him from California. There was no significance in the calls. They weren't of no importance, just saying that I was -

Q. Why did you not want to call him from California?

A. Well, there's the possibility of tracing the call or something of that nature. The police finding out the

general area I was living in.

Q. What did you do in New Orleans, on that occasion?

A. The first, the first thing I did was check into a motel. Stein found it for me. It was about 9 blocks from the French Quarter.

Q. What name did you use?

A. Galt, it was a motel.

Q. And, of course, that was the name that Stein and Martin knew you as, Eric S. Galt?

A. Yes, that's correct.

Q. Or Eric Galt?

A. Yes.

Q. And do you know the name of that motel that you checked in, in the French Quarters you say?

A. No. I can't recall it now.

Q. Why did you stop there, for any particular reason?

A. For that motel, well, Stein - I asked Stein if I could^{get} a motel somewhere in - or a hotel somewhere in the business district of New Orleans, or right on the edge of it, and he said he was familiar with the town and he recommended that motel, and he showed me where it was at and all.

Q. The time you told Marie Stein that you were going to go to New Orleans what was your reason for going to New Orleans that prompted you to tell Stein about it. I'm sorry, Martin, Marie Martin.

A. What prompted me to go to New Orleans?

Q. What prompted you to go to New Orleans?

A. Well, I'd had some contacts with this telephonenumber of Raoul, not Raoul but another party. There was some suggestion that I should, I could come down there and discuss something with them at that itme I was, I decided I would because I didn't want to preclude anything of getting a passport, not only a passport but at that time I was interested in the money too.

Q. Well, what number was this that you called?

A. The New Orleans - That was the new number, I was given that in Mexico. It was a different number.

Q. Which number was this?

A. Well, the last number, well, the number was 7557 or 57, the only thing I recall was the last four numbers.

Q. Which were?

A. Well, I got them wrote down, but I don't know what they are. I think I gave them to Mr. Evans here the last time.

Q. Do you recall them now, those last four digits?

A. I recall them, probably the same reason I recalled them before. I don't, I recall there's two 7's in them, but I don't recall, or there's two 7's and a five, but I don't recall the other numbers.

Q. There's two 7's and a 5?

A. I'm pretty sure there is.

Q. And when you went to New Orleans where were you suppose to meet Raoul?

A. No particular place, I just, after I rented to room in the motel I called this number up, this one here, and they asked me where I was located at and I told them and they gave me

directions to come to a bar there on Canal Street which was not too far from the motel, and I think, I think it was the Love Bunny Lounge, I believe that's the name of it.

Q. What's the name of the lounge?

A. The Love Bunny or the Bunny Lounge.

Q. When you say they gave you instructions, who is they?

A. Well, he, he, this one individual.

Q. Who was this individual?

A. I don't, I have no idea.

Q. Did he have an accent?

A. No.

Q. Was he the same person that you spoke to each time you called New Orleans?

A. I believe so, I'm not positive.

Q. Was he the same person you spoke to when you had the first New Orleans number?

A. Yes.

Q. How do you know it was the same person?

A. Well, I'm not positive, but it sounded like it.

If I had to say yes or no I'd say yes. but I couldn't be certain of it.

Q. How would he refer to Raoul, would he call him by a name?

A. Yes. He wouldn't refer to him, I would just say I was calling him and give him my name and ask if, make inquiries about Raoul and that type of conversation and he would give

me a message or something of that nature.

Q. Okay. Did you go to this Bunny Lounge on Canal Street?

A. That's correct.

Q. What happened then?

A. Well, I don't remember all the details of the conversation. I think I went in there. I got there first and he came in there later and - You want all the details of what conversation we had?

Q. Yes, please.

A. Well, there was conversation about the - I know my complaint was I'm short of money and things like that, which I was to a certain extent. And I talked him about - That was the first time the guns come up, going into Mexico and that type of business.

Q. What did he say about that?

A. Well, he suggested that we do it and this would be the last time and it would be considerable amount of money for me, 12 or \$13,000, and it was mentioned about Cuba, possibly I could go over there and get a passport and that - there was no extended conversation there and I just mentioned I wasn't interested in that. I would be, I would probably be interested in the money and going into Mexico again and I mentioned that - complained about the money again and I did get \$500, and shortly after that I went and looked up Stein again and that was the extent of the conversation.

Q. He gave you \$500?

A. That's correct.

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Q. And what did he say you were going to be doing to earn that \$500?

A. Well, I assumed that would be a down payment or something.

Q. What did he say your next job was going to be?

A. Well, the impression I got, nothing was ever specific, but it would be taking some type of military equipment, rifles or something into Mexico.

Q. When were you suppose to do that?

A. There was no date set at that time.

Q. And when did he say to next contact him?

A. I think he just told me to keep in contact with him on the phone or something, and something would be worked out later on.

Q. Did you tell him you were at the St. Francis?

A. Well, no, not at that time. Well, I wasn't at the St. Francis at that time.

Q. Where were you at that time?

A. I was at the Serrano Street and he still had that address. I think I mentioned that I might move and that if I did I would leave a change of address and subsequently I -

Q. Did he tell you where again you were going to next meet him?

A. No, other than that phone number in New Orleans, there was never -

Q. Was there any mention of Birmingham, Atlanta, Memphis or any other city during that conversation in New Orleans?

A. No. I think later by phone or, it must have been by phone, there might have been some mention of Atlanta, I'm not positive of it, but at that time there was no other than New Orleans, there was no mention of any other city.

Q. He was just trusting you with the \$500?

A. Well, I assumed it was a down payment for something illegal. I don't think it was --

Q. Did you discuss leaving the country with him?

A. Well, he discussed, he brought that subject up more or less, about, the passport and things, but I assumed that was a con job.

Q. What did he say about the passport and things?

A. Well, there was some, it was mentioned about the money, I think it was 12 or 13000, plus a pass -- going to Cuba somewhere, of course, he didn't press, press that, I mentioned I'd rather have the passport and go, I don't know if I mentioned it, but I mentioned something. I don't remember mentioning the details, but I think I probably told him that I would decide where I would go or something of that nature.

Q. You had not decided?

A. I say I would decide.

Q. Did you tell him you were trying to get out of the country from California?

A. No. I never told him.

Q. But he realized that you were trying to get out of the country, is that right?

A. Well, I think he was, I think he was, thought I was

relying on him, of course, I wasn't relving on anyone.

Q. So he thought the \$500 was money well spent because you - he didn't realize that you were trying to get out of the country from California, and that he realized that you, and he thought that you were depending upon him for passage out of the country?

A. I would assume that, I don't know. I would assume if I was dealing with someone eight or nine months and he still couldn't come up with any results to leave the country that he wouldn't have too much of a chance to make arrangements for a passport independently, the person I was dealing with.

Q. How much money did you have apart from the \$500 that he gave you?

A. At that time?

Q. Yes.

A. I would say about \$1500 probably.

Q. Were you making any efforts in California to get out of the country?

A. Other than the ones I mentioned to you, I don't know, there may be others, but I can't recall them. Other than the pass - other than the Coast Guard, Columbia, possibly Brazil; I read something about some character that went to Brazil, a fellow named Barroe, Barell; but, Rhodesia and --

Q. But what effort did you make to get to Columbia where you did not need a passport as you relayed it?

A. Well, there was a money problem there, and that's

one of the reasons I wanted money because if I went to South America I would have to have more than a thousand, two thousand dollars because, whereas if I went to Australia or Rhodesia or England, somewhere, why it is a lot easier to get a job in an English speaking country.

Q. How much, well, did you make any inquiries as to how you could get to Columbia from California?

A. Well, I read this in the paper out there, I'm almost, I probably, I don't think I went into any depth anywhere. I just knew I could get there on a visa. But I think there was a money problem at that particular point and I'm, I'm almost certain that I wouldn't go to a country that I wasn't familiar with the language short of money. For instance, I would have stayed in Portugal if I would have had sufficient funds, but if you are not converse in a language you feel more or less lost, especially where you are looking for a job and things of that nature.

Q. How long did you stay in New Orleans on this stay this particular stay when you were there with Stein?

A. Well, I was ready to leave within four or five hours. I think we stayed two days.

Q. The day that you saw Raoul was the same day that you arrived, or you arrived in the nighttime and saw him the next day?

A. Well, I think it was, I think it was, it may have been that day or the next day, I'm not positive now. See, Stein, he took me to the, we went to the motel, I'd probably have to

look up them papers, but I think -

Q. What papers?

A. I think the ones I gave you. I think it was the same day. I have a clear recollection that I was ready to leave shortly after I got down there.

MR. EVANS: You met him at the Le Bunny or the Bunny Club?

A. That's correct.

Q. Do you want to go into that, how did that come about?

You went to the motel first and then you went to the club or you went straight to the club?

A. Well, did I go straight to the Club?

Q. Yes, in other words did you check into the hotel or did you go to the club first?

A. No. I checked in the motel. I know that, but what time and all it was I'm not - I'm not too familiar with because I hadn't slept for about thirty-three hours. But I think I'm almost positive it was the same day, but I have no idea what the time it - what time of day it was.

Q. Time of day?

A. Except I think it was in the afternoon, but I can't, I can't be positive of that.

Q. Well, after you got to the club did you call, I mean, after you got to the motel and you checked in, did you call the club to let him know that you were in town, that you would be there and what particular time you would be there?

A. I called the phone number, but I called it after

I checked into the motel there but I didn't call from the motel they had a phone in the motel but I didn't, I'm not sure where I called from. It was probably a phone booth, it would have been a phone booth but I have no idea where it was at.

MR. EVANS: All right. And what were the - what - how did the conversation go, what did you say, what were your replies?

A. Well, I give -

Q. What were their replies?

A. I give them a name of Eric Galt, I just, I mentioned, I said this was Eric Galt and asked if Raoul was there, and he said if I could contact him - and there was some conversation about well, yes, at a certain - They asked me where I was staying at and I run down the address and give them the address of that, I don't know if I gave them the address, but I gave them the location of it or something and then he asked me to meet him at this Le Bunny Lounge, I think it was, and then I went down there and that was it.

Q. Was the phone number that you called, was that the Love Bunny Lounge?

A. No, I don't think so, but I think later on I had some people check the Le Bunny Lounge and various pawn shops in that area and everything, and none of them corresponded to that number there.

Q. Okay, all right. Now, you told them to expect you or they instructed you when to be at the Le Bunny Lounge?

A. That's correct.

Q. What time did they say for you to be there, do you

recall?

A. Well, it was not too long after I called them, but I don't know, I can't recall the exact time, I think it was some time in the afternoon.

Q. Was this before you had gone to sleep, you had just driven from L.A. straight through, right?

A. That's correct.

Q. Without stopping?

A. That's correct.

Q. And you checked into the motel, right?

A. That's correct.

Q. Did you want to take a nap or did you want to clean up or did you want to rest, or you just went right over?

A. Well, I had to get the motel because I asked Stein where the motel was, I guess I could have found one on my own, but I wanted to get one in that general area downtown. And, I don't know if you ride in a car 33 hours, I think you kind of cat nap but its not really rest. We didn't stop at no - We didn't stop to make any rest, we stopped at a restroom or something, but there was no sleep or anything except maybe an hour or so in the car and this was a small car.

Q. Did you drive the entire distance or did Stein spell you?

A. We drove about half and half.

MR. EVANS: Half and half, okay, so it would be reasonable to say that when you did get to the motel that you were sort of fatigued?

A. No doubt about it.

Q. So what was said that would make you go over there rather than to rest?

A. Well, just to get the business taken care of, you might say is the only thing - What I'm - What is sort of queer is that, well, the queer part was that Stein, I know Stein he recommended the motel and I checked in and I'm almost positive that the first thing I did was make the phone call after I checked in there, I didn't, I didn't - And then I think the next day I think is when I was ready to leave. I think I seen Stein the next day, but now Stein he's testified to this too, but I'm just trying to - I'm kind of hazy.

Q. But as you recall you went right over after you got there?

A. Yes. When I first got there.

Q. Had you been to the Le Bunny Lounge before?

A. No.

Q. How did you go about locating it?

A. Well, he gave me directions and I think it was or, he said it wasn't too far from where I was located, at, and I went to - down the main street, Canal Street, and I found the address and it's easy to find and I think I was - Well, it wasn't isolated, but it's not downtown New Orleans, I think it was close to the river front.

Q. Okay. Can you give me some idea as to what the interior looked like when you got inside?

A. Well, see going towards the river front I think it would be on the left side, the lefthand side of the street,

but when you go in the bar is on the left and I think it has, it was kind of dark, especially in the back, and they had booths or something on the, on the right and I know there was, part of the bar protrudes and I think there was a round shape protrusion in front of it, but that is about all I can remember other than that I think they had a female bartender.

Q. All right, was the place crowded, was it empty, who was there?

A. No, there was very few people in there. I wasn't in there too long, but I got the impression that that's another seamen's hangout or something.

Q. Well, when you asked the bartender for Raoul, what did he do, did he direct you to the back or to the front?

A. I didn't ask the bartender.

Q. Oh, what happened?

A. I sat in there for, I don't know how long, 20 or 30 minutes and he came in. I didn't --

Q. Raoul came in?

A. Yes, there was no, I didn't ask the bartender - the barmaid or anything, anything about him, any names or anything.

Q. Was this a, did they have a bandstand, a restaurant/bar?

A. I don't believe it was any restaurant. The only thing I remember about the - I think the front of the bar had a protrusion and I can't recall if there was any, I think it was just the average bar, nothing -

Q. You sat at that bar, the booth, or table?

A. I sat at the bar.

Q. At the bar -

MR. GANNON: About what time of day was this?

A. I really don't have any idea, but I think it was in the afternoon. I can't recall what time we got there.

MR. LEHNER: Did anything else happen in New Orleans? Did you contact anyone else, did anybody else see you there that you know of?

A. That I know of? No, I didn't contact anyone.

Q. Did anyone see you and Raoul together?

A. Well, the barmaid in New Orleans. The barmaid in this tavern did, but he came and left, but I was still in there so -

MR. GANNON: Did she appear to know Raoul as though he were there regularly?

A. Not to my knowledge, no I never, I don't recall too much about her, she - Barmaids were all alike because they -

MR. LEHNER: What can you tell us about her?

A. Nothing, I wouldn't recognize her if I saw her but I would recognize the interior.

MR. EVANS: Was she attractive, unattractive?

A. Well, Usually barmaids are not attractive or unattractive. I think they are inclined to be, I guess if you seen one you have seen them all, I think that's -

MR. EVANS: Seen them all.

A. Yes.

Q. How long were you in the bar before Raoul came in again?

A. I think about 15 minutes.

Q. Fifteen minutes, what did you have to drink?

A. What did I have to drink?

Q. Yes. What did you order?

A. Well, it was most likely whiskey.

Q. Whiskey.

MR. GANNON: You said before that you had some people go down there and check things out this phone number and you mentioned bars and you also mentioned pawn shop places, was there any special reason why you thought maybe a pawn shop might be associated with this thing?

A. Well, that's one reason why I found, I thought I found the first three numbers of the, of the phone number, usually a pawn shops, pool halls, and bars are criminal elements hangouts, so, I did send a - I don't know if I still got all these pawn shops and everything phone numbers, but I originally got the numbers from the directory of various pawn shops in that immediate area, and got all these numbers in the immediate area, but none of them corresponded to the number I, the last four numbers I had.

Q. Did Raoul ever say anything to you which suggested to you that he was associated with a pawn shop?

A. No, but I know from personal experiences that pawn shops, pool halls, and bars are - while they might not be criminal they are somewhat suspected habitats.

Q. They might handle some things that people don't have rightful title to, is that possible?

A. Yes.

MR. LEHNER: Well, could you tell us of anybody that saw you together other than this barmaid?

A. In New Orleans? I think it was just two or three people in there. They were sitting in front, I recall they were sitting in front, we were sitting about the middle of the bar, and I believe after they left there I heard, overheard, some of their conversation or something.

Q. Do you recall?

A. No. It was something about the - Something about they were involved in the Merchant Seamen somebody said something about he'd been somewhere or something. I didn't join in the conversation I just, it was close to the river I think.

Q. What did you tell Stein as to your reason to go to New Orleans?

A. I don't know what I did tell Stein, I think I told him I had some type of a business, but it really wouldn't be important because I could have told him anything I think. I think - Are you talking about Charlie or the woman?

Q. Well, the woman is Marie Martin.

A. Is that Martin - Yes, her name is - Well, I'm not adverse in all these names.

Q. Well, let's go to Marie Martin, what did you tell her?

A. I think I told her I had some business there or something, and Stein I don't know what I told him, probably nothing.

Q. But you told Stein you were ready to go and he

asked to remain, is that correct?

A. Yes. I think I slept overnight and I asked him the next morning for, but of course I had done paid the motel bill. I wasn't going to leave after paying the bill, and I think - I think I told him, the next morning I went and looked him up and he wanted to stay two days or something, but I'm kind of vague on this.

MR. GANNON: Had you already checked out of the motel when you went to see him?

A. No.

MR. LEHNER: Did you get your car serviced in New Orleans?

A. I don't believe I did.

Q. Did you get it serviced in Los Angeles before the trip?

A. Yes.

Q. When do you recall getting your car serviced in Los Angeles?

A. Before I left?

Q. Any time during the Los Angeles stay?

A. Well, I went one time in Los Angeles, I got the car serviced. One other time I had trouble with the battery. I had some other minor trouble, but I can't recall what that was. I think it was a -- all of these are insignificant.

MR. GANNON: How was that Mustang on gas?

A. I would guess about 20 miles to a gallon.

Q. On the way back did you make any phone calls to New Orleans or to L.A.?

A. No I don't believe so.

MR. EVANS: Did you use the same service station, did you have a particular station you went to with troubles or to gas up?

A. No. I didn't have no - I never went to the same place twice. I didn't like to make a habit of getting seen and recognized and all that. I usually go to another place. And particularly in Los Angeles it's scattered out quite a bit and some of these places you go to, for instance, where I bought the tires was on one side of town and the dance school was the other, and the hypnosis place on the other side of town. So I never made any practice of giving business to one place. I had some recollection now of getting some stamps somewhere several times, but I don't know if I did that I must have been going to a certain station that put out these stamps, S&H Green Stamps, whatever you call them.

MR. GANNON: Did you ever cash them in like in a department store or something like that?

A. Well, I just to have a vague recollection of that now, but I can't, I can't pursue it any more but I think I did at one time. If I was probably short of money or something I might.

MR. LEHNER: Now, your purpose in going to New Orleans was to get the \$500, is that correct?

A. Well, that was my purpose, but after I got down there I made a strong pitch to get the \$500. I didn't ask for no specific amount, but that's what I got.

Q. Well, what was your purpose for going down there?

A. Well, whatever is available I suppose.

Q. In the way of money?

A. Yes.

Q. Well, why didn't you ask for a particular amount?

A. Well, I don't know, I mean, that's - I don't believe that is something you can do if you were asking somebody for money just based on your past possible criminal association, you wouldn't ask for a certain amount, you got what you could get and you might ask for a little more, but, which I didn't do, but I can't, I can't explain that.

Q. When you came back, how long did you stay at Serrano until you went to the St. Francis?

A. Well, I went there in December probably for three more weeks I suppose.

Q. When was your next contact with Raoul or the phone number in New Orleans?

A. After I came back?

Q. Yes.

A. I think the next contact, he contacted me by letter.

Q. What did he say in the letter?

A. It was a short note, something about calling him and I know that the letter was forwarded from Serrano Street and I left a forwarding address with the mailman.

Q. What happened to that letter?

A. I have no idea, I guess it was burned up or something.

Q. When did you burn it?

A. I have no idea of that either. Probably a short time after I received it?

O. What did the letter say, just to contact him?

A. I think there was some mention of the date or something, but I can't remember all the details on that. Although, I have them written down somewhere.

Q. Where were you living at the time where you had the incident where you had the fight in front of the bar?

A. Serrano.

Q. What did you lose in that fight?

A. You want me to go into detail?

Q. Go ahead.

A. Well, I use to stop in this particular bar, usually before I went to the dance studio, I would come in to rest or something. I'd take no more than two or three drinks and I'd leave. Now, this particular night there seemed to be more of a diverse clientele in there than there usually are, for instance, I think it was later, I think it was 10 or 11 o'clock. I usually go to the place, usually go in there 6 or 7 or 8, it was 6 or 7 o'clock, and I parked the Mustang. Now, this establishment sets right on Hollywood Boulevard, which is one of the main streets, plus it runs into side streets. It sits right on a corner, well, I parked the Mustang directly across the street from it on a corner and I went in there and I usually didn't have too much conversation, and there was a lot of arguments in there that night, and some, there was some, I guess people seen my car out there in the street too, because as I mentioned it had Alabama

license on it in bright red and all that stuff, and I don't know whether they seen that or they might have inferred it from my accent which was, while not southern it wasn't Los Angeles anyway. But, anyway, there was some mention about Alabama and the racial problem down there and all that, and so I, I didn't want to argue about it and there was some other fellow, and, this was a woman that that this conversation took place, and there was some other individual there, he was talking about something, something wrong with the government and he talked to me about - Well, he talked - Well, I didn't talk to him he talked to me about all the problems with the government and it wasn't exactly a hippy joint where you would consider - where you would look for this type of conversation, but I guess it wasn't what you call a square place either, so anyway, I tried to avoid these arguments, so I started to leave. I know I left and I got right outside the door and I started to round the corner and I was going to cross the street, so they must have grabbed me pretty close out of the door. One of them grabbed me from behind the, the tall one and the short one started hitting me. Well, the short one was the more or less the aggressor and they had my, they had me from behind and he had ahold of my coat someway and I slipped out of my coat and got away from him, but I ran across the street. I was going to get in the car. I had my .38 in it and at that time I was going to get an equalizer, but anyway, but apparently when I got out of the car I dropped my car keys in my pocket and the car keys, they probably, they got the car keys evidently and they - I think they pulled my watch off. I know I had to buy another watch the next day, a cheap one, and after this thing --

After I couldn't get in the car I run across the street. I run up to a church yard and stayed there a few minutes and then I went to -- The police didn't come around so, so, then I went up the street and cut back across the street and come back down on the same side of the street that the tavern was, and there was a house right beside the tavern and I stayed beside this house in the dark and stayed there until daylight, and at that time I was kind of dirty because I was - I got dirty somewhere back behind this house. So, anyway, the police never did come to pick up this car and the next day I went to a locksmith on Hollywood Boulevard. I'd say it was about 49 hundred block and asked him if he could - I told him I had lost my car keys and if he could fix them, and he said, he mentioned something about he was originally from Tennessee. So, he took me up there in his truck. I think it cost me \$10 to get a set of keys made and it took 15 or 20 minutes, and then I went to another place and bought a cheap watch and that's it.

Q. Did you lose your wallet during this episode?

A. No. The only thing I lost, I didn't even lose my - I had my wallet and my money and the keys to the rooming house, of the Serrano Street address in my pocket. I didn't lose any of the keys to the rooming house or wallet or the money.

Q. Did you have a driver's license with you under the name of Galt?

A. At that time?

Q. Yes.

A. Yes.

Q. Did you have a registration for the car?

A. I had a - Well, in Alabama you have some type, it's not a title, but yes I had it.

Q. Now did you lose either of those?

A. No.

Q. Have you heard of anything to do with the fact that a duplicate driver's license was issued for you?

A. I read something in the paper about it was issued to me, but I don't recall. I got these vague ideas that I may have ordered two of them or something, but that wouldn't make much sense, but if I'd lost the driver's license I'd have most likely lost the registration, but I just can't recollect losing it at that time. The only thing I clearly recollect is the watch and the keys which I replaced the next day.

Q. How many sets of keys did you get from the man you bought the car from in Birmingham?

A. I got two from him.

Q. Where was the other set of keys?

A. I gave them to the individual called Raoul.

Q. Did you think of calling New Orleans to get the other set of keys rather than to go to the expense of getting a locksmith to come to the car?

A. Well, you can't leave the car sitting on the street all that time. I didn't know how long it would take to get another set of keys assuming I did get them, but I think it would have been a lot easier to have someone make you a new set.

MR. EVANS: Why did you think the police were going to pick the car up ?

A. Well, we were fighting in the middle of the street. Usually the police come around and they see these Alabama tags they very well could have pulled it in. But, of course, I don't know what the rules were, parking in the street at that time. So, I just watched it until daylight.

Q. Well, what sort of fight was it that you thought the police would respond and pick up your car since you were perhaps the victim?

A. Well, I got rolled on the main street. The cars were going by and the people were -

Q. Yes, but what does that have to do with your car being parked?

A. Well, I imagine the police investigated, they would probably come in the tavern or something and ask about the car and the person in the fight and everything.

Q. Well, how many people in there knew that the car was yours?

A. Well, this young lady she mentioned, she was kind of abrasive about politics. I don't know if they assumed the car was mine or they saw the tags on it and they assumed that I was from a southern state. Well, they did know it because I actually started arguing about it. I, I admitted that I was from Birmingham and it was enough circumstantial evidence that I didn't want to take any chances on that.

Q. Well, during this whole encounter had you done any-

thing that the police would have arrested you for or would have wanted to seize your car for?

A. Just from fighting?

Q. Yes.

A. Well, they would have finger printed me, I was concerned about being finger printed not anything else. I don't know what the police practice is in Los Angeles. I think it varies from city to city, but a lot of times you can get finger printed just on a traffic violation.

Q. Well, I mean if you are a victim, you are obviously a victim of a crime, why would they want to finger print you?

A. Well, I imagine they usually question a victim of a crime.

Q. Right.

A. I think the fact is I read in a paper where a lot of victims after a crime windup in jail.

Q. Well, the point I'm saying, this is the point I'm making, if it occurred as you said it occurred, well, then I don't see how they could have possibly wanted to arrest you if two guys came out and pulled your coat down over your arms and began to assault you and robbed you of whatever items you had in your coat pocket. I don't know why they would have wanted to arrest you?

A. Well, I don't know either, but they very well might have told them that I was trying to rob them or something, you know how feelings get in a situation like that.

Q. Oh, this was just a felling but there was nothing

that occurred that you might have done or might have said that would have made them think that you should have been arrested and finger printed, in other words was there anything said in the bar?

A. No.

Q. Were there any people in the bar that might have felt or might have put you in a bad light so if the LA police, if they arrived might have wanted to arrest you or taken you in for identification?

A. No, other than me being out of State and having some problem explaining my business out there. Except that I was in business in Mexico, it would have been, well, I just really would rather play it safe on anything like that.

Q. Okay, I see.

MR. LEHNER: When did you next decide to leave Los Angeles?

A. When did I decide? Well, I decided to leave some time in - I got a - I think this was a result of a phone call of me making to New Orleans I decided.

Q. As a result of the letter sent to you?

A. Yes. This was, this was a result of a phone call.

Q. And you called them?

A. Yes, I was more or less the instigator of Los Angeles.

Q. Well, this was a result of a letter that was sent by Raoul to you?

A. That's correct.

Q. You then called him and what was that conversation over the phone?

A. Well, there was some, I know there was mention of me to go to New Orleans make contact there. I don't know if there was any - I have some recollection, but, of course, then again I'd have to see the paper on this. I have some recollection of a little more detail in the phone call than I usually got, but I don't know other than going to New Orleans, I don't know if there was any mention of possibly going somewhere else or not. There was mention of Atlanta but I don't know when that was first raised. I don't know if it was Los Angeles or where. I know it was raised in Birmingham. I'm not certain on that.

MR. GANNON: How did you mean a little more detail than the usual phone call?

A. I don't remember all the conversation but I just have a recollection it was more detailed about what I should do and when I should do it, and I think there might have been more than one city mentioned. There might have been mentioned more than Atlanta. I know I know I wasn't, it wasn't definite enough where I would pull up roots altogether so to speak. While I don't file a change of address, I knew it wasn't anything that strong but I think there might have been some mention of going into another town from New Orleans or something like that, some extended trip.

Q. Well, you certainly got travel instructions. Did you get any other kind of instructions?

A. Well, other than making contact with New Orleans, no. There was a certain date I was suppose to be there, I was late.

MR. LEHNER: What date were you suppose to be there?

A. Whatever, I don't recall now. Whatever it was, it was no, we agreed on it. I believe it wasn't no really - Well, it wasn't something that had to be done, but it was something that was preferable. I know I was late. I think I was a day late or something.

MR. GANNON: What month was it?

A. This was in March.

Q. Was it toward the end or the beginning of the month or where exactly in the month?

A. Toward the middle I believe it was.

MR. LEHNER: Did you take all your possessions with you?

A. I think I did except the television set and the weights. I think I left them with this Marie Martin, yes.

Q. Did you ever get them back?

A. No. I think I traded the TV and told her she could have it if she wanted it or she could trade it back later, I don't know if - I know I left the weights down there and I don't know if I left anything else or not.

Q. The weights you left with Marie --

A. Yes.

Q. - you haven't gotten those back?

A. No. I never did go back after them.

Q. But as far as the TV you traded that TV for what?

A. For another one.

Q. And you took that TV the small one or the other one with you?

A. Yes, that's correct.

Q. Well, this was a different trip than the first trip to New Orleans, when in the first trip you left all your possessions there, is that correct?

A. Yes, I didn't know if I was coming back on the first trip, but, of course, if I had gotten a passport and - Well, naturally I wouldn't have come back, but it wasn't, I was almost certain I would come back the first time because well, these kids, these children I'd promised to bring them back.

Q. Well, did he tell you in this phone call on the second trip that you were definitely going to a particular place?

A. I have some recollection that he mentioned another town and it could have been Atlanta or something, but there's more detailed instructions than there was in other times, the other time it was just an exploratory talk, the first time.

Q. Okay, why don't we take our lunch break now.

(The time was 12:59, p.m.)

MR. LEHNER: Allright, we have started our recording machine, it's the afternoon of April 29th, 1977 and we are continuing our conversation with James Earl Ray.

Before lunch we were talking about the trip you were taking to New Orelans which whould be the second trip, and at this time you were taking all of your goods except your barbells.

You had already exchanged the TV sets, what were the reasons for exchanging the TV sets?

A. Well, the other one was a console.

Q. So you exchanged it for a, for a portable?

A. Yes.

Q. And this time you were intent on going to New Orleans for a particular purpose?

A. Yes.

Q. What was that purpose?

A. Well, I - It was a certain assumption based on the past, on the other conversation in December and I assumed it was for the, this weapons deal

A. Did he say on the phone, the man you spoke to that it was a weapons deal or anything?

A. No. There was nothing mentioned like that on the phone.

Q. Did you speak to Raoul or the other fellow?

A. The other fellow.

Q. What did he say?

A. Well basically it was where, when to be there and things of that nature, the meeting place.

Q. Where did he say the meeting place would be?

A. New Orleans.

Q. Where in New Orleans?

A. There was no specific place. I think I was supposed to call when I got there.

Q. And did you go by yourself?

A. Well, I took some packages for another party, but I went by myself, yes.

Q. Who was the person that you took the packages for?

A. I think I told Marie Stein, Mary Martin a few days before that that I was going to New Orleans. She asked me to drop something off at an address which I did.

Q. What address was it that you dropped it off?

A. I don't recall.

Q. Did you deliver it to a particular person?

A. Yes.

Q. Who was the person?

A. It was some woman, I don't know her name.

Q. What part of New Orleans was it that you dropped it by?

A. I think - I don't know, I had the address, but I don't know, I just don't recall it was out, it wasn't downtown or anything, it was on the edge of town.

Q. What type of items did you drop off?

A. I didn't even go through them. I think it was clothing mostly.

Q. And what was the purpose of her transporting that, those items to the lady in New Orleans?

A. Well, I had no idea. I just told her that I was going down there. I told her that I'd be back, of course, I thought the possibilities were slim of that. I don't know if I told anyone else or not. That came up in the casual conversation in the bar I believe it was.

Q. Did you ever have any romantic relation with

Miss Martin?

A. No. I never had any.

MR. EVANS: Inclinations?

A. Inclination.

Q. Did you ever want to?

A. I think she had a boy friend. I seen her with the ~~another~~ party two or three times and I think the fact is one time she borrowed 10 dollars off me or something to get his presents or something. She didn't make too much money.

Q. Well, were you going out of your way for her?

A. No. I don't think I went out of the way. I wouldn't have made a trip down there just to deliver some clothing down there, but I just happened to mention casually that I was going in that direction. I don't know if she had any interest in me or not. But, I wasn't, I always considered myself in transit, anyway, I wasn't interested in getting involved with anyone, except in a casual manner.

Q. Did you make the trip in one day from LA to New Orleans?

A. At that time, no, it took longer than that because I stopped at motels along the way. I didn't drive straight through. I think it took, I know I was late getting there. I think it took three or four days probably.

Q. How long did the first trip take from LA to New Orleans?

A. I read somewhere where it took 33 hours. That was straight driving.

Q. That was no - you did not stop for sleep?

A. No.

Q. Where did you stop on this trip?

A. I don't know this motel is on the way between Los Angeles and New Orleans. I can't recall motels. I know it took two or three days.

Q. What names did you use when you stopped?

A. Apparently I used Galt.

Q. Because you had the car with you?

A. That correct.

Q. Where did you go when you arrived in New Orleans?

A. I made the phone call to this party and there was some mention that this Raoul, he went on to Birmingham and there was a suggestion I meet him at the same place, the Starlight Club.

Q. Where did you make this call from where you learned this?

A. I don't know just where it was at. I didn't check into any motel, it had been along this phone booth, a street phone or something and I know - I do know it was getting late in the day and then I delivered this stuff to the Stein woman and that was it.

Q. Well, were you in New Orleans when you made that call that you found out that -

A. Yes.

Q. - that Raoul was not there?

A. That's correct.

Q. In route, did you call the number to tell them that you were being delayed?

A. No. I think I called - Well, I wasn't delayed, it

just took me longer. I didn't think it would take that long to get there or something.

Q. But you waited until you were in New Orleans before you called the number?

A. I called once right before I left Los Angeles and I didn't make any more calls until I got to New Orleans.

Q. Well, was any reason given as to why he wasn't there waiting for you?

A. No. No, there was no reason.

Q. What did the man say when you called?

A. He said he had gone on to Birmingham and for me to meet him at a certain, I think it was the next day at the Starlight Club in Birmingham.

Q. So you delivered the packages and did you stay the night in New Orleans?

A. No. I had trouble finding the address of when, where to deliver the packages to. I delivered those, I believe it was dark, I don't know what time it was and after delivering the packages I stayed in a motel on the outside of New Orleans, between New Orleans and Biloxi, Mississippi.

Q. And what did you do after staying that night, do you know what place you stayed at?

A. No.

Q. What did you do the next day?

A. The next day I went towards Birmingham, towards Birmingham, and I think possibly I got off on the main road although I'm not certain of that because Alabama roads are not in the same condition as some of the more industrial

states. After driving all day I don't know what time I left the motel after driving, however far I drove. I got - I think I checked into - later I found out it was a motel in Selma, Alabama.

Q. And what day did you, what day did you arrive in New Orleans?

A. Well, I couldn't i would be impossible to answer that. could give you approximately the month, it would be in the let's see, sometime in the latter part of February.

Q. And then you stayed in the motel between New Orleans and Biloxi?

A. That's right.

Q. And what's the next night after that?

A. Mol -- Selma.

Q. Why did you go to Selma?

A. It was getting dark and I checked into the motel called the Flamingo.

Q. Well, was Selma in route between New Orleans and Birmingham?

A. Yes.

Q. Had you ever been to Selma before?

A. No, that was the first time I had ever been there.

Q. And the reason you went to Selma was not because you took the wrong road, but -

A. I'm not certain I got on the wrong road. The road was not, it was a oneway road, in other words, it wasn't what we refer to as a super highway. And I mentioned to Bradford Huie that I may have gotten off on the wrong road and it may

have taken me longer to get there but you'd have to look at the road map to determine whether there was any shorter way between New Orleans and Birmingham, Alabama/^{if}there actually was.

Q. I mean, what you are telling us - What you were just telling me is that Selma is in route between New Orleans and Birmingham and that you did not, you intended to go to Selma to spend the night?

A. No. I didn't actually intend, it just so happened that I stopped there after it was dark. But, I'm not certain the route is, these are the type of roads that they keep twisting around and a lot of hills and things, so I'm not certain that that would have been the shortest distance between New Orleans and Birmingham in fact the next day I got, I was late again when I went through Montgomery, Alabama. I'm still not certain whether I was on the shortest route or not. I can't say at this time.

MR. EVANS: You went to Montgomery, what was the purpose?

A. Well, I had gotten -- Well, I was going towards Birmingham and I'd thought there was probably a shorter way through Montgomery.

MR. LEHNER: Did you have maps of that area?

A. I evidently did, yes.

Q. Did you mark any of those maps?

A. I don't recall marking any, on any road maps, I might on a city map, but I can't recall.

Q. When you say a city map you are referring to what city?

A. Well, Los Angeles or Atlanta or a city like that.

Q. Any others that you can recall marking?

A. I don't recall marking any except possibly a Los Angeles and the Atlanta map, of course, I haven't - the Atlanta map it's been mentioned sometimes in my reconstruction, recollected that.

Q. Well, what about the Los Angeles map, what happened to that map?

A. Well, I think those papers I gave you the last time you were - Now, apparently the FBI has them and eight or ten other maps.

Q. Was that map still in the car when you parked it at Capitol Homes?

A. I don't know where they got that map. They either got it out of the case I was carrying when I was arrested or they got it out of possibly the Atlanta establishment.

Q. Did you have some maps also in the car when you left it or did you take the maps out of the car when you left?

A. I'm almost certain I threw everything out of that car I could throw out except that it was dark when I threw it out so I could have missed some smaller items because I didn't look in the car after, after I arrived, after I arrived in Atlanta there wasn't, I didn't, and got in that parking lot, I didn't shake it down or nothing like that.

Q. And had you ever fixed that tire that you told us before that you tried to get fixed or you attempted to get

fixed in Memphis? Did you fix it after Memphis?

A. I never fixed it, no.

Q. So it had a slow leak in it, is that right?

A. That's correct.

Q. So when you parked the car at Capitol Homes it still had that leak in it?

A. It most likely - I don't know if it went bad when it was, now that it didn't have any weight on it, but it was, now, let me get this tire straight now. I want to, yes, I changed the tire and I imagine, well, I was trying to get straight just whether I took it off or had it refilled the day before that on April 3rd, but I took it off and exchanged it, so, now whether it went down any more after, after I put it in the car I don't know. But it was about I would say 3/5 down when I took it off.

Q. You took it off when?

A. On April 3rd.

Q. But that was in the trunk of the car when you, when you went to that Memphis gas station to get it fixed?

A. That's correct.

Q. And you never had it fixed since then?

A. I never did have it fixed.

Q. So when you parked the car in Atlanta it still had that slow leak to it?

A. That's correct.

Q. Now, was Dr. King in Selma when you were there?

A. I have no idea. William Bradford Huie says he was in that area, but I don't have any independent knowledge of that.

Q. Well, was he in Los Angeles when you were in Los Angeles?

A. Well, I don't know. I read in these books, they said he was there at some point in time while I was there, but I don't know when he was there or if he was there as far as that goes.

Q. Now, what did you do in Selma other than stay at the Flamingo?

A. It was dark when I arrived there, I think I went right on to sleep, there was nothing -

Q. What name did you give at the Flamingo?

A. Galt.

Q. About how much money did you have on you at that time?

A. It is difficult to say. I'd say I'd guess probably \$1500 or something.

MR. GANNON: You didn't pick up any money in New Orleans at this time?

A. No, I didn't.

Q. You didn't speak to anyone face to face about a way of going either, did you?

A. Face to face in New Orleans?

Q. I'm thinking of, you know, when you got to New Orleans you tried to contact Raoul -

A. No, I didn't. I was just in there and out that was it.

Q. And your only contact was with him over the phone?

A. At that time, yes.

MR. LEHNER: What time did you leave Selma that day?

A. The next morning.

Q. What day was that about?

A. Well, it must have been sometime in February.

I don't remember the day, I'd say, towards the end of February.

Q. And after you left Selma what route did you take?

A. I don't know, but I got into Montgomery, that's the only town I can recall.

Q. Had you ever mentioned Montgomery before?

A. No.

Q. What did you do in Montgomery?

A. I sort of looked up the road signs for Birmingham and went from there to Birmingham.

Q. And what did you do when you arrived in Birmingham?

A. I went to the Starlight and I met this Raoul there.

Q. What time of day was that?

A. Well, that was late again, I don't know what time it was. It was in the afternoon, I'd say, probably close to noon time I guess.

MR. GANNON: What time were you supposed to be there if you were late in arriving?

A. Well, whatever time it was. I think I was supposed to be there towards the morning or something, but I know I was late or something, a couple of hours I guess. I think, I think the lateness was caused by going through Montgomery instead of taking a shorter route.

MR. LEHNER: What date were you supposed to be there?

A. I don't recall that now either. Sometime in February. These dates and - they were late February and early March.

Q. What time in the morning were you supposed to meet him?

A. I don't know, but the only thing I recall he mentioned, there was some mention or conversation about being late and I wanted to eat or something and he said well we don't have time or something.

Q. What time did you arrive?

A. To the best of my recollection sometime around dinner time, because I know I was --

Q. In the evening, dinner time?

A. Lunch time, at lunch, yes.

Q. Lunch time.

A. Lunch time, yes.

Q. So you are just talking about a couple of hours late ?

A. Yes.

Q. And when did you find out the time you were suppose to be in the Starlight?

A. Well, I found out on the phone, but -

Q. When you were in New Orleans?

A. Yes. It was mentioned about being there around a certain time and on a certain date.

Q. A certain time in the morning and a certain date and it took you a couple of hours longer than you should have

spent in getting there?

A. It apparently took me an hour or so longer to get there than what it did.

Q. What was the conversation you had with Raoul?

A. Well, it was very short. I recall something about I wanted some food or something and he said he didn't have time or something and he was going to Atlanta. He wanted to get there before dark and that was about it.

Q. What else happened?

A. Well, we went toward Atlanta, toward Atlanta.

Q. How did it come about that you went toward Atlanta?

A. Well, he suggested that that's where we were going. Said that's where we were going.

Q. And how were you getting there?

A. We drove there.

Q. In your car?

A. Yes.

Q. What did he say was happening to his car at that time?

A. Well, there was no mention of his car.

Q. How long did you and he drive from Birmingham to Atlanta?

A. I don't know how long it took us to drive there, but when we got there it was, it was in the afternoon sometime. I know that because I hadn't been there for an hour and a half or so before it started getting dark.

Q. Well, let's see, you got there later than you were suppose

to, to the Starlight?

A. That's correct.

Q. How long did you spend at the Starlight?

A. I don't think over two or three minutes.

Q. And when did you leave Birmingham, what time of the day was that?

A. It would have been sometime during the noon hour, I don't know. I guess between 12 and 2 probably, closer to 12 I'd say.

Q. And when did you arrive at Atlanta, about what time?

A. Well, I don't know again, but it's, it was getting closer to dark because we hadn't been there over an hour and a half or so looking for a room until it started getting dark.

MR. GANNON: Did you stop at all for food along the way?

A. No. I didn't get any food until seven or eight o'clock that night.

Q. Did you have breakfast that morning?

A. I think I had a cup of coffee or something. I hadn't had no food all that day.

MR. LEHNER: So you were hungry when you met him but you didn't eat there and you didn't eat until you got to Atlanta?

A. That's right.

Q. Why was that?

A. Well, it was a rush I suppose.

Q. Well, you were hungry and he's saying let's rush is that the way it is?

A. Yes.

Q. Did you ask him why?

A. No, I didn't make any inquiries.

Q. You were hungry and you didn't ask him why it was that you had to go from morning until evening without food?

A. Well, he mentioned he was in a hurry, so I assumed it was important the reason for him being in a hurry.

Q. What happened when you got to Atlanta?

A. Well, we started looking for a room and he seemed to be familiar with the area and we made several inquiries and - I'd say two inquiries - and I think about the third one we found a place in the area he seemed to be somewhat conversant with.

Q. What kind of inquiries did you make?

A. Huh -

Q. What kind of inquiries did you make?

A. Well, I would just go up to a place and ask them if they had a place to rent.

MR. GANNON: Did Raoul point out this neighborhood to you as a place where you should look for rooms?

A. Well, he, he directed traffic when I drove in and the general area, but there was no, it was just general driving around a certain area there in town looking for rooms.

LEHNER: And were you looking for signs on the door saying rooms for rent or was it a newspaper that you used?

A. No, just looking for signs on the door.

Q. And how was this particular place found?

A. Well, we just went two or three places -- it was more or less a rundown neighborhood, kind of a transit, and I think it was the third place I was able to rent a room.

Q. Under what name?

A. I think we decided - I think I used my right name on that place.

Q. You used Galt?

A. Yes.

Q. Why?

A. Well, later on it was some conversation about it, that he was going to come there and ask for me or something and, and I know I used the Galt name. I'm almost certain of that.

Q. So did you sign the register there?

A. No. When I went in, when I went in the rooming house there was two individuals in there, there was a fellow who owned it and then there was another guy. They were both drinking wine and I asked them about a, I set, I was sitting in there talking to them, I think I may have took a drink myself and he said something about a room, or he said something about, or he said something that he would show it to me in a few minutes or something. And he owned the place next door, another house where transits are at -- While I was in there after about 30 minutes or so this other, Raoul, he came in there and this other guy he'd been drinking and he left and we talked a little more about the money and things like that, how much to rent it for and

I think he said 10 or \$12 or something.

Q. You were there about a half hour before Raoul came in?

A. Yes. He came in to see what the holdup was or something.

Q. Where was he during that half hour?

A. He was in the car I guess.

Q. About what time was this that he came in?

A. Well, it was about half an hour after I'd been talking to these two individuals, of course, the owner as I mentioned he had been drinking.

Q. Was it dark at that time?

A. Well, it was starting to get dark, yes. I would say it was more dark than it was light.

Well, this owner - he claimed to be the owner - I think he wanted \$10 or something for a room and I have some recollection of - I don't really think I paid him, I think he passed out or something, I'm not sure if I paid him or not and the next day I think I told him I did anyway.

Q. You told him you did?

A. Yes.

Q. What did he say?

A. He said something about losing his money.

So I guess he figured he drank it up or something.

Q. Oh, you got the first week there free.

A. I believe I did but -

Q. Now after this half hour that you were there and

then Raoul came in, what happened at that time when he, Raoul, came in?

A. Well, at that time I was, I was wanting some food, but I think what happened here, we went to the restaurant at that time, we had some other discussions, and he said something about how you get in the room or something and he also mentioned about, that we could go to Miami. But I don't know if it was that meeting or the meeting the next day, but anyway we went to this restaurant. That's about a block up, that's a restaurant that you go in - See the room - We were, the room, I finally got it. It's about a half block from Peachtree Street where you go up to the end of the block and turn right and go down about a half block and this restaurant it runs, the inside of it runs parallel with the street.

Q. This is the restaurant that you and Raoul went to that evening?

A. It was just a small, it looked like a box car.

Q. Was this after you brought your possessions into the rooming house?

A. No. I don't believe so. I think I took them in there later on.

Q. You left your TV in the car?

A. Yes. I think I -- I think what happened see, he passed out while we was talking to him, so, but he done told me I could get a room, I was certain on that.

Q. Did you look at the room?

A. No. I don't think at that time. No.

Q. When Raoul came in after this half hour wait did he see the room?

A. No. He said something about he was going to come back tomorrow and I'm kind of hazy on how I got the room. I think that after, after I went back there he got, he got this, the owner sobered up. He give me a - He let me sleep in the house, that he, not the rooming house, but the house that he was in, somebody else's room that night because he couldn't get across the street. He wasn't able to get next door in his condition.

Q. Well, lets see now, you got to the rooming house, Raoul waited outside for a half hour, you went in, you had a glass of wine, he, Raoul, came in you, neither you now he saw the room at that time, then you both left to go out to eat?

A. Yes. You see, I was discussing this room with this guy, he's kind of a, he was kind of a slurred conversation. He said, he said he had several rooms across the hall, across the street, across from that house that he could rent but he said something about he'd - he acted like, you know, how a drunk person is, he didn't want to go over there. He didn't want to go over there, but he would definitely rent me a, one, and he said something about I could stay in the; later on he said something about I could stay in the house that he was, he stayed in. He had two houses. The one he stayed in plus the one he rented out.

Q. So, is it true that you waited there a half hour, Raoul came in, neither of you saw the room, you didn't bring your possessions in, but then you and Raoul went to dinner, is that correct?

A. Yes. After I was more or less convinced that he would have a place for us.

Q. Where did you and Raoul go to dinner?

A. Well, this was a restaurant, a small restaurant up on Peachtree Street. It's right around the corner from the rooming house we was in. A motorcycle club on one corner and the tavern on the other. That's when you are going up, when you turn right on Peachtree Street you and it sits, the restaurant I'd say sits about a half block down the street.

Q. It's a half block from Peachtree Street?

A. Let me draw you a diagram so you will know exactly. Here's, here's the, here's the rooming house, the rooming house, that's Peachtree Street, here's the first block. Now, the restaurant, the restaurant sets about here and it runs this way parallel. There was a motorcycle club here.

Q. Put "Restaurant" where you put the restaurant if you would?

A. There's a bar over here.

Q. And what street is this that we are - could you name the streets?

A. Vertical, well, I think it's 14th Street, I'm not sure. I think this is Peach tree.

Q. And what would this street be here?

A. I have no idea.

Q. Would it be 15th street or 13th street?

A. Well, if that's 14th maybe it would be 13th. This may be 13th, it was 13th and 14th, but I'm not certain.

Q. Okay. And I'll sign my name here and I'll ask you to sign yours and I'll put the date of it which is April 29, 1977.

(Mr. Lehner signs the diagram that James Earl Ray drew for the Committee and Mr. Ray also signed acknowledging his

drawings of the diagram.)

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Q. What time was it that you had dinner at this restaurant?

A. I don't know what time. It got dark at that time, I guess it would be around 6:30 or somewhere like that, seven.

Q. And how long did you and Raoul spend in the car together driving from Birmingham to Atlanta?

A. I don't have any idea. The only thing I could explain to you, it was about, what type of day it was dark and things like that.

Q. Well, how many hours approximately did you and he spend in the car from Birmingham to Atlanta?

A. I couldn't say, that either. From Atlanta to Birmingham, it's hard to evaluate time when you are driving like that, I can't --

Q. Do you know approximately how many miles it is?

A. No. It seemed to me to be three hours or something like that.

Q. So when I asked you earlier how long you had spent together with Raoul and you said maybe a total of altogether in your life three hours, it was a lot more than that?

A. I said not counting driving, just on conversation.

Q. Well, in that drive, as you say about three hours, what was discussed?

A. Very little of anything. We just, most of our discussion, we had a little discussion at the restaurant, but most of the discussion was the next day when he came to the place on how he would get in and how he would get out and things like that.

MR. GANNON: When you were in there you were talking to the landlord who's drinking and Raoul comes in was he talking to the landlord too?

A. He said a few words to him --

Q. And did he help to sober up the landlord?

A. No, I don't think we didn't make no attempt to sober him up because he was too far gone. I was just trying to keep him from passing out or something like that.

Q. But I thought you said he passed out and then he sobbered up?

A. Well, I don't know if you are that familiar with people who drink wine but they go off on a nod for about 45 minutes or an hour.

Q. I wasn't aware of that.

MR. EVANS: No, he's familiar with people who drink wine.

Q. When did you take your leave of Raoul that evening?

A. From the restaurant.

Q. About what time was that?

A. That must have been 6:30 or 7, I guess. It was dark at that time, it must have been seven.

Q. Did you ask him when you were going to see him again?

A. No, he said he would see me the next day.

Q. Did he say, did he tell you what he, what he had planned for the next day?

A. No.

Q. And did he tell you where he was going when he left?

A. No.

Q. Did he tell you where he was going to stay?

A. No.

Q. Did you discuss with him how he was going to get to where he was going to stay?

A. No. I didn't discuss it.

Q. Did he ask you for your car, did he ask you to drop you off at your place and he go to where he was going and then he'd see you the next day.

A. No, not at that time he didn't ask me anything

Q. Well, did you think it was strange that he didn't have a car, you had a car and he leave you at the restaurant? Did he leave you at the restaurant?

A. Yes.

Q. And doesn't ask you for a lift anywhere?

A. No. That's not too far from downtown the 1300 block. I --

Q. Any reason he gave you why he wasn't going to stay with you?

A. Well, I don't think anyone would stay there if they'd had a choice.

Q. Was there any reason why he wanted you to stay there?

A. Well, I guess he wanted me to rent a room there.

Q. Well, why did he want you to rent a room there, but he not to rent a room there?

A. Well, I -

Q. Or him not to stay with you there?

A. Yes, well I can understand why anyone wouldn't want to stay there unless he had to, but I think that was

explained the next day.

Q. What did he say the next day to explain it?

A. Well, he came the next day sometime about 11:00 I think it was. I don't know how he got over there. I stayed in the room and --

Q. Eleven in the morning?

A. I think it was about that time, 10 or 11. I don't know if he went across the street and got the, seen the person that owns it or not, but I had problems keeping the front door open and he knocked on the door and I was quite a ways from the front door and I stayed around it. It had a small balcony up towards the front door and there was no one else in this room but me, or in this, in this house, I think there was one individual, I think he was bedridden. This was a two or three-story house with real small rooms. It used to be a doctor's, where he treated patients or something. And I just stayed around the balcony in the front and when he did get there we had a certain conversation about he we would get in and out. And he made arrangement whereby I would leave a side door open and there was, it was locked from the inside. There was no padlock on the outside or anything, and then he asked me something about staying around there in that, not to get too far away because he wanted to go to, he wanted me to take him to Miami or something and I don't know just what the rest of the conversation was, that's the main part of it --

Q. The main part was what?

A. For me to stay there because he said, he had, he wanted me to, he said he wanted me to, he said I would probably have to

run him, drive him to Miami or something. He wanted to make a trip to Miami for some reason and I kind of got the impression that I may be there for, you know, a while from that conversation I don't know what give me that idea, making trips and things like that.

Q. That you were going to make trips or that he was going to make trips?

A. Well he said something about me going with him to Miami in the car or something, so, I figured maybe it was some business there. I don't know what it was.

Q. Well, then the fact that he wanted you to drive him to Miami is that what you are saying?

A. Yes.

Q. How did that give you the impression that you were going to be staying in Atlanta for some time?

A. Well, he said he would get in contact with me in a few days or something and to stay close to the house and to keep the side door open.

I know I'd had trouble several times with the landlord. I know I'd unlocked it and then he'd, well, he had a sister she was really running it, I found out later, and she kept locking doors and all that stuff.

Q. The sister of the landlord?

A. Yes.

Q. Did - How long did Raoul stay with you that morning?

A. Well, it wasn't too long, it was just after, that disussed, well the Miami thing is the only thing that stands out and the rest

of it is just stay there and that would be it.

Q. And then he left you with what arrangements, when was he going to see you again or make contact with you?

A. I have some recollection of driving him somewhere. I don't know if it was that time or another time. I just can't remember. I think, I think I wrote this down one time years ago. I have some recollection of driving him possibly to some point and letting him off, but I'm just not sure about that. I'm, I'd have to read the past notes on that.

Q. Well, when did you next see him after that morning?

A. Well, he never did come back or apparently he forgot about the Atlanta situation.

Q. Forgot about what?

A. The Miami situation, the Miami trip. And the next time I saw him, it was probably a week, a week later whenever it was. I think it was eight days later.

Q. How much money did you have when you arrived at that rooming house?

A. I don't think I had over about \$1400.

Q. And he just told you to stay by and he'd get back to you?

A. It was my impression we would be making a trip to Miami. Yes, that's --

Q. But the next time you saw him was about eight days later?

A. Yes.

Q. That day after you arrived, when he came over in the

morning, did he tell you what he had done after he had left you at the restaurant the night before?

A. No.

Q. Did you ever ask him what was the big rush going from Birmingham to Atlanta where you couldn't eat that whole day and all you did was when you got there you kept him waiting a half hour outside in the car and then you and he went to a restaurant to eat?

A. I didn't ask him, I assumed there was some rush to get this place rented where he could get me situated and then he would go about his business or something.

Q. Well, on the one hand isn't it odd to you that there is such a rush that you were late in getting to the Starlight and then he rushed you out of there and he wouldn't let you stop on the way to get something to eat, you were hungry when you got to the Starlight and you didn't even get to eat until about 6:30 that night, but by the same token when you go in there, you wait around a half hour and not rushing the people in there, in fact, you have a drink you keep him out there waiting, finally you and he go to a restaurant there is no conversation between you and he about what the rush is all about, the next day you see him there is no conversation about what the rush is all about?

A. No. I never mentioned it.

Q. Well, isn't that strange that if you are rushing to get there you keep him waiting a half hour?

A. Well, I assumed the rush from hindsight, I assumed the rush was to get, to rent a room before, usually you don't go up

and try to rent rooms during the nighttime. I assumed that's what the rush was. My reason for staying in there with, with the landlord for half an hour was trying to talk sense to him about renting a room or something.

Q. Why did Raoul want this particular place?

A. I don't think he wanted that particular place.

We went, I think he wanted that particular area.

Q. Why?

A. Well, I know now, I didn't know then, but -

Q. What do you know now?

A. Well, it was a lot of, sort of a, well, I don't like to use the word hippy all the time, but there was a motorcycle gang up there and I found out later on there was a lot of narcotics dealings and stuff like that in that area. It's more or less a sleazy area. I could understand now why I wouldn't go in that area to rent a room myself because that's where the police hangout.

GANNON: Did you suggest to Raoul when you were going to Atlanta to do what I think you did on other occasions, for example, you would go in and stay outside like-and then- at a motel and then the next day you would then leave the motel and then go in, say for example, Montreal and find a place to stay, look around, you would have sometime, have a full day to pick out a place to live?

A. Well, if I was doing it, that would be the way I would do it. But I assumed it was a rush to rent a room and he may have had other business, I can't, I can't discern other

people's motives for things.

Q. Well, he sort of spent the entire night with you. Didn't he first - the rooming house and then the restaurant?

A. Well, he left after the restaurant. I took him somewhere, but I don't know, I'm not sure which, I think it was the next day I took him to some station or something and dropped him off or something up town, downtown Atlanta, but I can't be certain until I get these other papers but I think it was -

Q. Was that a bus station or a train station?

A. I think it was just up in the main part of town. I think that's what it was, I'm inclined to think it was the next day really, it's not that particular --

Q. Did he say how he was going to get around town when he left you that morning, the morning after you arrived?

A. Well, if I took him downtown apparently he, he went either by cab or, or public transportation.

Q. When did you take him downtown?

A. Well, that would have been sometime after, I'd say after 11 or 12:00, around lunch time.

Q. Where did you keep your gun at that time?

A. Well, later on I put it in the basement, it's a place there, there's a basement in there, it had dirt in the basement, I remember I think I, I think there was a furnace in there, maybe I must have put it under ashes or something.

Q. Then you actually buried it?

A. Yes.

MR. LEHNER: Where did you hide it before you burried it?

A. In the car.

Q. What part of the car?

A. Well, there are several places you can put it. I think I recollect one time I put it in the wheel, the tire sits down and it has a cut out of the back of it. I remember one time I think I put it down through there and one time I think I put it in the spring up underneath the, some place up underneath the seat, but I can't, and sometimes I used to just, in bucket seats I use to just carry it kind of back under the seat when I was concerned about somebody. There's a lot of robbing out there by people jerking your car door open and you know they will jerk you out of the car. I was concerned about something like that in certain areas.

Q. Who was the owner of the rooming house?

A. I don't recall his name now.

Q. Do you know his name now?

A. Garner, that's his name.

Q. Did you know his name, how did you learn his name?

A. How did I learn his name, well, I have since read it but he told me I'm positive he told me at least when he sobered up that he was Garner.

Q. How far was Garner's place from the main highway?

A. Well, I plotted all that out on a map.

Q. What map?

A. On the Atlanta map that I told you I marked. Not at the highway, just one of those freeways, I don't know about the highway. The Freeway I would say is where we come in, we come in and drove about three blocks, then we circled around

here. I'm just talking about if you come to the closest point to where I rented a room, I think you come here off the freeway and drive about three blocks then hit Peachtree Street and come about seven or eight blocks and then hit about 14th Street and drive about a block, oh I guess it would be about 12 or 13 blocks from the freeway.

MR. GANNON: What did you come in to Atlanta that day on?

A. I don't know, it was a southwest direction. Well, see you would be coming into Atlanta -- That would be the most direct route into Atlanta. When we came in we came in from the west and it turned north. I don't know where the ball park is in Atlanta, but it could be turned around. I thought we could have been going to -- one time going south, but that's the best of my recollection.

MR. LEHNER: What did you do those eight days that you were waiting for Raoul that you thought he was going to come back in a day or so?

A. I thought he was coming back and we were going to make a trip to Miami at that time. I didn't have any real understanding, I mean how long I was going to be there.

Q. What did you do during this eight days?

A. Well, I think I really didn't do nothing. I usually just stayed close to the house. I told you a few days ago I marked those places off on the map. I bought a map of Atlanta and I really didn't know anything before I bought that map of Atlanta.

Q. When did you get that map of Atlanta?

A. I think the next day.

Q. Now, you were -- you say that day at 11:00 or something he came that morning and then you say you spoke to him a while and you drove him into, downtown or was that the day after?

A. I'm just - I'm almost certain I got it that day yes, on -- I can't remember clearly and that restaurant is in one of those marks. I went to make two trips to banks to get money converted from Canadian to English, United States I mean. I made some kind of a - I wrote some locksmith company and tried to get that locksmith course transferred into Atlanta.

Q. So you made the marks, you bought the map, did you buy it or did you get it free?

A. No, I bought it on Peachtree Street at a drug store.

Q. Did you get it the day that Raoul came over to your room at 11?

A. That's hard to say.

Q. Did you mark it that same day?

A. I probably did.

Q. What time of day did you mark it?

A. I just assumed, no, I don't - one of my main concerns was not getting lost and having to drive all over town and finding the rooming house.

Q. When did you mark the map?

A. I'm just assuming it was sometime in the afternoon.

Q. Did you wait until five or six days later, how long did you have the map when you did put the marks on it, or was it an hour later, was it a minute later?

A. I think when I marked that map is when - is after I went to take - I have some recollection after I went to those banks and got that money converted and tried to determine just how I had come into town and things like that.

Q. Well how long would you say it was from the time you got the map until you marked it?

A. I don't know. It would, I think it would depend on when I got that money. Now I don't know if I got the money exchanged that same day or it might have been the next day. If it was the next day but I have some, some connection in my mind between buying that map and marking it and going to that bank, I don't know just what it is.

Q. Well, you, you said just a few moments ago that you marked it shortly after you got it, the same day. Now, is that true or is it not true?

A. It could have been the next day. I think when I marked it, I think is when I went to the bank and, and converted that money.

MR. GANNON: Did he give you any money at that time?

A. No.

Q. Did you ask him for any?

A. Not at that time.

Q. I'm just curious because look you asked him back in December when you saw him in New Orleans?

A. Well, nothing was mentioned about money or anything like it, I think I might have mentioned money at that time, but I didn't get none whether I asked for any or not. There may have been some mention about money.

Q. I'm just thinking how you had just come all the way across the country practically and here you were you were just going to hold yourself at his disposal for a few days, several days, and it just would seem natural to me for him to foot the bill for that instead of you?

A. Yes, there was some discussion of money later on, but I don't know all the details of that. I know I asked, I know I may have mentioned money once, but I don't know when it was, and he said he didn't have any right at that particular time.

Q. Did he promise to get you some?

A. I'm not sure just when this money was, you know, I'd have to look on these back papers, but there was some mention of money made, but I think it was, it was said wait a few days and we will go to Miami or something like that. Now, I didn't receive any money from any source at that particular time.

Q. Were you at all apprehensive when he didn't come back in the next couple of days for this trip to Miami?

A. Well, not particularly. I could have called New Orleans I guess and found out, but I don't think there was anything definite on it.

Q. Did he tell you that he was going back to New Orleans and that's where you could reach him if you needed to reach him?

A. No, there was no point, he just asked me to stay around close a few days and he - we would probably or most likely make a trip to Miami or something.

Q. Did he say what the purpose of the trip to Miami was?

A. No.

MR. LEHNER: Had you ever been to Miami before?

A. Yes, I was in there one day in 1954 or something.

Q. What were you doing there that day?

A. Well, my uncle, well, this was in 1955, my uncle went down there he was going down there to go to work as a painter. He was, had a union card, a painter's union card, but he went down there and he couldn't get any employment and he had a drinking problem too, and we got lost from each other the first day down there and I had to catch a bus back to St. Louis. That's the only time I was ever in Atlanta, I think on the way -

Q. The only time where?

A. In Atlanta on the way from Miami to Atlanta, I think the bus stopped.

Q. So you were in Miami for that one day and I think you said 1955?

A. In 55, was in a lot of these towns for one day. I think I was in Memphis for a couple of hours, me and my uncle drove down there like I say he drove, his name was William Meritt, he went down there to get a painting job and I think we went through Birmingham and various towns between Miami and St. Louis.

Q. This is your uncle on your mother's side?

A. That's correct.

Q. And you were in Miami for a day as well?

A. Yes, that's correct.

Q. You say he had a drinking problem too?

A. Well, he was Irish and drinks beer, so I thought --

Q. Do you have a drinking problem?

A. No.

Q. Did you have a drinking problem?

A. No, I never had one.

Q. Now, other than that one day in 1955 in Miami were you ever in the state of Florida?

A. No, just going through there and coming back.

Q. In 1955?

A. Yes.

Q. But in 1967 and 1968 you were not in Florida, you're sure?

A. Positive.

Q. Now, you say he was gone about eight days and you were just doing what in Atlanta?

A. I mostly just stayed in the room because I know his sister was over there several times and I didn't get too far away from the house during that period.

Q. Do you know whether or not Raoul ever went to Florida in this time in '68?

A. I never did question him about it, no.

Q. As far as you know Florida has no connection with the case?

A. No, I, the only, I never did mention it before except even with attorneys, I would -- Author Hanes, when he came in

on the case, Arthur Hanes, Sr., he was giving attorneys, Huie various information wherever these parties and me, and all that was going and I was getting all these witnesses so I never did mention -- I think I mentioned to Hanes one time just briefly then I wrote to him or something, told him not to bring it up with Huie because it just possibly get more witnesses against me and I never discussed this much with anyone except just previously with Hanes other than just mentioning it.

Q. Could you give us that again slowly, I sort of lost you, you were talking about a conversation you had with Hanes pertaining to Huie?

A. When Arthur Hanes first come in on the case I was giving him various information and he'd give it to Huie and here'd come more witnesses in against me; and I'd tell him various towns I was in, various towns I was supposed to be in and then apparently Huie investigated them or either give them to the FBI or maybe the FBI was following him, I don't know which. And, now, I mentioned I started to discuss this Miami deal with Hanes because it might have made sense to him where it didn't make any sense to me at all, then I decided against it because it would just complicate the case with more witnesses, so I either wrote him or talked to him or wrote him and just told him just forget about the Miami situation.

Q. Explain to us how the Miami, how telling Huie about Miami would in anyway complicate the case since neither you nor Raoul were in Miami?

A. Well, I don't know if Raoul was or not.

I think my main concern was if they started investigating down there that Huie and the FBI and everything why it would be just creating more problems and --

Q. How, explain that?

A. Well, one thing if it was more witnesses down there something like that.

Q. How could there be any more witnesses against you in Miami if you never were there?

A. Well, I'm not talking about direct witnesses, it just seemed to me at the time, of course, I wasn't thinking too good under those conditions, it was just something you, it didn't seem important to me and the only thing it would cause is more confusion in the case, so I just told Hanes to drop it.

Q. Well, wouldn't that be a good thing for you to have the FBI spending all that time down in Miami since you weren't down there at all?

A. Well, I didn't know what they would find down there.

Q. What could they possibly find that would hurt you in your case?

A. Well, I don't know. I think you have to explain my view on the case. I wasn't interested in anyone getting arrested that's the last thing I wanted to do, is anyone getting arrested while I was waiting to go to trial. Of course -

Q. Why?

A. Well, usually these, whenever you have a multiple arrest, someone is going to be a State witness and you know just, I think a classic example is the case that the former

Richard Sprague had, the Yablonski case, they started lying and you get the weakest link and you go right on down the line. I wasn't concerned. I wasn't interested in about you know getting involved in that type of case. My idea was just to take the witness stand and tell everything I knew and once I did that would be too late for all these underhanded deals and threats by the FBI and all that. I could have just went to trial and that would have been it.

MR. GANNON: But wouldn't though if they'd found someone in Miami who knew Raoul, wouldn't that corroborate your story?

A. Well, that might corroborate, I had, there's two, I still got the problem now of whether to corroborate the story and possibly getting someone to testify against me. Not only in this deal but maybe in some other kind of a -- Now, let me explain this. Now, William Bradford Huie he said I was involved with various people smuggling and all that and I think the prosecution corroborated some of it. He claims that during the shooting that I peeled off from these other people and did the deed myself and possibly got help from them to get out of the country. Well, if that, if the government were to represent a theory like that, and say, yes, he was involved in all this, but he didn't shoot him himself and he made his way out of the country and got help. If they'd arrested these other people mabe six or seven, of them, I don't have any doubt in my mind human nature being what it is that some of them would have tried to make a deal and they would undoubtedly testified against me even if they weren't

involved in the actual shooting. They would have said that - they would have layed it on me some way. I don't know if it's a valid defense or not, but my defense was to, once I got on the witness stand the Jury was in the box, they couldn't tamper with the case too much because I, I don't think they would call a mistrial for arresting anyone.

Q. Did your attorney, Mr. Hanes, question you about who Raoul was?

A. Well, he seemed to have a lot of ideas himself on who these various things were. He had, he had various sources in the FBI and he was with the Birmingham FBI and I think he had another case, Luizzo or something and he got the files from Detroit police in that case. And, he had various contacts and he, he didn't, how would you say, confide in me very much. The fact is, I didn't even know he had a private investigator, until I read about it in the paper where he had some conflict with the police, but he asked me certain questions and then he'd ask me if I knew someone and I think he investigated some people in Kentucky and I'd just say, no, I don't know them and then he'd ask me some names in New Orleans and he mentioned the Progressive Labor Party, that had me -- I was investigating them for three years and he just asked me those questions and that would be it.

Q. What I'm trying to get at is you told your story to Hanes about Raoul, is that correct?

A. Well, I explained, I, what I did with Hanes, I would write everything down for Huie and Hanes would take the information I wrote to Huie, and Hanes was kind of scared to talk to me on account of microphones in the jail and Hanes would take what I wrote

down for Huie and I think would use that for his case, plus let Huie investigate it.

Q. Well, what I'm asking you is this, did you ever discuss with Hanes your defense, the fact that you were there with Raoul to sell guns and that Raoul was the one who must have done it because you weren't the one?

A. I discussed all that with him, yes.

Q. Did he ask you to describe Raoul?

A. Yes.

Q. And did he indicate to you that he had trouble believing that you could not further describe Raoul than just give his name and the description of him without in anyway further being about to identify him?

A. He came, no, he never did question me on that. He thought I was holding something back from New Orleans. He mentioned several names and I don't recall those names now from New Orleans, Hanes he very seldom gets mad except one time when he said, he said I think, I see you sort of angry, I think you know these people in New Orleans, and he referred to their names, but I can't recall their names now. If you question him maybe he will know them, he'll tell you, but he had his own ideas based on what I guess he got from the FBI on those couple -

Q. Well, what I'm trying to get at, let me try to explain what I'd like for you to address yourself to. You were telling Hanes something I assume similar to what you were telling us, that you were not guilty, but that you, that Raoul was the one that brought you down there on the gun deal, is that right? To Memphis, is that correct?

A. That's correct.

Q. And I assumed that Hanes was hoping to corroborate your story so that it, to make it believable to the Jury?

A. Well, yes.

Q. And he wanted you to give him more information about Raoul so that the story could be built up and the Jury could have something more than just James Earl Ray taking the stand, who could be crossed-examined on his prior criminal record, and so the Jury would have something more to believe you than just your bar story, am I getting at what you and Hanes were about as far as preparing the case?

A. Well, yes, sort of. Well, he had, I think his - What he told me, he was mainly concerned, of course, he was interested about New Orleans and Kentucky but, now the Kentucky deal had nothing to do with this business in the paper. This was a political organization in Kentucky but anyway he, his, what he told me the only thing he said was of any importance was what happened during the four or five hours during the time the shooting took place and he was interested in getting all the witnesses, to, you know, eye witnesses and all that, that was on the scene of the defense.

Q. Now, if you told Hanes about the fact that Raoul said he was going to Miami, how would it in anyway hurt you if someone down there could say, yes, I saw Raoul in Miami, wouldn't that corroborate what you were telling the Jury? How would that hurt you?

A. Well --

Q. So, therefore, my question is why did you tell him not to pursue that, Miami?

A. Well, this was when all the witnesses come in, and everytime he come up he'd have a new list of witnesses based on what information I give Huie. I don't know if my thinking was rational or not, but that's the way I looked at it. I think to understand my thinking on this, you had to read these various letters. I know I was having, I wrote to Huie a strong letter in September about six weeks after Hanes come on the case complaining about where he was going and there was the various letters exchanged between me and Huie and me and Hanes. And I just, I was having considerable problems with Huie being in the case with Hanes.

MR. KERSHAW: You didn't think there was really any probability of Raoul having actually gone to Miami, that it just wasn't worth the trouble to go into that?

A. Well, I didn't, I didn't go there and I just, and I'd reached the point, at this time that I wasn't, I just didn't want to give Hanes any more information than I had already given him. I thought it would have been just best to present it to the Jury and let the prosecution take it from there, whoever wanted to take it from there.

Q. What month was this that you told Hanes to forget the Miami connection?

A. Well, if I, if I wrote to him he'd probably have to look at his letter, but if it was just verbal you'd have to ask him that, but it was sometime when these various witness list started coming back in on me.

Q. What month was that about?

A. When the witnesses started coming?

Q. Yes.

A. Well, it wasn't too long after he got the case, as soon as I started giving Huie information. I think it was about, I think to start out with it was about 200 witnesses on the witness list on the prosecution's first list of witnesses. I think within six weeks after Hanes was on the case or six weeks after I signed the contracts which were dated August 1st, I got about four lists, four more witness lists, everytime he'd come up there, he'd have a new additional witnesses and I think there'd be about 25 on each additional list.

MR. KERSHAW: So you just got fedup with telling Huie too much of anything along about that time or rahter -

A. Yes.

Q. -by way of Hanes?

A. This was the problem all of these letters are, they're a matter of record. I have some of them myself, it's somewhat difficult to work with an attorney under those conditions.

MR. LEHNER: Okay we are going to take a break for our stenographer and give us a little stretch.

It is now ten minutes to three.

MR. LEHNER: It is now three o'clock and we are resuming our conversation with James Earl Ray.

MR. KERSHAW: Off the record.

MR. LEHNER: Okay, we are back on the record, it is now 3:01.

Well, you told us about waiting those eight days, could you give us a little bit of a synopsis of what's happening those eight days between your seeing Raoul, when you drop him off at about noon until you next see him?

A. Really there wasn't - I don't think there was anything of importance. I stayed close to the, I stayed in the rooming house most of the time. I probably went around to the restaurant. I used to go to the restaurant, the same one I mentioned, for meals. It's a block and a half. I made several trips, maybe two or three trips to another restaurant out eight or nine blocks from there. I went to the bank twice. I purchased the map and that's it.

MR. EVANS: The areas of the map that were marked, those are areas you were in, right, you conducted some sort of business in those areas?

A. That's correct. I'm not so sure about the circle now. I'm just guessing on that.

Q. On the circles?

A. On one of the circles. I told you that's where I went in the restaurant.

Q. Okay. All right. Now, just one other thing, when you went to the rooming house you were directed from the high-

way, now when I'm talking about the highway I'm talking about the Interstate highway, you were directed onto the, the speedway or the city throughfares by Aroul? So it appeared to you as though he knew where he was going?

A. Yes.

Q. He had some reason for putting you in that area?

A. Yes.

Q. And allof the rooms that you looked at were in the same particular area?

A. That's correct, yes.

MR. LEHNER: Did he tell you what his purpose was in going to that area?

A. No.

Q. It is now in hindsight that you realized that he wanted you there because narcotics were being sold there?

A. Well, I'm just assuming that. It's sort of a, what you call a sleazy area. It's motorcycle gangs - I learned this since I've been in prison.

Q. Well, why did he want you in that area although he wanted to stay in a different area, what was the purpose?

A. I don't understand that. May be he had been familiar with the area and maybe he figured this was a place where he could rent a room easy. I don't know.

Q. You certainly were not engaged in any type of narcotics activity being a transient as you termed yourself and also being a escaped convict because you knew that police officers are likely to be around people who are selling narcotics?

A. Yes. If I was going to pick an area to live in I would pick one like Los Angeles on Serrano Street or something where there were trees --

MR. KERSHAW: Did you suspect that Raoul had any good reason that he just didn't want to be caught with you or seen with you or, you know, he wanted to keep away from you for some good reason?

A. Well, it's a possibility. I assumed he knew I was a fugitive. I'm not positive.

MR. LEHNER: Did he know you were a fugitive?

A. No. I was making certain assumptions with all these different names I had, because I'm certain that he knew that my name wasn't Galt because I showed him the receipt I had for the television that was under the Ryan name in Detroit. So, well, I had the same feelings when I'm out there, I don't like to stay around anyone that I think ~~got~~ a, draws heat either, because two people draws a lot more heat than one.

MR. EVANS: Well, when you were asking him about papers to get out of the country he didn't ask you why or wouldn't you assume that he was smart enough to sort of comprehend that the only reason that you would be looking for papers to get out of the country is because you were probably hot?

A. Well, I intimated that but I didn't -

Q. You didn't come directly to that?

A. This is just something I told him I was more or less tired of the United States and I was, I would prefer somewhere else.

Q. Did you know that Martin Luther King lived in Atlanta?

A. No.

MR. LEHNER: When did you first find out that that's where Dr. King was from?

A. When did I first find out?

I think William Bradford Huie probably, reading his stories on the case.

Q. What month was that about?

A. Well possibly, Huie, Hanes might have mentioned it, but I think Huie's stories, they started coming out about three weeks after I was in jail. They started coming out in Look magazine.

Q. Three weeks after you reached Memphis jail Huie had articles out?

A. It wasn't too long was it?

MR. KERSHAW: That's about right. I think he had two of them come out in Septemeber I believe the first one was, maybe it was a month.

I remember one of them coming out in November and maybe one of them come out the month before. There were two articles that came out before the first -

MR. EVANS: The times that Raoul visited you while you were at the rooming house in Atlanta, how many times did you say that was?

A. Well, it was the next day, twice.

Q. Twice there after?

A. That's correct, once there after.

Q. On either one of those times did you at any time drive him somewhere?

A. I have a recollection of driving him somewhere once. I think it was the second or next day I drove - I think I drove him up town somewhere, but --

Q. Was there ever an occasion for you to ask him, or how did you get here, or did you just walk up, or did you take a cab, or did you drive up or -

A. I never did make any inquiries how he got to see me or anything like that.

MR. LEHNER: He would just show up and that was it, right?

A. Well, either that or I would pick him up or something like that.

MR. EVANS: Oh, when you picked him up where did you go to pick him up at?

A. Once in Birmingham at the Starlight.

Q. Oh, I meant in Atlanta, did you ever have cause to pick him up?

A. No. I never picked him up.

MR. LEHNER: When he came to see you the second time after this eight day period where did you and he meet?

A. The second time?

Q. You say eight days later?

A. Yes, we met there in the rooming house.

Q. What time of the day was that?

A. Well, that was sometime in the morning.

Q. About what time.

A. I don't know what time, I'd say about 9:00 or somewhere around there.

Q. And how did he get over there?

A. He came in the side door.

Q. How did he know you were going to be there?

A. I guess he made certain assumptions. I stayed, he mentioned that I should stay around there. Of course, I was always there around 8:00, 9:00 in the morning after eating breakfast.

MR. GANNON: Did they give you breakfast in the rooming house?

A. No. It was right around the corner from the rooming house.

MR. LEHNER: Did there come about a conversation as to where you have been all these eight days?

A. No. I never made any inquiries.

Q. Did you ask him, do you want to go down to Miami now?

A. No, I didn't inquire about that.

Q. Did he mention Miami?

A. No, he did the talking and he appeared somewhat in a hurry,

A. He mentioned he wanted to go to, he was going to Birmingham and he mentioned at first that he wanted me to see about purchasing weapons in Georgia, in Atlanta, I guess, and I suggested that would be a bad idea because if I was going to purchase them based on my indentification, in the event I had to use my identification, and he agreed that it might be better to get them in Birmingham, and subsequently we drove on to Birmingham. And I think before we left I think I left a note to the landlord saying I'd be gone a few days or something. I took a few of my clothing and that was it.

MR. GANNON: Did you, were you renting that room in Atlanta by the week, is that right?

A. That's correct.

Q. Did you rent the room for a second week?

A. Yes.

Q. How much, how much was the rent, do you remember?

A. Nine or ten dollars I believe it may have been less than that.

Q. Do you remember what day it was when you paid that rent?

A. The second time?

Q. Yes.

A. No, I don't recall what day it was. I think it was, I think I paid him in advance, that maybe one day. I think I paid him maybe a day before the rent was due.

Q. And you told us earlier that you really didn't pay him for the first week, you just told him that you paid him, is that correct?

A. I think that's correct.

MR. LEHNER: What were the dates of these eight days between the time you saw Raoul and dropped him off at about noon until you saw him again when he came at 9:00 in the morning, what were those dates?

A. Well, it would have to be sometime in March. I don't know what date.

GANNON: Middle March, late March?

A. Yes, the 20th.

LEHNER: Now, this was 9:00 in the morning he came over, what

conversation did he have with you then?

A. Well, he just said he had to go to Atlanta and we had some --

MR. EVANS: Atlanta or Birmingham?

A. Birmingham, but that was, he mentioned the gun transaction.

MR. LEHNER: What did he say?

A. Well, there was a mention of going to Birmingham. Then there was a mention of making some type of gun transaction in Atlanta or Georgia, I think he mentioned Georgia, and I said no, and we discussed that and I thought it was better to go somewhere where I had identification for it and he agreed with that and we went on to Birmingham.

Q. Originally he wanted you to get a gun in Atlanta?

A. Yes.

Q. Did he say what kind of gun?

A. Well, he started, I think rifles or something, it was military equipment, rifles, but the conversation, it didn't, the conversation didn't, progress that far where we went into the details. I just mentioned that my identification was Alabama and that I didn't think I should try to purchase something in Georgia with my identification. The point is I've purchased a lot of guns, not rifles, but pistols and things, but I've never purchased anything in a sporting goods store, so I wasn't familiar with whether they were going to ask you for identification or anything. And everything I ever purchased has been off a fence or a private party.

Q. And did he say the purpose of him wanting you to purchase guns in Atlanta?

he explained that on the way there in the car or in the motel. I think he explained that later in, in a motel, in Birmingham, the Five Points Motel.

Q. Well, originally he asked you to purchase the rifles in Atlanta is that right?

A. That's correct.

Q. At that time did he tell you the purpose of it, the time that you said well, I'd rather do it in a place where I have identification?

A. Well, there was just some oblique reference to it. It had been referred to earlier in New Orleans about December of '67. I never did go into details on it with him or anything too much, and he was always vague about things. And he just mentioned what he wanted to do and that was about it. He didn't tell me what all he was going to do with them and just what he wanted. And I never did inquire, make any inquiries or anything like that.

Q. Now, you say you told him I'd rather go to a state where I have identification, so you and he went to Birmingham?

A. Yes.

Q. Did you take all your possessions out of the Garner's Rooming House?

A. No.

Q. You were intending to come back?

A. I didn't know if I would be or not.

Q. Had you paid your rent that day that you went to Birmingham with him? Were you paid ~~too~~ that day or were you paid to sometime in the future?

A. No, I think I was paid in advance, but I'm not sure just when I paid it. I may have paid it when he was there, or later, but for some reason I wanted to keep, to keep the room I had. I wanted, nothing was definite, I wanted to keep, you know, keep it, the stuff I had in there.

Q. When you left Atlanta to go with him to Birmingham, it was with the intent to buy rifles, right?

A. That correct.

Q. And was there also an intent that you were going to go somewhere with those rifles once you purchased them?

A. Yes, I had that impression that they were actually purchased -

Q. You were going to go where?

A. Well, I assumed we were going to go to Mexico.

Q. You were going to go from Birmingham to Mexico?

A. Yes.

Q. To sell them to Mexicans at the border?

A. Yeh. I've got that -- Well, not at the border. I've got that impression, stronger impression after I once got to Birmingham in the motel that we definitely were taking equipment into Mexico.

Q. So you thought that when you left Atlanta you thought you were going to Birmingham to get rifles and from there going to Mexico, is that right?

A. Well, I assumed we was going to Mexico, but once I got to Birmingham I had a stronger assumption that was more positive. It was not much -

GANNON: What did he say to make that impression stronger?

A. Well, when he directed me what he wanted me to do in Birmingham. What he wanted, he wanted me to check the military rifles, purchase another rifle and that type of conversay, led up to --

Q. You assumed, you assumed then that you were stronger, that you were going to go to Mexico?

A. Yes.

Q. To make this transaction with these Mexicans?

A. Yes.

Q. Did you take your pistol with you when you left Atlanta?

A. No, I, I, I, I hid that in the basement.

Q. Why?

A. When I first stopped there.

Q. Why did you leave it there when you left to go to Atlanta when you thought that, I'm sorry, when you left Atlanta to go to Birmingham, when you thought that your next stop would be to Mexico where you would have to deal with some people who are buying rifles from you?

A. I really wasn't certain that, that I was going to Mexico. I thought I was at that time, but as far as the pistol went, I probably should have got it and took it with me, but I could have always purchased another, they're not hard to buy down there if you go enough money, but I don't know about that, about the pistol. We was in kind of a hurry, I guess if I had to do it over again, I would have got it, but I didn't get it.

Q. What did you take with you when you left Atlanta going to Birmingham?

A. Well, I took a few clothing and I didn't take anything bulky.

Q. You took a few clothing, like what?

A. Well, change of clothes and - Well, it would be easy to say what I left. I left the typewriter and a television set.

Q. And most of your clothes?

A. Well, all of them clothes wasn't mine. I think some were, he left some there at one time.

Q. Who did?

A. Raoul.

Q. When did he leave it there?

A. I'm not certain just when he left them there, but -

Q. How many times was he there?

A. In the room altogether?

Q. Yes.

A. He was in there three times.

Q. The first time was the morning after you checked in, when was the next time.

A. The next morning about 9 or 10:00, eight days. I have some recollection of him leaving a couple of pairs of pants there, or something but I can't --

Q. You say that he first was in the room the night after you moved in?

A. No. He never came in that night, he, he was over there in Garner's house.

Q. Well, we are talking about Garner's rooming house, the place where you stayed. He was there the morning after you were there?

A. That's correct.

Q. When was the next time he was there after the morning after you moved in?

A. About eight days later.

Q. And when was the third time he was there?

A. That was the only times he was there.

Q. Well, you mentioned two times can you tell us the three times?

A. Well, the third time -

Q. In your room.

A. Well, I don't think there would have been any third time except the first time he was in Garner's house. He was never to my knowledge, was never in the room that I had actually rented except twice.

Q. When was it that he left the clothing there?

A. I think he left something there possibly the second time.

Q. The second time he was there meaning in your room, the second time he was in your room?

A. Yes.

Q. Which is eight days after?

A. Yes.

Q. Is that what you are saying?

A. Yes, I think I had some recollection. It don't make much sense, but I had some recollection of him leaving something there.

Q. I thought you just a minute ago said that the time he left it was the day after?

A. No, I don't believe, I don't believe I said that. I think it was, I think it was the second time he came there.

Now, he may not have left this, now, I have some recollection of him leaving some, a couple pairs of pants there or something.

Q. Now, what was your reason for leaving all these things at the rooming house and for him leaving his stuff at that rooming house when your assumption was that you were going to Birmingham and then to Mexico?

A. Well, my assumption, I didn't really have a strong assumption at that time, but the things I left there, they would have been small potatoes compared to what, to what I was, what we were thinking about.

The TV set was \$15, and the typewriter was \$10, so --

Q. And your clothing?

A. Well, I didn't leave too much in there, I don't believe I left some - I had some in the cleaners.

MR. GANNON: Did you leave the camera equipment there?

A. No, I don't think I ever took it out of the trunk. The fact is I don't think I ever moved it once I put them in the trunk.

Q. So you were prepared to sacrifice that, that typewriter, the television, your clothes and you only took a change of clothes despite the fact that you thought you were going to Mexico?

A. Yes. I don't know how much clothes I had with me. I put some in the cleaners a shirt something like that, and I couldn't get it, I didn't have time to get them out. And I had a few clothes I didn't take all the clothing I had. Now, in the rooming house in Memphis up to that so called place, that place on Main Street. I think there was a suit or something

like that I left in the car because of the clientele.

Q. When did you take your stuff to the cleaners?

A. I probably took it to the cleaners four or five days after I was there, but I don't know.

Q. What date do you put that on?

A. Well, when did I take it out. I took it out the fifth, I must have put it in about the, it had to been longer than that. I had to put it in about the 27th of March, so it would be considerably longer than four or five days.

Q. So you and he went to Birmingham. On what day would you put that?

A. March the 28th.

Q. What happened when you went to Birmingham?

A. Well, I checked into the hotel, a motel, the Five Points I believe it was.

Q. Five Points?

A. Yes.

Q. Where's that located, what part of town?

A. Well, it's in Birmingham, it's not downtown but it's in the business section. I think the highway runs by it.

Q. Under what name did you sign in?

A. Galt.

Q. What happened when you arrived there?

A. Well, we had some conversation about the buying, the purchasing of weapons and where we should purchase them, and, and, he seemed to have a little knowledge of Birmingham,

but not too much. I think we, I don't know if we looked up or he looked up a specific place in the cat - in the phone book, I know we went to a tavern not too far from the train station where you can, it's not a, it's a tavern and restaurant where you parked in back and I think that's where we looked in the phone book.

MR. EVANS: Is this Magoulas' place?

A. It may be, I don't know, there's a lot of Greek establishments in that area, and I know the place you are talking about, but I can't, I was in several places and I can't distinguish the names between them except the Starlight, that's the only one I'm clear on.

Then I think we decided on this place. I don't know if I decided on it or he had another store, on the way out there we got on a parallel street and I think it was the wrong street or something. I have some recollection then of getting a map to see just where this place was. We thought we was on the road that lead to the airport, but apparently he had been into the airport before, but anyway we got on the other street, the right one and went to the sporting goods store.

MR. GANNON: What was the name of that store?

A. That was Aero Marine Supply.

Q. Did you visit any other sporting goods store?

A. No.

Q. That's the only one you went in?

A. That's the only one.

LEHNER: You visited no other store of any type to get a gun

during any time in your life?

A. No time, that's the first.

Q. First and only time you ever went to any store to get a gun of any type?

A. That's the only time, any time.

Q. About what time of the day did you get to Aero Marine?

A. It would have been sometime in the afternoon?

Q. Of what date?

A. I guess the 28th or 27th?

MR. GANNON: Can I ask you a question about that, did Raoul stay with you at the Five Points Motel?

A. No, not as I know of. He waited in the room that I rented, but he didn't stay there that night, but -

Did he stay in the room I was in?

Q. Yes, or in another room in the motel?

A. Not as I know of.

Q. And when did he come, did he pick you up in the morning, or what, or did you pick him up some place?

A. Well, let's see, let's see, I rented a room, it must have been two or three o'clock and I think we had a little trouble finding the sporting goods store.

MR. LEHNER: You rented the room at what time?

A. It probably would have been 2:00.

Q. In the afternoon?

A. Yes. Well, I had some - when I purchased the rifle I had to get, I had the wrong type and I know it had to be late in the afternoon because I couldn't make, make a switch

that day. Now, I see I purchased the rifle, I took it back to the motel and I think that's when he gave me the, the different kind to exchange it for.

MR. GANNON: Can I ask you a question about that?

Raoul went with you to Aero Marine, is that right?

A. No. I think, no I don't believe he did - No, he didn't go with me, he, let's see, well we was looking at it in the street, yes, but that's the second time, yes he went the first time, but the second time that was the next day I went to the gun shop the next day.

Q. Well, I guess my question was, like the first day when you went out there, you say you got lost, right?

A. That's correct.

Q. And you had to get a map and then find out how to get out to the airport. Now, what did he tell you when you went into the Aero Marine the first time, what kind, what did he say about what kind of gun, rifle he was looking for?

A. Well, that was, the first time was verbal instructions.

Q. What were they, exactly, if you recall?

A. There was something about a deer gun or something, but the way this got, the way we got tangled up on this is, I think the - When I took it back, I told the, I told the guy that it wasn't really a deer gun or something like that. He said, well, yes it is too, and it seemed to be different deer guns between Birmingham deers and Wisconsin or something. I told him explained things the second time. Well, the second time I had more information about it. I explained it to him, that I wanted deer guns, rifle for deers in Minnesota or

somewheres like that. I know the owner told me something, oh, I thought you was talking about Alabama deers.or something. Now,apparently they are smaller. Now I don't know if there's any--

Q. The first time did Ral - Raoul tell you what caliber weapon he wanted you to buy?

A. No, it was more or less, he explained to me that he wanted what you call a deer rifle or something, but the second time it was more explicit, it was written down.

Q. He wrote it down?

A. Yes, see the first rifle it was really like it was really like the second one. I don't know all the technicalities to this, but I can't remember everything that was told to me, but these bores, I understand the difference between a rifle, one type of rifle and another, a .22, I know a caliber .45 or something. But these weapons all had numbers. One of them had .243 and the other one had something else, and I just wasn't conversed with that type of, with that type of, of gun.

MR.EVANS: Did the salesman take you through any sort of familiarization instructional process while you were looking at these particular guns? I mean did he show you how they operated or --

A. Well, I can't remember too much about that either. I did ask him about his military rifles and he said something about they wasn't too good, but I assumed from that he was trying to sell me something that was more expensive, but I just don't know anything about those rifles.

Q. I mean, when he was showing you the weapon, did you

handle the weapons, did you put them up on your shoulder?

Did you sort of demonstrate any, any -

A. No. Actually I --

Q. - knowledge of the weapon at all?

A. I was uncomfortable about buying those rifles because the guy probably when I was asking for military rifles, he assumed I didn't know what I was, I wasn't conversed in, in what I was trying to get.

So, I was telling him that my brother was telling me what to get, see, and I think I even had it wrote down on paper there once, expecially when it was military rifles, I can't go into too much details on what -

Q. Did you ever examine any gun magazines or arms magazines?

A. Did I -

Q. Yes.

A. No, I never paid any attention to them.

Q. Did you ever refer to any gun magazines before, while in the store?

A. I have some recollection of them giving me some paper and me showing this Raoul the paper and it had military weapons on there, but that's just vague. I can't be specific on it because I, I'm just, I was never interested in, I like, I'm interested in pistols, but not rifles.

MR. GANNON: If I understood you properly, it was going to be like a package, this, this gun deal in Mexico was going to be a package deal, you were going to have some hunting

rifles and then some military rifles, say Army surplus, something like that, cheaper models, is that correct?

A. It was my understanding that there would be eight or ten of these scoped, scoped rifles and then a large, large collection of these military rifles.

Q. Why didn't raoul tell you to buy at least one of these military rifles as a sample?

Why didn't he just instruct you to buy just a hunting rifle?

A. Well he didn't, no, he didn't tell me to buy any military rifles, he just told me to look at them and ask the price and look them over and inquire and make general inquiries about them and that's all I did. I just asked, I asked the salesman about them and he said well, he said, no these are inferior quality or something.

Q. When you bought this, the first rifle, did they require identification?

A. No, he didn't ask me for any identification.

Q. Did they, did you have to give a name or anything like that?

A. I don't know if he asked me, well yeh, I think he asked me my name for the receipt, but I don't believe he asked me for any, if he'd asked me for identification I just wouldn't have purchased it. I would have just told him that I had forgotten my -

Q. Well, what was the reason for that, because the reason you came to Alabama to buy the rifle was because you had identification?

A. Well, I didn't -- I looked at it different.

I worked out something else, I would get more, I don't like to go in and do anything on the spur of the moment. I don't like that type of setup there. I mean, if I was buying something, I would buy it off a fence, but if I would, if he were to ask me for identification I would most likely told him to, told him I forgot it, and I'd discuss it further to see if there was any other way perhaps where you wouldn't had need any identification. Of course, if it came down to where I had to have identification to buy it I would have went ahead and used mine. But I always found there's always other ways to get around things like that. I mean, I could have went down and, usually skid row, I would buy identification off a wino or something, and use his, but of course I would have used mine if everything else failed. But I wouldn't have just jumped in there and give him all my identification and -

Q. But you did give him a name?

A. I give him a name, yes.

Q. Was that Galt or Raynes?

A. No, I, that was Willard, no, that was Lowmeyer, Harvey Lowmeyer I give him.

Q. What time during purchase did you give him the name Lowmeyer?

A. I think that was when he asked me, I think that was on the bill of sale when he started to write out the bill of sale, you know.

Q. Well, did you know at that time that he wasn't going to say Mr. Lowmeyer could I see your identification?

A. Well, no, I didn't have any -- Well, no, I didn't know if he was going to ask me for it or not.

MR. LEHNER: The question that Mr. Gannon is getting at is the reason you didn't buy it in Atlanta, but bought it in Birmingham was that you thought you needed to show some identification and then the time came for the identification, what's your name, and you say Lowmeyer and you didn't know that the next question was not going to be, well, Mr. Lowmeyer let me see your identification?

A. No, I didn't.

Q. And then what was the purpose in not giving Galt since the reason you go to Alabama was that you had the Galt identification?

A. Well, I would have used the Galt in the final, if it came down to either getting it or not getting it, but I don't think there's anything, something, something like this would possibly, be criminal activity, I don't think there's any point in jumping in on the first thing and, I would have told him, I would have probably have told him that, well, I forgot my identification, I'll come back and get it in a few minutes. But it's always been my experience if you have the money you don't have to worry about, too much about other things.

Q. Well, let me ask you under what circumstances would you have used the name Galt in purchasing the rifle at Areo Marine?

A. Well, probably I would have left there and I would have went and talked to him and explained the situation to him and then I probably would have sent somewhere else most likely and, if I, based on my past experiences on things like this, I probably

would have went and tried, that right probably, I would have tried to get some wino's identification and if I couldn't done that then I would have went ahead and used the Galt, but -

MR. GANNON: Did you give an address with Lowmeyer?

A. I believe I did.

Q. Was it an address that you had used before?

A. No, I don't believe so. I think it's just an address, parking, I think it turned out to be a vacant lot, but, that was it.

Q. But why that address as opposed to something else? Were you familiar with that address from some place else?

A. No. I was familiar with, I probably seen the street somewhere. Well, I think there's been something written that if the owner would been familiar with the address he would have found out it was a vacn't lot or something, but I knew, I knew the, that wasn't prepared too well, that type of operation there, I just wouldn't get involved in that type of deal where you have to improvise on doing something.

MR. LEHNER: Why didn't you do the same thing in Atlanta, go in there, the guy ask you what's your name sir, for the bill of sale, you give the name Lowmeyer and then if they say where's your identification say you left it home and walk out? Why didn't you do it there?

A. Well, I could have, but I just thought it was easier and more appropriate to get it in Alabama. I mean I could have -

Q. Why?

A. Well, I had identification and if I -

Q. Well, you weren't planning to use your identification, you were planning to make up some name as you did, Lowmeyer?

A. Well, I'm planning to use it in the last resort,

but I don't know, I just felt more comfortable with the Alabama identification. The thing wouldn't be --

Q. But since you were in Atlanta and you figured your next stop is going to be, possibly Mexico why not do the Lowmeyer bit in Atlanta and if it didn't work then take the Galt identification and use that in, in Alabama?

A. Well, I could have very well did that I suppose, use the, use it, but I had in the back of my mind of getting the rifle plural or singular, whatever it was regardless of what, using my identification or not. So there's, I can't get, you know, answer all these judgment questions. There is a certain fine distinction between them. I'm just, probably a lot of things I did were not in hindsight they were not the most brilliant, but--

Q. But don't you think that would raise some suspicion if you were in Aero Marine and said, Lowmeyer, he says, could I see your identification sir, and you say, woops, I have no identification and then the man sees you get into the car, don't you think that might have raised some suspicion since you were the last person in the country that wanted to have anybody suspicious of you especially buying a weapon?

A. Well, I don't know, I suppose if that would have happened that's a hypothetical question, I suppose I wouldn't have went directly to the car. I might have went, worked around the position where I could have see where, whether he was watching

me or not or I might have let the other party drive the car.

Q. Was Raoul in the car or outside of the car when you were in Aero Marine?

A. No, he was, no he would have been outside of the car.

Q. He was inside or outside?

A. He was inside.

Q. Inside, in the passenger seat?

A. I guess.

Q. Where was the car parked?

A. I don't know, I just don't have no clear picture of this establishment. I know there was an airport there, and that's the, about the only thing I can remember about it.

GANNON: Why didn't Raoul - Was there any reason why Raoul didn't come into the store with you to look at the rifles as you were looking at them?

A. Well, I don't know, I suppose the same reason he didn't go to purchase them in the first place. He's, if he could have made the purchase -

LEHNER: What time did you buy the rifle about?

A. Well, it was in the afternoon I couldn't tell you what time.

Q. Early, mid, late afternoon?

A. I would guess it would be two or three o'clock.

Q. All right, when you came out of the store with the rifle what did you do?

A. Well, I went back to the, to the - I know I went back to the motel.

Q. Well, did you go back to the car?

A. Yes.

Q. Did you show Raoul the rifle?

A. No. I showed him that in the motel.

Q. Was there any reason you didn't show him that in the car?

A. No. It wouldn't been no reason. See, we made two trips, we made two trips down there and I can't get a clear recollectiion just, from one from the other because they were almost identical trips, and I had a clear recollection of getting the map and finding the street and that there, but I can't, I can't have, I don't have no clear recollection of, of, I don't have no clear recollection of, for some reason, of him going to that gun, to that gun store with me, but --

Q. How was the gun packaged?

A. Well, I don't recall that. I think that was -- The first time?

Q. Yes.

A. I, I, I couldn't say, I know one time it had a - it had, it had a box on it. The second time, I know, I know it was some type of trouble getting a box or something to fit it or something.

Q. Well, the first time you went there, did he show you how the gun worked?

A. The owner?

Q. Yes.

A. I think he, he demonstrated two, thre times, he just give me -- I think he might have, maybe he assumed I knew something about ti being I was going deer hunting, but I don't think he, I can't, I can't recall all the details.

MR. GANNON: Did he load it for you, or work the action, or anything like that?

A. I think he probably showed me, but I don't have no recollection of that at all. The only thing, the only thing I have clear recollection on of purchasing that gun, that rifle, is getting - having some trouble with me and him getting a map and finding out the right street. We was on the wrong street or something, but I don't even have no clear recollection of him being in the car when I purchased the rifle. But I can't -

MR. LEHNER: Well, when you first bought the rifle did the owner put a sight on it, did he, the operator of the store put a sight on the gun for you?

A. Yes.

Q. So you, did he show you how the sight worked?

A. No.

Q. Did you put the gun up and sight it in the store?

A. I don't think so.

Q. Did you buy amunition with it? A. Yes.

Q. Did you ask for a particular type of amunition?

A. No, just whatever went along with the rifle.

Q. Did he show you how to load it?

A. I don't, I don't recall those details. I just can't recall them anymore.

Q. Well, were you familiar with rifles?

A. No.

Q. Had you ever shot a rifle before?

A. Army rifle, yes.

Q. So you were familiar with rifles?

A. Well, not that type, Army rifles, M-1.

Q. Well, what type of rifle was this first one that you bought?

A. I don't know.

Q. Was it a bolt action?

A. I couldn't say if it was or not.

Q. Was it pump action?

A. I don't know.

Q. Do you know the difference?

A. I didn't think it was, I know the difference.

Q. What is an M-1?

A. Well, I took them a part blindfolded, I know what they are, they are -

Q. They are bolt actions?

A. No. They are semi-automatics.

Q. What does that mean?

A. Well, you just, all you had to do was keep pulling the trigger on the automatic.

Q. How did this rifle differ from the M-1 that you knew?

A. Well, I know I could tell the difference. I can recall there's a difference, but I can't, I can't, just don't know anything about that first one or the second one, either one. I can't explain the mechanisms in it.

Q. What were the instructions that Raoul gave you for the purchase of the first rifle?

A. Well, it was the name more than it was - It was -

I think what - I think the name was similar to the second one but I think it was a difference, a different number. I think what I made, made the mistake was in the number or something, but, of course, there might not have been no mistake, he might have given me the right one and I got the right one and he may have decided he wanted the other one, but I can't, I can't give you any information on those rifles, I just don't know.

Q. You told the owner that it was for shooting deer?

A. That's correct.

Q. And you gave him a name, the type of rifle, is that what you gave him or did you give him a number, or did you give him both?

A. I really don't know what I give him. I have a recollection that there was a name and maybe I give him the wrong number or may be I give him the right one.

Q. In the store did you pick up the rifle to feel its weight?

A. No, I don't think I paid any attention to it.

Q. Did you put your eye up to the mechanism so that you could sight it?

A. No, I don't have any -

Q. Did the man fix the telescopic lens so that it was adjusted for a particular distance?

A. Well, I don't know if he did or not. I think he - I have some recollection of me, me looking at it once and looking at it, handling it, and giving it back to him and I think he showed it to me, and I think I told him just, that's all right, and that was it. There was no explanation of details.

I imagine he asked me if I knew how to use it and I probably told him yes, and that was it.

Q. How much did you pay?

A. I just can't recall, it was considerable from my -

Q. And then you took the gun and, the rifle, in the box, was that the same box it came in?

A. The first one?

Q. Yes.

A. I can't - I can't even recall the first one, if it came in a box or not. I recollect the second one because there was some problem getting a box to fit it. But --

Q. Well, you took the rifle out and you put it back, you put it in your car, what part of the car did you put the rifle?

A. I can't recall that either.

Q. And where was the car parked?

A. I don't know. It was somewhere in that area.

I can't, I can't recall.

Q. And then what did you tell Raoul as to what you bought?

A. Well, he, he looked at it and that's -

MR. EVANS: Well, could you sort of just go through just what happened when you got to the room? I mean, you had just been out and you were nervous not being familiar with buying guns and you had been put in a situation where you might have been in a little jeopardy and you come back now, and you take the gun up to the room, what happened then?

MR. LEHNER: One second if I can. You came back

and you took the gun and put it in the back seat of the car, or did you put it in the trunk of the car?

A. I don't know, I can't recall that at all.

Q. And what did Raoul say when you got into the car about the gun?

A. I have, I have some difficulty in recollecting if he was even in the car. I've been trying to place whether he was in the car. That's when he was asking me a while ago if he was in or out, I can't even recollect whether he was in or out. I know we was looking for that address, but -

MR. GANNON: Well, do you remember him getting out of the car after you had decided where the, where the supply store was, or where the sporting goods store was?

A. Let's see, I'm trying to - I'm trying to get these two trips separated where I won't have to get them too confused. Suppose I --

Q. May be this will clear it up, if I understand you properly what you said was that you and Raoul setout together to go to the Aero Marine to buy the rifle and you got lost and you had a stop, maybe at a gas station get a map to figure out how to get on the highway or road to lead to the airport where this sporting goods store was, now, do you have any recollection of Raoul leaving you there or if he didn't leave you there then he must have come with you to the airport, to the supply store.

A. Well, let me, let me try to think, this second trip, when I made it, that was the next morning. I can't, I just can't get these two, two trips separated.

Q. Are you sure you made the second trip by yourself?

A. Well, let's see, the second trip. I know I made one trip by myself. I'm, I'm a hundred percent positive of that, but the other one was, the other one I'm kind of vague on. I think, I may have to look at these back papers to see on that.

Q. Well, on the second trip hadn't Raoul written out the name of the rifle exactly what he wanted?

A. Yes, that's correct. And more specific.

Q. There was no need for him to go on the second trip?

A. No, I think I had, I think I got some kind of a catalogue on the first trip, and I have some recollection of showing him that in the motel rather than showing it to him in the car. So, if that is the situation then I apparently went back to the motel for something.

MR. KERSHAW: Well, that's something I was going to ask you. Do you remember taking the gun out of the car when you got to the motel?

A. No, I don't recall taking it out. I took it out, but I don't recall -

Q. But you do remember taking it into the motel and showing it?

A. Well, when you fool with guns and things you got to, you sort of, you're just not in a condition where you remember all the details of it. I know I - I know evidently I took it out of the car, I know I took it out, but I can't remember all the, if I opened the car or opened the back or whatever it was, and carrying it up the steps and all that.

MR. EVANS: Try and recall what happened when you got back into the room, the conversation between you and Raoul relative to the rifle and what caused you to get on the phone and call Aero Marine to exchange it, do you remember that?

A. Well, there was some mention that it was the wrong type or something.

Q. Now all right, does this mean that he looked at the rifle?

A. Yes.

Q. Okay. How did he go about examining it to determine that it was the wrong rifle?

A. Well, I think he just looked at it and probably looked at the chamber or something, and I don't remember too many details. I think I had a catalogue, but I'm not certain. I think they give me some kind of a book and I think he either indicated in the book or wrote it down, I'm just not positive on that. But, well, I think you'd have to find out what the practice was of the sporting goods store whether they give you books or not or whether they did.

Q. Well, were you upset with him when he said this is not the right gun, I mean, did you get a little pissed off since he had been in the car with you at Aero Marine and he could have saved you this extra trip which again might jeopardize you because you are back in the public eye and you are in a gun store and sometimes police go in gun stores to buy guns or they come in to check the licensing or something?

A. Well, I'm not a hundred percent sure he was with me on that first trip. I think he was with me, I know he was

with me in a tavern on a side street, but I'm not certain that he was with me on that first trip.

Q. Well, the fact that you got the wrong gun did that annoy you?

A. Well, not expecially, it's, well, it, it, it inconvenienced me, but of course there was, I assumed that there was certain financial rewards for going back now. But the whole operation was something that, that I wouldn't setup myself. I wouldn't, that's kind of amateurish to me, going in a gun store and -

MR. LEHNER: What financial reward did you have in mind?

A. Well, if I was going to get some money for the later transactions that would be financial rewards I suppose.

MR. GANNON: But you had already taken one risk being when you went in there the first time, now, you are going in there, you had to go inthere a second time, a second risk and really it wasn't your fault you had done the best you could. The problem was that he hadn't given you specific enough instructions.

A. Well, I still don't know whether he did or he didn't. These guns are highly technical from what I know now, and with my ignorance, I could have very well gave him, gave the manager the wrong information. The information I explained to him was a deer rifle and I got some recollection now that the salesman said something about, the second trip, there was a difference between Alabama deer and Wisconsin deer. Now if there is, I don't know if there is any difference or not, but I think I explained it to him that I was going hunting in Minnesota or Wisconsin or something, and he explained the difference.

MR. LEHNER: What did he say was the fault of the first gun?

A. What did who say?

Q. Raoul.

A. Well, he said it was the wrong type.

Q. What did he say was, what was the deficiency in the first rifle?

A. I don't know.

Q. And then what did he say he wanted in exchange for it?

A. Well, he either mentioned the catalogue or maybe made a mark on the catalogue, I don't know. I explained all this to Woods and he's the owner of the joint where I went back, but I can't recall what I explained to Woods or anything like that.

MR. GANNON: Did Raoul say it was too light or too heavy or what?

A. I have no idea. I think he may have mentioned caliber, but I'm just guessing on that, the number or something.

MR. EVANS: Who made the call, you made the call or he made the call?

A. Yes, I made the call.

Q. What time did you go out the next morning?

A. Well, let's see, I think he told me - I think it was on a - I think it was on a Saturday, but I'm not sure, I'm not even, I'm just not certain what time it was, I can't recall.

Q. Okay.

Did Raoul know that you were returning the next day? Raoul was there when you made the call the second time for

the call to replace this weapon with another weapon?

A. Yes. But I don't really know where I made the call at, whether I made it from the motel or outside, I think I made it - I can't recall now where I made the call at.

MR. LEHNER: What time was it that you made the call?

A. Well, let's see, that would be later in the day, I think what time it was, I couldn't say.

MR. GANNON: Did you spend some time with Raoul that night, I mean did you go out to dinner, go out and have a drink together?

A. No, I didn't go anywhere.

MR. LEHNER: Did you test fire the first gun?

A. What?

Q. Did you test fire the first gun?

A. Did I personally test fire it? Q. Yes.

A. No, I never did, I never did anything to it.

Q. Did Raoul test fire the first one?

A. No.

Q. Was it test fired by anybody?

A. Not as I know of. I read in the paper later on that it was, it was deficient, but I don't know, it wouldn't matter.

Q. Was there any reason that you didn't exchange it the same day?

A. Well, let's see, I think apparently he didn't have time or something, maybe it was too late.

Q. Who is he?

A. The owner of the gun store.

Q What happened then between you and Raoul?

A Well, after I decided to get the gun the next day, we discussed that I would meet him at the motel the next day or something. I think I rerented the room for another day and I don't know where he stayed at, I took him downtown, I think, somewhere and -

MR. GANNON: Do you remember where you dropped him off downtown, this was in Birmingham, right?

A. Yes. I think it was the post office or something.

MR. LEHNER: What was the plan?

A. The plan was, well, the plan hadn't been worked out, I'd go back the next day and get the rifle.

Q. And then what?

A. Well, we didn't discuss that until the next day.

Q. So the next day you went and got the rifle and then what did you do?

A. Well, I brought it back to the - Let me see, now, I think I took that, I think what happened is that I called that Marine supply place that night and first I'm not, on this testimony I'm giving on this, I'm not being bound by anything.

Q. This is the best recollection as of now.

A. Yes. I think I called him that night. Now, I don't know if I took that rifle back there that night or the next morning, but now, I think now I have a recollection of taking it back there at night. See, that would have been - That would have made three trips out there wouldn't it, so, if I took it back that night I think what he told me is come back and

get it the next day. Now --

Q. When you got the rifle was it the next day, when you got the second rifle, it was the next day?

A. Yes.

Q. Did you then bring it back to the motel?

A. Now, I forgot about this third trip, I'm not trying to confuse you, I think that's probably, that's when this Raoul went out there with me, maybe on the second trip, because on reflection I don't think he went out there the first time. I think I took him back after we located the place and then - Now, what was the question again?

Q. When you got the rifle did you bring it back to the motel? The second rifle?

A. When I went out the third time I went out there three times, I think it was.

Q. Well, when you got the rifle, the second rifle, did you bring it back to the motel?

A. Yes.

Q. Did you show it to Raoul?

A. Yes, that's correct.

Q. Did he spend the night there with you at the motel?

A. No, he didn't

Q. How did he get to the Motel so that he was there the next day?

A. I guess he drove up there or took a cab or something.

Q. Where did he stay at that night?

A. I have no idea.

Q. How did he get into your place?

A. Just knocked on the door and that was it.

Q. Was this before you went out to, to get the rifle?

A. Yes, that's correct.

Q. And he waited there while you went to get the rifle?

A. Yes.

Q. Was there any reason why he waited while you went to go get the rifle?

A. Well, no, I can't think of any.

Q. Where did you drop him off the, that first day. The day that you bought the rifle, bought the first rifle?

A. I don't think I dropped him off.

Q. Bought the first rifle?

A. The one, I don't have any recollection of dropping him off except the one time I think I took him down to the post office.

Q. That was the first day, the day that you bought the first rifle?

A. No, that might have been, when I dropped him off at the post office. I think that was -- I think that was the, no, that wouldn't have been the first time that would have been the second, the second time.

Q. So that was the night that you bought the first rifle, you dropped him off at the post office, is that right?

A. Well, let me, let me try to get this straight. The first rifle, let's see, now, I went - Let's see the second - Let me try to get these trips to the gun shop down. You see the first time I bought the, I bought the, I purchased the rifle, I came back to the motel and he left and I went,

I went, I apparently went there again that night, and come back. Let's see, he came back the next morning, no, I think it was the second, the second morning, I think, I think I dropped him off. Yes, I dropped him off at the post office one time but I don't know which time it was.

Q. Well, you say the second time, you say there's three trips in all and the second trip -

A. Well, this third trip got me confused, now, I can't -

Q. Well, let's wait on the third trip until we finish the second trip. You say the second trip you go back with him and you leave the gun off, but you don't get the second gun, right?

A. Yes, I think that's correct.

Q. What was the reason you left it off without getting the second gun?

A. I think, I think the, I think ---I think I left him off at the post office before I went to get the second gun because he said something, the gun owner said something about, he didn't have time to do it that day.

Q. Well, the second trip which is the first day, you return the first rifle, but don't buy the second rifle, is that right? And Raoul was with you on that trip?

A. Now, run that down to me again?

A. Now let's see, the first, your best recollection now is the first trip you buy the rifle, you are by yourself; the second trip is that same first day but it's later in the day, you go with Raoul, you return the first rifle, but you don't pick up a

second rifle, is that, is that what you are saying?

A. Yes. But I don't want to be bound by that because I think that's the way it happened. Because, this is from, this is from, I'm just trying to reconstruct this, I don't have no recollection of it. I know, I know the guy I purchased the rifle from he told me he, he couldn't get it done that day. I have somewhat, a fairly good recollection of that, but I can't, I don't think I took the rifle out that morning and got it in afternoon, I think I took it that night, but I just can't, I just don't have any recollection on it.

Q. Where is Raoul that night between the first day and the second day, where does he spend that night?

A. Well now, he, he, on that first night he left, I think he went, apparently went downtown or something.

Q. Where did you take leave of him? Did you drop him off somewhere that first night?

A. Not, not that first night.

Q. Well, where did you take leave of him? Where were you and he when you separated?

A. The motel room.

Q. Was this after you dropped the gun off, you returned the gun?

A. I don't know if it was or not. I can't, I can't, I can't remember it.

Q. As you recollect now, your best recollection, which of the trips did he go, did he go with you to Aero Marine?

A. Let's see, I wouldn't, I wouldn't want to get settled on that until I read some of these papers. You, I spent, I wrote

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that stuff down eight years ago and I can't, there's so much running back and forth during that 14 hour period, 16 hour period whatever it was, I just can't get in my head. There was also this problem of getting lost and getting maos, I can't get it in my head what all we done.

Q. Well, let's skip that for a while and let you think about it.

A. I'll go over the record, I know what the record says, the sales record and all that, but they don't, I can't -

Q. Let's skip it for a second and go, go forward and then maybe we can go back.

A. All right.

Q. After you purchased the second rifle, did he see the second rifle?

A. Yes.

Q. Did there come a time after he saw the second rifle that he approved of it?

A. Yes.

Q. Did he test fire that second rifle?

A. Not as I know of it.

Q. Did you test fire the second rifle?

A. No. I didn't test fire it.

Q. So you never fired that second rifle?

A. No, no.

Q. After you showed him the second rifle did there come a time that you and he parted company?

A. Yes.

Q. How long after you showed him the second rifle did you and he part company?

A. Shortly, not too long after it.

Q. And, what was the agreement as to where you were going to again meet?

A. In Memphis.

April 3rd, New Rebel Motel.

Q. And when was the time that you made that agreement to meet him at the new Rebel Motel on the 3rd?

A. Well this would have probably been March 29, that would probably be the day that I purchased it. I got - I'm clear on this from here on out and I was suppose to be in Memphis at the New Rebel I think it was May the 3rd and I decided I'd drive slow from Birmingham to Memphis and I left Memphis. This is in sequence of events and there's no duplication, I went to Florence, Alabama, I think to Decator, and some town in Mississippi.

MR. GANNON: Was there any special reason why you did not go back to Atlanta because you still could have made Memphis on the 3rd of April even if you went back to Atlanta? Was there any special reason for an agreement to drive slowly on the way to Memphis?

A. There wasn't no agreement, but that was my suggestion because I wasn't interested if I had to go to Memphis to drove back to Atlanta and then to drive way back to Memphis. I know the FBI says I went back to Memphis April, but that's -

MR. EVANS: You mean Atlanta:

A. Atlanta, yes.

MR. LEHNER: Well, what was the reason that they concluded

that you went back to Atlanta?

A. I don't think - I think Dr. King made a decision April 1 to return to Memphis I don't think there, and I think they wanted to show that I didn't decide to go to Memphis until April 1.

Q. You brought, you picked up your clothes on April 5th from Atlanta is that right?

A. Yes.

Q. When did you put those clothes in?

A. I must have put them in around March the 26th or 27th.

Q. Now, you recall that you took leave of Raoul and decided to meet him in Memphis or he told you to meet him at the New Rebel in Memphis and when was that that you took leave of him?

A. What date?

Q. Yes.

A. I think it was the 29th.

Q. Okay, now thinking back, do you remember which time Raoul went with you to the Aero Marine? If at all?

A. No, I can't think. The only thing I can think of clearly is certain things stand out and certain things are blurry. I know there was trouble finding this place because of some type of a street number or similar name or something. We had trouble finding them and we had to check a map. What this place, what the front of this place looked like and conversation I had with him, I just don't have any recollection of that. The only thing I remember about that place is it was near an airport on the left and I can't, I can't remember

anything else about it.

Q. What I'm going to ask you to do is to think about this, to consult whatever papers you have and see if you could recall how many times you went to Aero Marine and which time if any Raoul went with you?

A. Well, I can't, I can't find that out until he makes so arrangements to get these papers off Lesar. I wrote him certified letter, but I can't -

MR. LEHNER: Which papers are these, are these the papers that you wrote to Huie?

MR. RAY: Yes, I wrote these out in 1968, but I made several revisions after I wrote them to him because I made errors and he corrected some of the revisions, but some of them I don't know if he corrected all of them or not.

MR. LEHNER: If you wish you can sign a form now to give to us so that we could give it to Lesar, who lives in Washington and we could pick this up and bring it back the next time, if that's what you and Mr. Kershaw, wish or if Mr. Kershaw, you wish to contact Mr. Lesar yourself and have him send it to you whichever is more convenient to you, would be fine, but we would be willing to cooperate if you require it.

MR. RAY: Well, if you want to I could give you a certified letter and mail it to you and you could give it to him and I could send a note that, that you could have the papers. But

MR. LEHNER: Or you could send a letter directly to him with a copy to us telling him to please give that to us.

MR. RAY: Well, Arthur Hanes has him too, maybe you'd

be able to get a copy from him. See these papers come, the way I got these papers, they were turned over to an attorney, in Chattanooga, Robert Hill and I had to sue him to get them in 1972 under a writ of habeas corpus and I got them off and attorney Jerry Sommerson, from Chattanooga, who represented me and then I sent them straight to Lesar, Bernard Fensterwald and that's the last I saw of them.

MR. KERSHAW: Well, let me suggest this, suppose you send a certified letter to Lesar with a copy to Mr. Lehner and asking Lesar to give those papers to Lehner and in the mean while I'll call Hanes and see what he's got.

MR. RAY: Now, on these particular papers there's two pages missing out of them.

MR. KERSHAW: Well, whatever he's got, he can't give what's missing.

MR. RAY: Well you might get the rest of them off of Hanes.

MR. KERSHAW: These papers that you, are in, are asking for are handwritten papers that he has?

MR. RAY: That's correct.

MR. LEHNER: Okay. We are going to turn off the machines if that's all right with you and end the interview. It is now 4:14.

MR. EVANS: The entire tape has been transcribed by Louis Hindle, Stenographer, Select Committee on Assassinations.

(End of April 29, 1977, interview with James Earl Ray).

THE FIFTH INTERVIEW WITH JAMES EARL RAY AT THE BRUSHY
MOUNTAIN STATE PENITENTIARY ON MONDAY, MAY 3, 1977 at
10:07 A.M.

MR. LEHNER: Okay, it is now seven minutes after
10 a.m. It is the 3rd of May, 1977 and everybody will
identify themselves for the record if it is all right.

I am Robert Lehner, Deputy Chief Counsel, House
Committee on Assassinations.

MR. EVANS: Ed Evans, Chief Investigator, Select
Committee on Assassinations.

MR. GANNON: Tom Gannon, Staff Counsel, Select
Committee on Assassinations.

MR. KERSHAW: Jack Kershaw, representing James Earl
Ray.

MR. RAY: James Ray.

MR. REVEL: Gary Revel, Special Investigator for
Jack Kershaw.

MRS. KERSHAW: Mary Kershaw.

MR. HINDLE: Louis Hindle, Stenographer, Select
Committee on Assassinations.

MR. LEHNER: All Right.

Before we start asking you questions, Mr. Ray, is
there anything you would like to bring up to us?

MR. RAY: This may sound somewhat odd, but I do keep
pretty busy at the penitentiary. I can't spend all my time,
you know, reviewing these records and all that stuff. A lot

of records I don't even have, but as I anticipated sometime down the road where there is going to be conflicts with what I said nine years, I mean, not substantially. But, there's going to be some kind of conflict. And I have all of these records scattered around. I think if I ever, if it is necessary to testify for public record or something I'll have my brother or someone go around the country to lawyers and bank deposit boxes and collect this stuff. And like I mentioned, in here I've, it keeps me busy. I know there's work to do, but you have to have some type of exercise plus, Mr. Kershaw I have to confer with him, all the time, I just don't get too much time. Now, on these, I mentioned last week on a book I believe you asked for it, called the "Assassination of Martin Luther King" by Jeff Cohen, and you wanted these names of, I think, Willy Green and other things.

Now, I'll take a couple of minute of your time to show you these. I think I got all the pages marked out here, 42, 44, here's the Willy Green on page 42. I'll let you make a duplicate copy when I get through with it.

MR. KERSHAW: What is this on Jim, "The Assassination of Martin Luther King" by Jeff Cohen?

MR. RAY: By Jeff Cohen. I don't know what book it came out of or anything. Someone sent it to me.

MR. KERSHAW: I see.

MR. LEHNER: Okay.

We'll make a copy of what you just gave us; pages 42 and 43 of "The Assassination of Martin Lution King."

MR. RAY: Now, I never heard of that name in there, that Green name, until I got this, I think I got this from someone named Donald Freed sent me this about two or three months ago. And here's page 44, there is two articles on there.

MR. LEHNER: Okay. It's the same publication, the next two pages, 44 and 45. Okay.

MR. RAY: On page 47 there's the ballistics. The reason I mention this, one reason is there's a ballistic expert named Herbert McConnell. He testified at the evidentiary hearing. I don't know --

MR. KERSHAW: You think he might be a good ballistics expert to talk to?

MR. RAY: I wouldn't know if he is or not. I think, I think he makes a practice of testifying at trials and hearings. I don't know anything about him, Fensterwald got him. And the last pages is 56, you see, some of this is for Mr. Kershaw and some of it is for the Committee. So, I'll just show it to both of you, so that --

MR. LEHNER: What publication is this from?

MR. RAY: Well, it apparently was written in book form because they not only have the King case they have the Wallace case, the Kennedy case.

MR. LEHNER: All right, you have just given us in addition with the previously mentioned pages 46, 47, and 56.

MR. RAY: There is also the page, the first page, 39. I don't know what significance that is.

MR. GANNON: We can xerox the entire article.

MR. LEHNER: Okay. We will xerox this if we can during the recess and get it back to you.

MR. RAY: Yes, I don't know. See, they have a duplicating machine. I don't know if it's clear but they, you can take it with you and send him a copy if you are interested, if you're not -

MR. LEHNER: Yes, I don't know everything that we have back at the office. And so, we may have it, we may not. I will make sure that if we don't have it that we have it.

MR. RAY: Now, I have an affidavit here from Charles Stephens. Now, that's from the evidentiary hearing. I, I don't know if that was introduced or not, so, maybe you better - You don't have to read through it. But, I was, you can make a duplicate copy of it.

MR. LEHNER: Okay, thank you.

MR. RAY: And here's William Bradford Huie's testimony before a Grand Jury.

MR. KERSHAW: I don't remember seeing that before, do you remember that, or is that true?

MR. RAY: No, that's -- I don't remember.

You have that?

MR. EVANS: I don't think we have it.

MR. RAY: Oh, yes, well that was suppose to be confidential Grand Jury testimony, but that was --

MR. EVANS: I don't remember reading it.

MR. RAY: And this is the last one. I don't know, this is what the State would prove, they contend, if they went to trial it's, and I wanted to bring your attention to two things that I thought

I could prove versus what I can't prove, and that would be on page 7; it has me returning to a laundry in Atlanta on April 1, and mean, that's false there, I think we could prove that; and there's another place having me, let's see, what page is it?

MR. EVANS: Oh, could everyone speak up a little bit.

MR. RAY: Well, the other thing I was going to bring up, I can't find here. It has me arriving in Toronto, Canada April 8, 1960, 68. That's false. I don't, I believe, I might be able to prove that. The State was going to contend - I don't know if there is even any significance in that. The only other thing here, I have, I have a tape of CBS did approximately a year ago about the case, and it has, it quotes Stephens on it. I was going to give it to, let Mr. Kershaw have it, but if you want it, there's about two minutes of tape. if you want to listen to that?

MR. KERSHAW: Yes, let's listen to it.

MR. RAY: I think it's Stephens right after he was arrested or something.

MR. LEHNER: Maybe Gary could play it for us right now?

MR. RAY: Yes, it would be about two minutes.

MR. REVEL: It's just barely two - will it need to be rewound?

MR. RAY: You got the wrong side.

RECORDING: That rather than have a trial in which the faked, but which would appear to be genuine, but it would be better for him to go through with a guilty plea proceeding -

MR. RAY: That's Jim Lesar talking.

(Rather) - and then try to overturn that.

(Foreman) I tried to save a man's life. I don't want to gambel a man's life against the possibility of, as long as there's life there's hope and to me and to James Earl Ray the evidence was so overwhelming that we both believed that he would be electrocuted.

(Rather) This raises the most fundamental of questions, how strong was the State's case. Since Percy Foreman chose not to make a contest in Court there is no way to determine how convincing the exhibits and the witnesses may have been to a jury. We do know that prosecution planned to present one eyewitness to testify he saw Ray fleeing the rooming house after the shooting. He is Charles Q. Stephens whose room was next door to the bathroom, and we know Stephens would have been in for tough cross-examination.

(Rather) What about the witness, a Mr. Stephens?

(Foreman) Oh, good gracious, we were looking forward to that one. We were looking forward to that one.

(Rather) He was impeachable?

(Foreman) As many wasy as you wanted him impeached.

(Rather) You figure you would have taken him apart on the witness -

(Foreman) No question aobut it. Furthermore, you had this cab driver, we called him Quick Draw McGraw, he was suppose to say he came by some hour, or shortly before the shot was fired, that he had a call to pickup Charlie Stephens and when he showed up he found that Charlie Stephens was too drunk to ride in a taxi cab. Think about how drunk you got to be not to be able to ride --

MR. LEHNER: I can tell you we have this tape so if you want to stop now fine. This is the CBS show?

MR. RAY: Yes. I just wanted to show what Stephens testimony is.

MR. LEHNER: You wanted to hear it? Why don't we do that --

MR. RAY: It'll be, I just wanted to hear Stephens.

(Rather) -taxi cab. Shortly after the assassination correspondent Bill Stout talked to witness Stephens and showed him a picture of James Earl Ray that the authorities were circulating.

(Stout) Mr. Stephens what do you think of that picture, does that look like the man?

(Stephens) Well, excuse me, from the glimpse that I got of his profile it doesn't.

(Stout) It doesn't?

(Stephens) No, sir, it certainly doesn't. For one thing he is too heavy and his face is too full. He had too much hair, and his nose is too wide from the glimpse that, as I said, I got of his profile, but that definitely, I would say, is not the guy.

(Rather) In fairness it should be noted that the prosecutors say that witness Stephens would not have been critical to their case. What the prosecution did --

MR. LEHNER: Is there anything else you want to hear?

MR. RAY: No, there's nothing.

MR. LEHNER: If you want to hear it over, we, I think we could play the whole thing later when we recess.

MR. KERSHAW: If find Mr. Stephens equipped with remarkable

eye sight never been recalled it before, I think that Ray, you could look at his profile and ascertain about somebody's nose is wide or not.

MR. RAY: See, there's, there's a gap in there when I turn the tape over. It's not, you can't notice --

MR. LEHNER: Is there anything else that you want to bring to our attention now before we start?

MR. RAY: No, I was mainly concerned about these other records and this. Evertime I've ever testified, even in front of a television or even court proceedings, or nothing, there's never been any advance preparation, and, that's kind of amateurish but it just works out that way. I know I have testified twice and I think the first time it was a deposition in 1969 in the State prison in Nashville. We was suing Percy Foreman and Bradford Huie, and Foreman, he came in raising hell that he had to catch a plane os we never had the time to decide on what we was going to testify to. I think the other time I testified was live testimony in Memphis in a Habeas Corpus hearing and Jim Lesar, he did a lot of work on the case, but he claimed that prosecutor Henry Hill is harassing him and we didn't have a chance to review the testimony and consequently there is a lot of surplus in the record and garbled testimony and things like that, so --

MR. KERSHAW: Yes, I saw that record and I've had

many battles with Mr. Henry Hill and I'm sure he's quite capable of it and he won't get away with it, if he's in the picture again, I'll guaranty you that.

MR. LEHNER: All right, we have these materials and we will make copies of it and return the originals to you and we thank you for all of this.

Just to recap how we left off last Friday, we were going to try to get certain materials from Mr. Lesar, and Mr. Kershaw was trying to get something from an attorney in Nashville. What's his name?

MR. KERSHAW: It's Chattanooga, Jerry Sommers.

MR. LEHNER: Sommers. Ed Evans called Lesar and he said that he would need some days before he got what we requested of him, so, and I understand, Mr. Kershaw, that he has not been successful with Mr. Sommers as of yet. So, what we could do is, if you wish, Mr. Ray, we could go back to your recollection of the Aero Marine incident or we could bypass it if you wish and move on if you want to wait until you get these materials? Which ever you wish.

MR. RAY: Well, I don't know if I'm interested in materials right now. But what I'm saying, I notice in some of these hearings like watergate they were reading off these papers, not from recollection, and if I did testify to something like that which I'm not certain I will, I wouldn't want to go up there and try to remember not

only the 1968 but the '67, but also my dealings with former past attorneys, it gets in somewhat detailed, but --

MR. LEHNER: I would say this, that if you were going to testify before our Congressional Committee, that you would not do that until you satisfied yourself and Mr. Kershaw satisfied himself that you had opportunity to review your prior statements.

MR. KERSHAW: That's right, in other words, you can, it is permissible, I'm sure, correct me if I'm wrong, Mr. Lehner, for a witness, for you, to refer to notes because after all this happened eight or nine years ago. You made the notes then and by studying and reflecting, you can make notes now which would refresh your memory.

MR. LEHNER: I would say this, that just as any judge would do in a court if a witness said, may I refresh my recollection, that is routinely done and I would think that the Chairman of our committee would do that and I would so recommend as Deputy Chief Counsel that he be given that opportunity.

All right.

Let's, let us go to the Aero Marine incident. You told us that you came from Atlanta to Birmingham and the reason you came to Birmingham was because you had ID, identification, under the name of Galt and, therefore, you thought it would be wiser to try to purchase

a rifle in that state of Alabama rather than the state of Georgia, is that correct?

A. That's correct.

Q. Why don't you, we retrace ourselves so we get ourselves in continuity, and tell us about from the time you left Atlanta in route to birmingham. I think this time you told us you left certain items of personal property behind, including your - they gun that you had.

What kind of gun was that, that you --

A. .38

Q. .38?

A. Yes.

Q. And where did you leave that?

A. In the basement.

Q. What part of the basement?

A. I'm not sure. I think it was up towards the front, because he, in order to enter the basement, you enter through the back part of the house. There's steps leading dow, once, you get down stairs there's a furnace and then you got to go up towards the front again which would be considered the back.

MR. EVANS: What, did you hade that in the rafters or under some bricks?

A. I put, I wrapped it up and put it in the ground, but I don't recall whether it was in the ashes or just dirt,

or something, I know there was ashes or dirt or something in the basement.

MR. LEHNER: As far as the places that you ate when you were in Atlanta, where did you eat during that week you were in Atlanta?

A. Well, usually breakfast or something like that there's a -- Buy the way, I checked and I found out that that was 14th Street, you know, where I had my room at.

Q. Garner's Rooming House?

A. Yes. It was on 14th.

Q. 14th Street and where?

A. And, I think it's about a block down from Peachtree Street. I seen that in some story there. I don't know which --

MR. GANNON: Does that, that squares with your recollection?

A. Yes. I think I mentioned 13th or 14th last week or the last time you were here.

MR. LEHNER: What restaurants would you eat in, did you eat in, in Atlanta?

A. Well, this one place, now, would be 14th. You go to 14th and Peachtree Street, turn right and in the middle of that same block there's a small restaurant there. Its, it runs parallel with the street, something like, it looks something like a boxcar except it has windows init. I ate there --

Q. It has what in it?

A. Ithas windows in it, you know, but it's one of these boxcar type things. Ithink I usually ate breakfast there. There was another place about two miles I ate a couple fo times. That would be dinner.

Q. What place was that?

A. I think that's where I made the mark on the map in that general area.

Q. What's the name of that restaurant?

A. I don't know, it's on one of the main streets and it's on the right-hand side of the street going away from where I was living at.

MR. GANNON: Whcin direction do you remember?

A. Well, it must be north. North.

MR. LEHNER: North of Garner's?

A. Yes.

MR. GANNON: Excuse me Bob. When you say the other restaurant was like a boxcar do you mean like a diner that sort of thing?

A. The first one, yes.

Q. And the one that's you say about a mile away from where you live or did you say two miles?

A. I'm not, I don't have no clear recollection. I was just driving around.

MR. LEHNER: Was this, was this restaurant, when you said noth, that was noth of Garner's, the one you had dinner in, was this the one that was on a corner, mid block, how could you best describe it for us if we were to try to find it.

A. Well, going north it would be on the right-hand side of the street. It would be - I have some recollections

on the corner, I don't know, either that or there was an alley right beside it. It was a small place. I think they had beer there if I'm not mistaken.

Q. Could you drive, describe either the outside, any name you either saw on it, and the inside?

A. I was just down there about three times. I don't, I don't recall the names of either place.

Q. How did it look like, how did it look inside?

A. Well, when you went in, they had stools on the left, I think they had booth's on the right because I recall sitting in a booth a couple of times.

Q. Did you go there with anyone?

A. No.

Q. And the first place the one that looks like a boxcar, did you go there with anyone?

A. One time, yes.

Q. Who did you go there with?

A. The individual named Raoul that called himself --

Q. Which day was that, that you went there with Raoul?

A. That would have been in the evening of the first night I arrived there, about six, seven o'clock.

Q. That was the evening after you had the wine with Garner?

A. That's, that's correct.

Q. Where else did you eat in Atlanta?

A. The only other place I could recollect I've ate more than twice is another place on Peachtree going up, downtown, in the, on Peachtree. It would have been about four or five blocks going down, I guess it would be south. It was a drive-in

and had a large parking lot. It ran different directions than the - it didn't run parallel with the street, it went the opposite. It just had stools in it. It was kind of a long, longer than the average restaurant.

MR. GANNON: This would be four or five blocks away from the rooming house?

A. That's right. I think I stopped in there a couple times on the way to the bank or something. I wasn't in there, but maybe three times altogether.

MR. LEHNER: What bank are you referring to when you say -

A. Well, I went to two different banks to cash in Canadian money, but I don't recall the names.

Q. Where were the banks?

A. Well, they were on Peachtree Street, but they were on the other side versus the two restaurants they were on the left-hand side, both the restaurants were on the right-hand side.

Q. As you are going -

A. Downtown.

Q. -downtown from Garner's?

A. I assume that's south. I believe that's south, yes.

Q. Could you describe the banks?

A. No. I couldn't describe the banks.

Q. Were they large banks or did they look like small banks to you?

A. Medium in size.

MR. GANNON: When you exchanged the money did you have to sign a form -

A. I don't recall that.

Q. a receipt for the money exchanged?

A. I don't recall signing it, I may have, but I don't have no recollection of signing anything.

Q. If you had signed a receipt for the money which name would you have used?

A. Probably the Galt name, yes.

MR. LEHNER: Were these banks which were circular or do you recall how they looked on the inside, there's different layouts of different banks.

A. I don't have any recollection of those banks at all. The only thing I remember is I thought they were on Peachtree Street on the left-hand side going downtown. I would say they were about a mile to -- a mile and a half from the rooming house.

Q. How far were these banks from each other?

A. I don't believe they were too far, maybe three or four blocks.

MR. GANNON: Were they two different banks or two branch offices of the same bank?

A. I don't recall that, but I think they were different banks. The reason I picked two I didn't want to go in the same bank and try to cash money.

MR. LEHNER: Did anybody go with you to either of those two banks?

A. No.

MR. EVANS: When did you go to the first bank as best you can recall?

A. What date?

Q. When, yes, when, how soon after you arrived in Atlanta did you first go?

A. I may have went the same day. I know I tried to take every take care of everything the first day. I think I probably got the map and probably went to that bank because I was somewhat short of money. Not real -- I wasn't missing any meals but I didn't have too much funds at that time.

MR. LEHNER: And when did you go to the second bank, and when I say second bank I'm talking about that second bank, time, second time you went to a bank?

A. I don't know I could have went the same day. I don't know. I think it was a day or so later.

Q. And which bank did you go to first; the one that was closer to Garner's or the one that was further away?

A. Probably closer, I'm pretty sure it was closest.

MR. GANNON: About how much money did you have altogether, in Canadian money and United States currency at that time?

A. At that time I would just guess 1500, but considerable of it was Canadian.

Q. How much Canadian money did you exchange at the first bank that you recall?

A. I really don't, really don't, can't recall.

Q. Do you recall the second bank about how much?

A. No.

Q. Could you give us approximation of those amounts?

A. No, I really couldn't. It would be really, it would be how much Canadian money I had, and I can't - it was mixed up. I got Canadian mixed in with the English money.

Q. You say, English money, you mean U.S. currency?

A. United States.

Q. What were the denominations of the Canadian currency if you recall? Were they large bills or small bills?

A. I don't recall the Canadian currency. I, all the United States currency I had was usually always \$20 bills, but I, the Canadian, that money is colored, it's difficult to, but I, but it wasn't small bills, I didn't go, I know I had say, I know I had five or six hundred dollars of Canadian money down there. It wouldn't be all one dollar bills or anything, it be 10's or 20's probably.

Q. You say the money was colored, you mean, different colors?

A. Yes.

Q. Do you recall whether they were men or women tellers that waited on you at the banks?

A. I just don't remember anything about that. The only recollection I have is one time going downstairs for something but maybe they cash - that's where they cash foreign currency in downstairs. I remember somewhere I went downstairs. I can't recall whether they were men or women.

Q. What other restaurants or eating establishments did you go to while you were in Atlanta?

A. Well, if I went to any it would just be stopping

by on the way to or from the bank or something like that.

I would say 80 percent of my meals were in that restaurant around the corner from the, 14th Street.

Q. That's the diner?

A. Diner, yes.

Q. Have you heard of the restaurant Mammy's Shanty?

A. I heard it from William Bradford Huie.

Q. Did you ever go there?

A. I don't ever recall going there, no.

Q. What did Huie tell you about Mammy's Shanty?

A. He said -- He said something about I went in there or something that I told him. But I just don't have no clear recollection of it. I know that name surfaced from him, but I have no, I never told anyone I was in there, and I don't have no recollection.

Q. Now, the place you went to with Raoul that first night that you go into Atlanta was the one about two miles from Garner's?

A. No, it was right around the corner from Garner's.

Q. The, that would be the diner?

A. Yes.

Q. And that you had most of your meals there?

A. That's correct.

Q. But I think you said you had about three meals in the one that's about two miles or so away?

A. Yes.

Q. What other restaurants did you go to besides these two?

A. Those three are the only ones I remember plus the one on Peachtree Street about four or five blocks from -- It sits on kind of a hill, a high place, the street raises up, and that's the only one, other one I recall.

Q. The diner, the one two miles away, that you went about three times and the only about four blocks away?

A. Yes, none, I don't know the names of none of them. But none of them would be, would have a fancy name to them like Shanty, what did, whatever name.

Q. Mammy's Shanty.

A. Mammy's Shanty. These were just rest - transit restaurants, probably.

Q. And the only one of these restaurants that you ever went to, or the only time, let's put it that way, the only time you ever went to any restaurant in Atlanta with anyone else was the first night you went to the diner with Raoul?

A. Yes. There was never, I can't recall any other time. The fact is, I had no association in Atlanta with anyone else.

Q. Did you talk to anyone other than Mr. Garner and Raoul while you were in Atlanta?

A. Well, Garner, I think his sister - his sister run, really he was, she may have said something to me once or twice but I stayed pretty much to -- it really wasn't a room, it was just a doctor's reception place.

Q. That's where you were staying? A. Yes.

Q. How far is that from Garner's Rooming House where he stays?

A. I don't think it's over 50 feet. There's two buildings together.

Q. Who was with Garner at the time that he was drinking wine and you had that wine with him that first night?

A. He was with, I guess, I assumed the other fellow was a wine drinker too because they were both drinking, but he wasn't, I don't believe he was as bad off as Garner was.

Q. Garner was further drunk?

A. Yes.

Q. When Raoul came in after this about half hour, did he talk with Garner and the second person?

A. I'm not sure, for certain, the second person was in there. He was just in there about a half hour as I recall, may be not that long, but I don't recall if he was even in there, he didn't say too much. He acted like he was, just stopped by for a short visit or something and -

Q. Did Raoul and Garner speak?

A. They may have said hello or something.

Q. Now, after that first time that Raoul was there he was there the following morning?

A. That's correct.

Q. And he was there about eight days thereafter?

A. That's correct.

Q. Those are the only three times that you know of that Raoul was at Garner's, the first night, the next morning, and then about eight days later?

A. Well, I think so. I assumed so, I do recall now making a key, trying to make a key to the front door for him, but I'm not sure the key was kind of a complicated key. It wasn't easy to make for an amateur and I don't know if the key worked or not.

Q. How did you attempt to make a key for Raoul?

A. I was taking a locksmith course and I was, I was trying to practice some trades.

Q. Well, did you have the materials to do that?

A. Well, they give you a card and you can go, you can, you can buy a key with a card or something.

Q. Did you go to some place to try to do that?

A. I evidently did because I have a distinct recollection of working on the key for a day or so. I think I gave it to him but I'm not sure, I don't, I'm not sure, it worked. It may have worked, he had to jiggle it around a little. I had trouble because like I say the front door key was kind of a complicated key and I never could get it made just like it should have been.

Q. Where did you go to try to get this key made?

A. Where did I go to make it? I was just making it in the room there.

Q. Well, did you get some material from somewhere to try to make it?

A. Well, I, I wouldn't recall that, but it's really, it's easy to get these keys in any dime store. All you got to do is go in there and show them your, show them your locksmith card and they'll sell you a blank key. So, I don't have any recollection of where I got it at.

Q. Why didn't you just go to some place that makes keys and have them make it for you?

A. Well, I could have done that, but I was wanting to make them. I was sort of practicing one it, so I figured I could make it.

MR. KERSHAW: Professional practice?

A. Yes.

MR. LEHNER: And you recall that you gave a key to Raoul?

A. I think I did but I don't recall if it really worked.

I know we had trouble with the side door and I'd leave it unlocked and then the woman, she would lock it back up. So, I don't think the key was proven reliable.

MR. KERSHAW: Interspersing here I will announce that I have just talked to Jerry Sommers in Chattanooga, who it turns out that I knew very well, and he was delighted to send us his files which will include Jerry's hand written notes and some other papers.

MR. LEHNER: James' handwriting?

MR. KERSHAW: James'.

MR. LEHNER: Yes.

MR. KERSHAW: What did I say?

MR. LEHNER: Jerry, I think you said.

MR. KERSHAW: All right, James', and he will get it off today or tonight. I should have them tomorrow.

MR. LEHNER: Very well. After the eight days elapsed and Raoul came to visit you was it that same day that you went to Birmingham or was it a subsequent day that you went to Birmingham?

A. Well, we from my recollection we were somewhat in a hurry, we went that day.

Q. What time about did you leave Birmingham - leave Atlanta in route to Birmingham?

A. I don't recall the exact time. I'd say sometime in late morning 9 or 10 o'clock.

Q. Why don't you take it up from that time, the time that you and he were in the car, you might tell us just what you took with you and what you left behind? I think you told us the last time, but just to refresh us.

A. I think what I left behind was the television set. I have some kind of a recollection of him leaving a couple pairs of pants there, but I don't know if there's a, I never seen the pants on any records before. So, I don't know if they were ever found, so, I may be in error on that. But I'm not certain when the pants were left, whether they were left there the first time or the second time he was there. The television set, the pistol, and I'd say some miscellaneous items of no importance.

MR. GANNON: On that eight day, did you know that Raoul was coming that day or was it a surprise to you when he showed up?

A. No, I had no idea.

Q. When did you bury the pistol then? Had you buried that in advance or did you bury that after Raoul showed up?

A. Yes, I had that buried. I don't know, shortly after I came there.

MR. EVANS: In respect to the trousers, how did Raoul happen to leave his trousers? Did he ever change clothes at your place? Did he bring any luggage there or what?

A. I have recollection that he had some luggage once but I can't, probably been the first, I don't know, I think he may have said he had

some luggage or something, but I just can't, I'm just not clear on this luggage. I know he never carried any big suitcase or anything like that, but I had some recollection of leaving the pants there. But if they were there the FBI would have found them, and if they're not why it doesn't make any difference anyway.

MR. EVANS: They would have been the normal trousers, dungaree or suit trousers?

A. No, just dress pants. I never wore dugarees and I never seen him wear them or in any of our associations with dungarees.

LEHNER: What papers did you leave the at Atlanta?

A. At that time?

Q. Personal affects, yes.

A. I didn't leave anything at that time.

I just left miscellaneous items. I assumed - I just can't recall the miscellaenous items, whatever that would be.

Q. Well, did you leave there any letters?

A. Well, not at that time. No, I did the second time, but that time I just, I don't recall, it was kind of a rush job. I just, I may have, I think I may have left some, left a note there saying that I may or may not be back later on or something, but -

Q. When you say the second time what do you mean by the second time?

A. Well, I came back there April, April 5th I left some items there at that time.

Q. Well, for instance, the maps did you leave the maps there the first time or did you take the maps with you and then drop them off on the --

A. Well, I don't know, I've had so many of these maps. I can't differentiate. I think I don't even recall leaving any maps there. I very well could have, these stories come out and not all of them are exactly correct, but I assumed you are basing your question on things that have been written in books.

Q. Well, let's talk about the, for instance, the map that you drew the circles on; did you leave it there when you left for Birmingham or did you have it with you and drop it off, for instance, when you came back, do you recall or whatever?

A. I know I wouldn't have dropped it off on purpose. If I had a map, anything I left in there probably the second time would have been -- Well, I know I made an effort to get my finger prints off everything, the car and everything, so I couldn't envision me leaving anything there that had prints on it.

Q. That was on April 5th that you made that effort?

A. That's correct.

Q. What about the John Birch letter that you told us about sometime before that, did you leave it there when you went to Birmingham?

A. No, that's when I came back. I think the Birch letter, it wasn't a letter, I don't know, I think it was a phamplet or something. I got that in California along with the newspaper called the Los Angeles Free Press. I think I got the Free Press off of the newsstand, and I'm not sure about the Birch letter, how I got that, I think how I come about it would have been two ways I called up several organizations

one time trying to find out about this immigrating to Rhodesia and I also went to the book store one time and I had some bumper stickers. I used them in certain locales like I think I had one "Support your local Police" and I was using that in Claifornia one time. I figured the police might leave me, give me a hustle. So, I, now Weisberg said something about an investigator, it might have been someone else, possibly, these had some connections with this Birch Society, but anyway when I did leave Atlanta I left this letter from the Birch Society plus this Free Press newspaper. I figured they would be looking for, harassing him while I got a little breathing spell.

Q. That was on April 5th?

A. That was on April 5.

Q. Okay, let's take it chronologically. We'll get back to that. You drove the car to Birmingham from Atlanta?

A. Yes, I drove it.

Q. Did Raoul ever drive the car?

A. Not as I know of.

Q. Did he ever leave anything in the car?

A. Well, I found a package of cigarettts in a case one time and then this clothing in there, there was a, a few items, I think some of them I threw out from Brimingham to - I know there was some, some things in there that didn't belong to me, but Now, the FBI may have found some, but I know I, I tried to clean the car out between, on the morning of April 5th - between somewhere in Alabama.

Q. Well, when you say you tried to clean the car out you are referring to the time you were throwing the camera

equipment out of the car?

A. Yes.

Q. What of Raoul's did you find in the car that you threw out?

A. I don't know who this thing belonged to, I know one time I looked in the trunk and there was a pair of, I think there was a pair of some type of small shoes like you wear on the beach, something like shower shoes, and some other under garment, but I think I, those I probably threw out, in thinking about it.

Q. You threw that out when you were where?

A. Somewhere, somewhere in Alabama. Either, I would suppose it would be late April 4th.

MR. GANNON: Could you describe, could you describe these items that you recall?

A. I don't even know if they were his. I don't -

MR. LEHNER: Could you describe these items that you recall?

A. Well, the only thing I recall, it looked like a small pair of beach shoes or something like that. Not, they weren't shower shoes but they were small like that, sandals, and I think there was some undergarment, but these were - seemed to me very small.

Q. And these were items that you threw out sometime in the late April 4th?

A. I don't know if they were thrown out or not. I assumed, I don't know what the government has in their possession. That and those pants in the Atlanta rooming house is the only things that I can recall that didn't belong to

me except the beer cans. I don't never recall buying any beer, but the FBI claims they found beer cans with my prints on them other than that whatever I've read, everything I've read belonged to me.

Q. You talked about some cigarettes, what cigarettes did you have reference to?

A. Well, I found a package of cigarettes in the, from Tijuana. I was shaking it down and I think I mentioned this before in on other, one of your other conferences or something.

Q. Where did you find this cigarettes?

A. They were down in behind the seat, not behind the seat but in where your hand drops down between the seat.

The Mustang had bucket seats. In the middle of it, it had a round gear box or something and you could stick things down in there or they could drop down in there, something like that.

Q. Were these cigarettes in a package or was it loose cigarettes?

A. No, they were in a holder.

Q. Were they regular cigarettes or marijuana cigarettes?

A. No, they were, they were cigarettes, but I don't know. I don't recall the brand, they were, just regular smoking cigarettes.

Q. Did Raoul smoke that you noticed?

A. I don't recall if anyone - the various, there's not been too many people in the automobile. I think Raoul, Charles Stine, the two children, and I think Marie Stine - Marie Martin, and Rita Stine were in there about thirty minuties. I can't - I can't

recall - Well, I did give a Mexican a ride one time in Mexico, but other than that I can't recall anyone ever being in the car.

Q. Any women in Mexico in the car?

A. I think for about 20 minutes one time I drove some woman and her boyfriend to a place called "Mesmolaya" or something. It was outside of Puerto Vallarta.

Q. Which woman is this?

A. I don't recall her name.

Q. Was there a woman by the name of Irma that you knew in Mexico?

A. Yes. But I, I don't want to go into all these personal things.

Q. Well -

A. I think that's, that's the one that you are talking about her and her boyfriend.

Q. Is that the same person?

A. I believe so.

Q. Well, without going into it, you don't have to go into names, just description of a woman in such a town in Mexico. Who else was in the car, that's what I'm getting at.

A. Well, I think it was her boyfriend. I'm not, he worked at this club that she worked at.

Q. Did either of them smoke that you noticed?

A. No, I didn't notice.

Q. Were there any cigarettes in the car or the ash tray when you bought it from the man in Birmingham back in 67?

A. I don't ever recall looking in the ash tray. I don't smoke. It wouldn't be no point in looking.

Q. Well, do you recall anybody smoking of the different people that you have just mentioned? Do you recall any of them smoking while they were in your car?

A. No, I can't recall. I, I was with Stine quite a while, 33 hours, once, but I don't know if he was smoking or not. I assumed he wasn't because he didn't have any money, but I, I, can't recall if he was or not.

Q. Did Raoul ever smoke in any of the bars that you were with, with him that, or in the car?

A. If he did I never noticed that either.

Q. Did you ever look in the ash tray from the time that you purchased the car until the time, the time you abandoned it in Atlanta?

A. Well, if I didn't I should have. I mean, I, I had a practice there toward the end of shaking the car down when I crossed the border or anything. But something like that I don't smoke and I wouldn't pay too much attention to cigarettes. If I looked in the ash tray and seen a couple of butts in there it wouldn't have - it wouldn't have - I don't even know whether the thing come out to where you could pull it all the way out and dump them out or not.

Q. Well, as best your recollection, did you ever look in the ash tray as you think about it now?

A. No. I can't recall, but I'm almost certain, of course, I could have gotten careless and not looked at it when I crossed

the border or something, but I'm almost certain that I would look in any compartment before I -

Q. Did you check the trunk when you bought the car in Birmingham to see if there were any items in the car at that time?

A. I think, yes, I believe - I don't distinctly remember, but I'm pretty sure I did because of the sequence. The fact is, probably, the owner checked it too, I'm not sure.

Q. Were there any items?

A. No. The car, when, I recall when I bought, purchased the car it was pretty clean, it was just a spare tire and the wrench.

Q. Now, the sandals you told us about that you threw out were they Raoul's?

A. I have no idea who's they were.

Q. And this undergarment, was that Raoul's?

A. I have no idea.

Q. How would you say Raoul was built compared to you?

A. Well, he was more squarer, I would say, lighter.

Q. You mean lighter in weight?

A. Yes. Maybe an inch shorter.

Q. And inch shorter than you and how much lighter in weight than you?

A. Well, at that time I weighed about 170. I'd say he weighed 140 or 50, 140 pounds.

Q. Where did, where did you arrive at when you arrived in Birmingham, where did you first go?

MR. GANNON: Can I just - One thing. When Raoul came

to the rooming house on that 8th day did he give you any indication of how long you were going to be away from Atlanta?

A. No, not really. There was nothing definite.

Q. What did he, what did he say was the purpose of the trip to Birmingham?

A. Well, he mentioned purchasing the gun and looking at surplus rifles and - but I never went into long detailed conversation, that usually was - may have been more expanded on in the car or something like that, but I never --

Q. Did he tell you why he was in such a hurry?

A. No. I never inquired about that.

MR. LEHNER: Could you tell us where you arrived, when you arrived in Birmingham?

A. What time, which one was that, was that after I left Atlanta?

Q. Yes, that's what I was referring to.

A. Well, I arrived at the motel but I don't know the name of it. It's a large motel.

Q. Do you recall the time of day approximately that you arrived?

A. I would say it was after lunch.

Q. Do you recall approximately how long you were on the road?

A. No.

Q. What happened when you arrived at the motel?

A. Well, we had, we had discussion after I rented the room, there was discussion on the purchasing the weapons and -

Q. Why don't you go into that, that discussion if you would?

A. Well, it was just discussions of purchasing of the weapons and things of that nature and it was decided we would look in, I think it was the phone book, to get the addresses or something, and after we left the motel we went to a restaurant. It's a drive-in place, I can't recall the name of it now, but I think I would find it on a map, a map because I had been by there once or twice before.

Q. Could you tell us a little bit about the place? You both ate together there, right?

A. That's correct.

Q. Could you tell us a little bit about it?

A. It was a drive-in place. I think it wasn't too far from the train station. There was two entrances, one in the back and one in the front. I think they sold beer there, I believe. It also ran parallel to the street, the booths did, and then it had a counter, and it ran parallel to the street also, and I recall you could look out on the street from the booths. And I don't recall anything about the waitresses or waiters, whoever he was, that's about it.

Q. And approximately what time of the day were you there?

A. That must have been in the afternoon.

Q. This was after you checked in?

A. Two o'clock or something.

Q. After you checked into the motel?

A. That's correct.

Q. What motel was that?

A. I don't recall.

Q. And where was the motel?

A. I don't recall that either except that it, it was on a main street. I would guess it was a mile from downtown. It was a double - two-story building. And I was on, I rented a room on the second floor.

Q. Under the name of Galt?

A. I think so.

MR. GANNON: It wasn't one of the major chains like Holiday Inn or Howard Johnson's, or was it?

A. I don't know, this, I've read this place has been written down on paper by book writers, but I can't recall the name of it.

LEHNER: Do you remember which writer wrote that?

A. Not particularly. I may have got this name off Hanes, I explained it to him, and I think he seen Huie and Huie checked on it.

Huie goes into more detail about all these hotels and everything so I assumed it come from him. Huie found, I think he found every hotel except the, he's got them all recorded except the hotel in Mississippi, the Desoto he couldn't find it.

Q. Well, did Huie ever tell you that he found anybody who saw you and Raoul together?

A. Huie really never told me nothing. He wrote me a couple of letters.

Q. Well, in any of the letters did he ever say that he found someone that saw you and Raoul together?

A. Well, most of these letters, I believe, I gave Mr. Kershaw one of them yesterday, they was always talking about money or contracts. There was nothing about the case. He was talking about how he was going to - what all he was going to do for me and there was, I never - I never seen one letter where he ever mentioned corroborating or dis corroborating anything that I told him.

Q. Well do you recall from any source, whatsoever, that Huie saw or spoke with anyone that saw you and Raoul together?

A. Well, he made reference, he had spoken, he referred to certain parties I think in Mexico, he said something about I checked into the Two-Person Hotel and then, after I been down there about three weeks in this town called Puerto Vallarta and that I made some phone calls to some party; but these were all just, there was nothing specific, he, the only thing I know he never told me directly - he told me something about New Orleans, that he checked on people, he, he's, he never gave me any names. I think the Grand Jury testimony would substantiate he never gives names, he just says the FBI told him certain parties and things like that, but he was, he wasn't forthcoming in that type. But, of course, I assumed he was concerned about libel or something.

Q. Well, did he ever from any source whatever, whatever, did you ever hear that he came across people that saw you and

Raoul together, say in Canada, Atlanta or Birmingham?

A. No. I'm not, i'm just not certain on the extent of this investigation. He was not an investigator he was a book writer and he was, he was not interested really, he never took any tape recording of any, as far as I know, of any place he visited. He just he just talked to them. I guess he just made notes. Now, of course, we subpoenaed all the material he had, and he never gave us anything. The only thing he had, the only thing he gave us was what I wrote for him, so I guess may be his attorney he gave it to J. Stine, or something, but he never - he never gave anything to attorneys representing me or any --

Q. J. Stine, he gave something to Stine or an attorney representing Stine?

MR. KERSHAW: J. Stine is suppose to be one of his attorneys.

MR. RAY: Well, in 1968 he drew up all these contracts, and, neither Hanes, Hanes didn't draw them up, Arthur Hanes who represented me, he didn't draw them up, so, there was a name up on top, J.J.S., on top of the January 29th, 1969, contract, a mandatory agreement, and Jim Lesar said that was J. Stine, but I filed interrogatories on Huie and he says he don't recall who his contract attorney was in 1969. So, I think Mr. Stine, or whoever, he accumulated and -

MR. LEHNER: Okay, you checked in the motel, you went to the restaurant, what happened thereafter?

A. Well, we checked the phone book. I have some recollection of him having some, he was somewhat conversant with Birmingham but not, maybe going from the airport

and back, public transportation to certain points, to the post office or something like that. But, anyway, we looked through these various gun shops and I think he decided on this one, he, may be he already knew about it, and - Now, I have a recollection, a clear recollection of driving out there but I don't know - I don't have - I have another recollection of him being in the motel when I came back after the purchase, the purchase of the weapon. I think he made some kind of decision on what kind to buy. I think what I decided on is, or he decided on or both of us decided on was just ask for a deer rifle, that would have been a military type one. So, now I don't know how many times I was in the place or I may have went by to case it once, me and him, to look it over.

Q. I'll tell you what, just before we go into your recollection of the Aero Marine, why don't we take a break, our stenographer indicated he could use a stretch of his knuckles, so, we will stop here for a moment. Okay?

A. All right.

MR. KERSHAW: Sure.

(The time was 11:08 a.m.)

MR. LEHNER: Okay, it is now 11:15. The same people are here that were here earlier this morning and let's continue.

Could you tell us the time that you, you and Raoul decided to do something in the way of purchasing a gun while you were in Birmingham?

A. What time was it?

Q. Well, you said you had lunch, you checked in the motel, you had lunch, what did you do thereafter?

A. I don't recall having any lunch, we did go to the restaurant, but I don't think I, we had any food.

Q. You didn't, you did not eat at this restaurant you told us about that was near the train station?

A. No. I don't believe I did.

Q. What did you do there?

A. We just ordered beer or something, checked the phone book and we looked at these various addresses. I have some recollection that he was conversant with these addresses or something to the Birmingham airport, and I think we decided on, or maybe he decided on the Aero Marine Supply.

MR. GANNON: Did he have any special reason for choosing Aero Marine as opposed to some other gun shop in the Birmingham area?

A. Well, it may have been because it was bigger and may have been because the airport, I don't know.

Q. Did he indicate to you that he had any prior familiarity with Aero Marine?

A. I have some recollection that he had familiarity

with the airport but that may have been why he was conversant with Aero Marine. I don't have any clear recollection.

Q. So you decided to go to Aero Marine?

A. That's correct.

Q. What did you do then?

A. Well, I have a clear recollection of this, we got on the street, I think it ran parallel with Aero Marine Supply. I don't know how come this is, maybe the street was a similar name or maybe it was, ran in the same, I think, I have some recollection of it running, instead of running directly north or south, east or west, it run on an angle, the street we was on so, we went in a filling station and got a map and we found out we was one street over too many, or something. Now, my recollection here is not clear at all. I think where we went by and looked at the place over or something, and decided to go in there or something, but the only thing I can think, reconstruct, is that I took him back to the motel and I went in and got the stuff.

I recall you asking me last week did he stay in the car or sit in the back seat, or stand on the curb. I don't recall him even being in the car. So, it was possible if I drank a beer I was probably, wasn't thinking too good anyway. But, anyway --

MR. LEHNER: Did you go to Aero Marine from the place that you had the beer or did you go from the motel to Aero Marine?

A. No. I went, we went to the filling station and got a map.

Q. Then what?

A. Then we found Aero Marine.

Q. And then what?

A. We wasn't too far from it. Then I think - I don't have recollection, but I'm just reconstructing, I took him back to the motel and then I came back to Aero Marine and made the purchase.

MR. GANNON: What was the exact kind of gun you were looking for? What did you have in your mind when you went in to Aero Marine to buy the gun?

A. Well, this wasn't really clear. It was a military, I thought it was a deer rifle, a military rifle, I had in my head some way, and I suppose he did from our conversations, that a deer rifle was a military rifle. You get certain preconceptions I guess. There was a name, but I don't know, I don't know anything about technical bits about rifles. I know, so, I don't know what, what the conversation was. I have some recollection that he might have mentioned the name like Springfield and a deer rifle to go with it, plus check on military rifles. Of course, I may have just purchased the wrong one when I went in there and got it.

Q. Was that name you had, Springfield?

A. No, I just got, I just conjured that name up. I don't, I don't think it was Springfield. I think it was another name, but I can't recall.

Q. Well, a deer rifle would be a hunting rifle and, therefore, it wouldn't be a military rifle?

A. Well, there are certain - I'm getting these things blurred in together now, the surplus rifles were the military

rifles and, I, these things kind of blur together, the mili - the deer rifl and the scope rifles and the other ones, but I just had some recollection that the shells would be interchangeable and things like that. I don't recall all the technical conversation or anything like that. It would be --

MR. KERSHAW: You don't even remeber what kind of a rifle you bought?

A. Well, I don't now, but, but I don't, yeh, I don't recall, I mean it wasn't a Springfield, but I don't recall what the make of it was.

MR. GANNON: Did he give you any idea what caliber of rifle he wanted?

A. Well, no, I had some recollection of the, now he may have, but I thought it was the name of it, that's what stuck in my mind. The name of it plus the Army surplus rifles.

O. Did he tell you what kind of army surplus rifles he was looking for, I imagine there would be several different makes?

A. There was always mention of military, so, of course I know from experience that there's only approximately two kinds of military, the M-1 and the German, and a lot of German surplus rifles, plus the carbine. But I assumed it was the - I think there was mention of the Mausers or something, German rifles. I know I looked at various, they had various surplus rifles in there and I checked them out and the salesman said something about they were inferior quality or something.

Q. How did you approach the clerk, did you ask him to look at a deer rifle first, or did, did you ask him to look at these

military surplus weapons?

A. I asked him about both of them, I believe. He seemed to try to discourage me on the military surplus, he said something about they were inferior quality and I guess he wanted to sell me all the other kinds or something.

Q. Were you prepared to buy a military rifle if one looked good?

A. No. I wasn't prepared, he just said to check them out.

Q. Did - Had he given you any money to pay for the rifle?

A. Yes. But I'm not certain just how much money it was. It was quite a bit in excess of what it, what the rifle cost.

Q. Would it be in the neighborhood of seven hundred - several hundred dollars at least?

A. That's correct, that was to cover the ammunition.

Q. Ammunition. Did - Oh, there's something in my mind - When did he give you the money?

A. I think that would have been the motel when we come up there and decided on getting, getting it.

Q. This was before you went to the filling station?

A. Yes. That would have been before.

MR. LEHNER: Is there any reason you can think of why he would not have wanted to be in the car while you went in to get the rifle? Why you would have taken him back to the motel?

A. No. I can't think of it, that's just reconstruction. I know, I'm almost positive that when I came back to the motel he was

there, and what the -- Whether he cased the joint I don't recall.

MR. GANNON: Did the salesman actually show you any military weapons, surplus weapons?

A. No. He didn't have them behind the counter they were on display. They were out, he was on one side of the counter and these military rifles were out in the, where the customer could handle them. I did handle several of them. I think they were on a rack or something.

Q. You did handle several?

A. Yes.

Q. He tried to discourage you is that correct?

A. The salesman?

Q. Yes.

A. Yes, I think he thought maybe that I was going to buy one of those instead of the more expensive one I guess.

MR. KERSHAW: Do you remember how much a surplus rifle were priced?

A. They wasn't - I don't think they were expensive. What I did, I just asked him, I think I inquired how much they cost.

Q. 30, \$50?

A. Yes, they wasn't too much, about 70 or 80, and then he said something about the inferior quality and it went through my mind then that maybe he was trying to discourage me from buying them. He thought maybe I was, would decide on them or -

Q. Did you ever have any experience with any military

weapons or hunting weapons other than the M-1?

A. The M-1 and the carbine.

Q. Yes, is that the only rifle, high powered rifle you have ever handled?

A. That's correct.

Q. And that was when you were in the military police?

A. No. I was in the infantry.

Q. You were in the infantry, in Europe?

A. Yes.

Q. Did you shoot that gun much?

A. Everybody that is in the Army is required to. There is three, there is three categories, I think, marksman, sharpshooter, and expert.

Q. Which did you make?

A. Marksman, but you have to make it or they kick you out.

Q. Marksman, you, everybody has got to be marksman?

A. Yes, everybody has to be marksman.

MR. GANNON: Could you describe the salesman for us?

A. No, I couldn't.

Q. What happened, you handled some of these surplus rifles, what made you switch over to looking more intentionally at a deer rifle?

A. Well, the reason I was - I had the impression I was just suppose to check out the military rifles, look them over and not buy anything. That wasn't, buying military rifles wasn't nothing really, there was never any firm decision on that. It was mentioned in Memphis

that I would go back down there and purchase them, but there was a firm decision on the scope rifle.

Q. Well, from handling of the military rifles and your discussion with the salesman, had you formed any impression of military rifles that you could bring back to Raoul and report to him?

A. Well, I assumed they was for sale because the salesman give every indication that they were, but the only thing, he said, he said they were inferior quality. I don't know what he meant by that, I think that's salesman talk.

Q. What were you prepared to tell Raoul if he asked you what about the military rifles?

A. Well, they were there, the fact is, I think I did mention they were there and I had some recollection that he knew they were there, but I don't know --

Q. Were you prepared to recommend that he invest in some?

A. Well, yes, I don't know anything about those but I've heard about them.

MR. LEHNER: What were the prices of the military rifles?

A. They were nothing like the scope rifle, I think 60 or \$70. If they were the Mauser I mean, I assumed they were good rifles, so, what I've heard, you know what I've just heard from idle conversation.

Q. Did the salesman tell you why he considered them inferior?

A. Well, he didn't tell me, but naturally he wanted to sell his highest products and while I didn't tell him, he

might have figured that I would have bought one of them instead of the other one, but if that wouldn't have been the case, so, I didn't go in there and tell him I wanted to buy a bunch of those rifles, surplus. I think I mentioned, I started pricing, and asked him most of the prices and things of that nature.

Q. And what did he say about the military rifles?

A. Well, the best I can recollect he just seemed - He just seemed like he wanted to discourage me or something. He said something about they were inferior quality.

Q. Was he the same person that sold you the rifle, the one that was discouraging you in saying they were inferior quality as to the military rifle?

A. I believe he was. I think there was two salesmen there, as I recall.

MR. GANNON: Who shifted the conversation from military rifles to the deer rifle?

A. I think I did. I think while he was -- I think while he was running around there looking after the scope rifle I started inquiring about the military rifles. So, I know, I know he never brought it up because he wouldn't have no reason, he wasn't trying to sell me any.

Q. But, how did you get from looking at military rifles to actually into the process of purchasing the deer rifle?

A. Well, apparently, apparently, he was doing something, the other one, and I was waiting. I don't know how long I waited in

there, but during this transaction he was wrapping or something, or before he was wrapping I started asking about the military rifles.

MR. EVANS: The inquiry here - listen, you first went in and you were inquiring about the hunting rifle or the military rifles? What did you speak about, the deer rifle or the hunting, or the military rifle?

A. Well, the deer rifle came up first, and shortly after --

Q. And what sort of conversation did you have with the salesman about that rifle? Did you inquire as to what he thought was the best rifle, the range, and any of the technicalities?

A. No, I didn't. I think what I told him, I told him, I said something about me and my brother-in-law was going to hunt deer and I wanted a certain type, make. I think make is all I had. And he said, yes, we got that, so, I didn't know all about these different calibers and shells and all that stuff. And shortly after that it couldn't have been too much longer I started to inquire about the military rifles. I have some vague recollection that he might have thought that I wanted to shift weapons or something.

MR. EVANS: About how many of the deer rifles did you handle before you finally made a selection?

A. I don't know if I handled any of them. I may have handled one or something.

Q. Was this the one that you originally asked for?

You said you had a name and you asked for the name and you just bought that rifle?

A. Well, I had the name, but I think it was a manufacturing name. It wasn't no caliber or anything, and I think, I think I just referred to the manufacturing name plus the deer bit. I have a stronger recollection of just telling about wanting the deer rifle and later on this turned out there was different types of deer in the United States that require different caliber.

Q. But prior to your finding that out did he show you any additional rifles perhaps of the same make, the manufacturer's name that you had?

A. He may have but I don't have no strong recollection of it. He may have. I know they have a practice of showing you the most expensive one they have, but I wouldn't, wouldn't based on my finances, whatever I had, I think I had six or seven hundred dollars, I wouldn't want the --

Q. Well, did he show you the expensive rifle and quote a price and did you say, well, let me see another one, I mean that would have been normal practice assuming that they are going to show you the most expensive one first?

A. Well, I don't know I was more concerned about getting, you know, what, the Springfield and the deer rifle than I was, as long as it looked fairly good that's the only thing I was interested in, getting, was a fairly good rifle.

Q. The rifle that you subsequently purchased, had you seen that the previous day or had that been offered to you by -

A. Had I ever seen it?

Q. Yes.

A. Well, the previous day I was in Atlanta.

Q. Well, I'm not, I'm not saying Atlanta. I'm talking about the day you had the, you purchased the first rifle.

A. That's correct.

Q. Now, we, are we clear in our minds as to whether you went back that same day that you purchased that rifle and exchanged it, or do you recall now that you went back the following day?

A. I don't, I don't, I don't recall.

Q. Well, at any time the rifle that you subsequently ended up with, were you shown that rifle when you first entered the Aero Marine store?

A. No, I don't believe I was.

Q. You didn't see that one at all?

A. I don't have no recollection of it, no.

Q. So the rifle you selected, did you request or did he recommend that the scope be put on, or did you?

A. The first one?

Q. Yes.

A. Yes. I requested the scope be put on.

Q. Did you give him a name or what did you do, how did you go about that?

A. Well, I think I let him decide that, I just told him what I was going to do and then he told me what I should do, something in that order.

MR. LEHNER: What distance did you tell him you wanted to shoot at?

A. I don't even think I told him that.

Q. There was, was there any conversation pertaining to distance when it got around to the scope?

A. I don't know, no, I don't recall. I think he, there's some, I have since read there is various techniques in getting these things together, mounting scopes and things like that, but he apparently took care of all that from what I've subsequently learned.

GANNON: Did you buy ammunition with that rifle?

A. Yes.

Q. Did you discuss with the salesman, I guess the value of different kinds or the suitability of different kinds of ammunition?

A. No, I don't have no recollection of it at all.

MR. KERSHAW: Had you ever had anything to do with a telescopic sight before in your life?

A. No.

Q. In other words you just went in like an amateur and said, look, I want to go deer hunting and want the kind, the best kind of rifle and mount the scope and tell me what to do?

A. That's it.

MR. GANNON: Did he suggest a particular kind of ammunition?

A. Well, I don't believe he did, he may have, he probably thought I was kind of naive on this, purchasing things because I, the way I explained what I wanted, I think the only thing that I ever requested of his is military ammunition,

later on, and this is after this Raoul suggested that I get, I think he suggested something about I get some. But I have, I know I bought, purchased military weapon - ammunition because it's the same kind I used in the army in the M-1.

Q. This first day when you were in there buying this first rifle, did you buy military ammunition at that time?

A. I don't believe I did.

Q. Where did you buy the military ammunition?

A. I got some reconstruction, I believe it would have been the second time. I know I bought some the second time.

Q. You bought it at Aero Marine too?

A. That's correct.

Q. Did you buy hunting ammunition at the same time, the second day, or the second time you were in there with the rifle?

A. Yes. I think I just purchased both kinds the second time. Are you talking about the second time?

Q. Second time.

A. Yes, that's correct.

Q. But the first time did you buy just regular hunting ammunition?

A. The first time?

Q. Yes.

A. Yes, I believe so. I may have bought - Now, I'm not positive on this. I think, I think there is some area, now I may have did something on my own and did it wrong, I may, I may have purchased both the same the first time, but you'll have to look at the records, I just don't recall.

Q. Did he tell you - You went in there, and Mr. Kershaw said, as an amateur, did he tell you why the particular kind of ammunition the first time he was selling you was, was the right kind of ammunition?

A. Well, he probably did but if he hadn't of I wouldn't have paid any attention to that because I just wasn't conversed with that type of operation.

Q. And what made you think that the rifle he eventually sold you that first time was the kind that Raoul was looking for?

A. Well, the name and the fact he said it was a deer rifle, I guess that's it.

Q. And when you bought it which name did you use when you bought it? He asked you for a name?

A. Yes, he asked for, I think that's when I used the Lowmeyer name.

Q. And the receipt, did he require you to sign that?

A. I don't recall if he did or not.

Q. Did it require an address?

A. Yes, I recall that.

Q. And did you give an address?

A. Yes, I did.

Q. And do you remember the address?

A. No, I can't.

MR. LEHNER: How did you get the name Lowmeyer?

A. Well, I don't know, excuse me. I don't know about all these aliases. The only thing, I do recall, Lowmeyer is some hoodlum in Illinois sometimes I'd use someone else's name, would come to mind.

Q. Was he someone you knew as a youth?

A. No, I just heard of him.

Q. And what first name did you use at Aero Marine?

A. I think I used Harvey, Harvey Lowmeyer.

Q. Was that this first name of the Lowmeyer that you had heard of in Illinois?

A. I don't know if that was his first name or not, I believe it was, I'm just not sure, for certain.

The reason, a lot of times you'll associate with one individual and he'll associate with another individual and I know I've used names like that. I may not even know the other one, he's a crook mentions somebody's name, so I'll just use the name, that way you can't connect with your association, or something.

MR. GANNON: The address you gave him was there any special reason for giving that address?

A. I think probably the reason I gave it, it was probably an address, a street close by to where I was living at on Highland Avenue and I just picked it out. I usually have these things straightened out before I go in there. I have it in my mind --

Q. Had you figured out before you went in there what address you were going to give him?

A. I probably, yes, I probably had all that in my mind.

Q. Were you sure of that address in a sense that it seems to me possible that you could give him an address which he himself might be familiar with and know that it was a phony address?

A. That would be a long shot. There's always a possibility of something like that. And, I'd probably give him an address at Harper House or something. Now, the address I gave him is on the record and somebody says it's a vacant lot, but you can't believe what you read, you've got to - but I don't, I can't see me giving him an address of a vacant lot. It's the possibility he could recognize it. I think, probably the address I gave him would probably have been in a fairly congested area or something, but I'm not certain of that.

Q. But you say you had it figured out beforehand, had you checked the address out beforehand?

A. I didn't go there or anywhere. I think probably I walked by the street or something when I was there before or something, but I just had it in my mind.

Q. After you purchased the rifle, do you remember how much, how much it cost you?

A. The rifle?

Q. The rifle, the ammunition, the total bill for that first purchase?

A. Well, it was a considerable - But I don't know how much it cost. It was considerable more than the hundred dollars I know that.

Q. And what did you do when you got the rifle, well, what, first of all, what kind of, did he put it in the box?

A. I believe I did. I don't know if I -- I don't know if it picked it up the first time I came there or came back again and picked it up again. I think I waited around

and he fixed it and I took over to the motel.

Q. That first time you were in that, in the Aero Marine Supply Shop, how long were you there all total?

A. I just don't know.

Q. Well, did he put the gun in a box for you?

A. Yes, I believe he did.

Q. Do you remember the kind of box?

A. No, I don't recall.

Q. And after you had the gun in the box you, you also purchased some ammunition at that time, correct?

A. Yes, I believe so.

Q. Okay, then what did you do?

A. I took - After I purchased the rifle I took it back over to the motel.

Q. And, what was the conversation -- Well, I guess, was Raoul there at the time?

A. Yes, he was there.

Q. At the motel?

A. Yes.

Q. And what was the conversation between you and Raoul when you brought the gun back?

A. There was some con - there was some mention about being the wrong type or something. I have a vague recollection of having a catalogue and he marked, he showed me the difference, or something, or he wrote it down. But I think, I don't want to get hooked up on this catalogue because they may not even have no catalogue. I have a vague recollection of the salesman giving me a catalogue of various hunting equipment and I think I showed him

this catalogue or something.

Q. What did Raoul tell you was wrong with the rifle that you were purchasing?

A. He just said it was the wrong type or something.

Q. Nothing more specific?

A. No.

Q. He didn't say it was too light, or the wrong make or anything like that?

A. I assumed he said it was the wrong caliber because I have since found out they were different, they were, there was a slight difference between the two calibers, but I don't recall specifically anything except him saying it was the wrong type and said you'll probably have to take it back, or something like that.

Q. Did you get impatient with Raoul because he was telling you to take the gun back after you had spent at least some time trying to arrange the purchase, had made the purchase, and you bring it back, and he says no, this isn't what I want, did you get upset with him at all?

A. No, not particularly, I think he gave me \$700 and that kind of relieved me of the upset.

Q. Was there any understanding? Was there any understanding that you were to keep the 700?

A. Well, I think that there would have been some of it, yes after the purchase.

Q. When did he tell you that you could keep all or part of that money?

A. Well, he gave it to me and I assumed once you give me money or anything, why, I know the experience with

lawyers, once you pass out anything that's it.

Q. Well, we know, we all know about lawyers. But did he, did he say -- Did he ask, did he say at any time that you were to keep, say, whatever was left over?

A. I think there was an inference. I don't recall any direct conversation saying that you can have what's left over. But I think it's for expenses or something, but --

Q. Did you ever ask him what I, you know, what do I get out of this for going and buying the rifle?

A. Yes.

Well, that conversation came up in New Orleans in 19, December of 1967, but I, but it was fairly certain what I was going to get out of it. What I thought I was going to get out of it, it's obvious I wouldn't cross the border or anything like that without some type of assurance that I was going to get something, although, anything I'd ever done out there I'd been paid after I done it, but I think we was in a different situation, if I really took something across the border of a military nature.

Q. So, what happened after he said this is not the right weapon?

A. There was some discussion, I believe it was the catalogue or pamphlet, it wasn't a catalogue it would probably been a pamphlet, what kind to get. So, I think I went and made a phone call. I don't know whether I made a phone call from the motel or down the street, and I called the salesman and he said something about, bring it back out, but I don't recall whether I took it out that night or the next morning.

Q. About what time of the day was that?

A. Well, I don't know. I think I arrived out there - If I made two trips out there I must have arrived out there sometime late in the afternoon. The first time, 2:30, but I don't know how long I was in there. So, it must have been sometime, 3 or 3:30, because he was still open, I know that. So, it must, it was later, it was later than 4:00 but I'm not certain. It was earlier than 4:00.

Q. So it's the same afternoon when you called?

A. Yes. I called, I called the same afternoon as soon as the determination was made it was the wrong kind.

Q. And what did he say when you said that you bought the rifle but it was the wrong kind and you wanted to exchange it?

A. He said something about bring it back out and he would take care of it. He said he'd do it the next day, I recall that, but I don't know if I took it out that night, or in the morn -- the next day or not.

Q. You don't remember that? Do you remember what you did in general that night?

A. I don't think I did anything.

Q. Where did you have dinner?

A. I don't recall that either because I think I'd missed -- I didn't have no lunch. I think I had a beer for lunch. I probably had dinner some place.

Q. Was Raoul with you when you had dinner?

A. No, he wasn't with me.

Q. Well, when did he leave you?

A. I think after we made, there was some determination

made, you know, that the rifle would be changed, when it would, when it would be changed, and things like that.

Q. You said something before about writing something on a piece of paper, did you do that?

A. I don't know if he wrote on paper or pointed out on the catalogue. I think it was a catalogue because it seemed to me if they wanted to give you a catalogue that have all their merchandise in it on that particular subject - so I have -- instead of writing it down on paper he may have wrote something on that catalogue because I know I took the catalogue back if that's what it was and showed it to the salesman the next day. I think the stuff was marked or written there what I wanted.

Q. So as you recall it now, you actually returned the rifle the next day?

A. I, I'm not, I'm not certain on that but I think - I think if I had to guess one way or the other I'd, I would say it was the next day, because I called him up and I know it was pretty late, but I just, I just don't know about that, he knows, I'd take, whatever he says I think would be satisfactory to me, but I don't, I don't recall.

Q. Did Raoul say where he was going when he left you?

A. No, there was no conversation about it.

Q. Did you have the idea that he would be staying in Birmingham that night?

A. Yes, I did.

Q. Did he make arrangements to meet you the next day?

A. Yes.

Q. What did he say when he made those arrangements?

A. I think he said he would be back up there a certain time and there wasn't no big thing, all he had to do was tap on the door and that was it.

Q. This is at the motel?

A. That's correct.

Q. So, you don't remember where you had dinner that night?

A. No.

Q. What did you do the rest of the night after you had dinner?

A. Well, I probably went back to the motel. I wouldn't have been driving around under ---

Q. What did you do the next day?

A. Well, I went to - I went from - I took the rifle back, if in fact I did take it back, I think I did, and I think I showed him a pamphlet he had and had written on there what I wanted and we had some discussion about how come the error was first time. And I, he said something, I said something about, well we are going to hunt deer in Wisconsin or something, and he said, Oh, he said, I thought you were going to hunt Alabama deer or something, and that was about it and he went ahead.

Q. Did he give you any trouble about exchanging the rifle?

A. None whatsoever.

Q. No argument?

A. I think the second one was more expensive so, than the first one.

Q. Did you pick it up right away , did you wait there?

A. I don't recall that either, I believe I did, but I'm not certain. I don't know how long it takes to fix that. I'm just not certain, if I had to guess one way or the other I'd say I waited there until - until he finished it.

Q. Was the second rifle going to have a scope on it too?

A. Yes, it would have been just exactly like the first one except I guess the caliber would be different. There was some type of interchangeable with military.

Q. Did he tell you what the scope would do, what the power of the scope was?

A. No, he didn't say. I got, I got, the recollection that there was just one type of scope and that was it, or two kinds. I think what he asked me, what kind I wanted on it and I just said put, I think he mentioned one or two and I just said to put the best one on there or something like that.

LEHNER: Was that the same scope from the first rifle that was put on the second one?

A. No, I, I have no idea on that either.

Q. Where did you keep the first rifle over night?

A. I think I kept it in the, I probably kept it in the room.

Q. And before you went to Aero Marine on the next day, Raoul came to your place?

A. The next day? Did he come the next --

Q. The day that you got the second rifle, was Raoul at your place before you went to get that second rifle?

A. Yes.

Q. And did he tell you where he spent the night?

A. No, I didn't inquire.

Q. And did he tell you how he got to your motel?

A. He wasn't far from town, it wouldn't have been no big, he could have walked.

Q. Where had you last see him before the morning of the second day?

A. The motel.

Q. The end of the first day you saw him at the motel?

A. That's correct.

Q. When was that, before dinner?

A. It must have been - It must have been shortly after I made the phone call coming back and said something about to exchange the rifle, but --

Q. The second day did you deal with the same salesman that you dealt with the first day?

A. I believe so, because, he took care of the first job and I think he, I think the same one was there

MR. GANNON: Did Raoul go with you to Aero Marine the second day?

A. No, no, I'm positive he didn't. He was with me in the car one time but I think the only, I can only recall definitely two times that he was. He was with me in the car one time when we got a map and then the tavern, and he, and I took him to the post office one time, but I can't recall any other times that - but I never would have --

MR. KERSHAW: When did you deliver the second rifle to Raoul?

A. When?

Q. Yes.

A. Well, that's after I got it, whatever time that was.

Q. But you showed it to him that day?

A. Yes, that's correct, at the motel.

Q. And he said it was okay?

A. Yes, it was the correct one.

Q. Did he pick it up and sight it or anything like that, do you recall or did he just look at it in the carton?

A. It was in an oversized box, I think he just, might have inspected it briefly or something like that.

Q. But you don't recall whether he took it out of the carton or not?

A. Well, I think he was concerned about the military aspects of it, whether you can exchange shells or anything like that, that might have been a front, a kind of a put-on.

Q. But you don't remember whether or not he picked up the rifle?

A. I think so, I think he did. Yeh, I seen, naturally he looked at it.

MR. GANNON: You said earlier that when you bought the second rifle, exchanged the first rifle for the second rifle, that you bought both hunting ammunition and military ammunition -

A. The first time?

Q. This is when you bring back the first rifle and exchange it for the second one.

A. Yes, that's right.

Q. You bought two kinds of ammunition, hunting ammunition and then military ammunition. Had Raoul instructed you to buy the military ammunition?

A. I'm not certain if he did or not. I'm sort of, I, I'm kind of, inclined to think he did but I think I was just trying to satisfy someone or take care of everything. I think I may have just had him throw the military in there and these are greek instructions. I'm not even certain I bought the military ammunition, but I think it was found in some of my effects or something, so I assumed that I had bought it. I don't have no real strong clear recollection of buying any ammunition at all, but I know I did.

Q. Yes, I remember seeing in one of the books, I don't know which one, something about that. About the, about military ammunition being found, and I just wondered, is there any other place you could have purchased it, if not at Aero Marine?

A. That's the only place that I was ever in any -- All the time I was on escape I had never been in any other gun shop, that was it, just that one.

Q. But didn't you buy some ammunition for the pistol, the handgun you bought in Birmingham, wasn't it, didn't you have to go into a gun shop-

A. Yes, that's correct, I did purchase that.

Q. -to purchase that?

A. That was in Texas or something, I don't remember.

LENEP: Did Raoul ever tell you why the second rifle was satisfactory where the first was not?

A. Well, he's the one that picked out the second one. I'm just making assumptions, but it was because of the military character of the rifle.

Q. What is the difference between the first and the second as far as the military character?

A. I don't know. I guess the ammunition can be interchanged.

Q. Can be interchanged?

A. Can not.

Q. In the first one it can not but in the second it can, is that your understanding?

A. That's my understanding since reading periodicals the last three or four years.

Q. Raoul never explained to you why he wanted the second in preference to the first?

A. No, there was no details about it, he just said, it was the wrong type and that was it.

Q. The second time you got the rifle, did the salesman explain to you the action, the mechanism by which it could be activated?

A. Deactivated?

Q. Activated, how you could, how you, how you operate the weapon?

A. He apparently did, but I have no recollection of

that at all. I don't know if that's the practice they make or not. He may give you a book that tells you how to operate it, I don't know.

Q. Did he select the ammunition for the second rifle, or did you?

A. He may have run something down, I may have just told him to give me that, but I don't know. But that ma- have been - There may have been some reference when I bought the rifle, Raoul, he may have said get this or that I don't have no clear recollection of this.

MR. EVANS: That's the second rifle you are talking about?

A. That's the second one.

LEFFNER: The first rifle who selected the ammunition, you or he?

A. Well, I think the - I assumed the individual who sold it to me. I don't know how many different types of ammunition they got. I was always under the impression that they had the one, it was just --

Q. You know the difference between hunting ammunition and military ammunition, being you were in the service, right?

A. Yes, but I never did any hunting, except, I did hunting with a .22 but -

Q. Well, the ammunition that you bought for the hunting rifle was that different than the ammunition you bought for the, the military ammunition?

A. I think it was all the same size except there's a technical difference.

Q. Difference in the casings, is there a difference in the casings?

A. Yes. It's a diff- I think it's a different case, yes.

Q. The weapon that you first purchased was the man - was the manufacturer the same for the first and the second weapon?

A. I believe so.

MR. LEHNER: And how was the second weapon packaged, was it the same package that you had with the first one or were you given a different package?

A. I know it was in a box

Q. You know if it was the same box or you had it in a charged box.

A. I don't, I don't know if he changed the box. I don't know the difference.

MR. GANNON: After you bring the second rifle back, Raoul looks at it, is that correct?

A. That's correct.

Q. He says it's okay, it's what he wants?

A. Yes.

Q. Okay, what happens then?

A. Well, there is some discussion about what, where I, where I should go and things like that, five or ten minutes.

Q. What was the content of the discussion?

A. Well, he wanted me to take it to Memphis and there was some addresses writ down or something.

Q. Do you remember those addresses?

A. One of them was the New Rebel Motel I believe it was. And I should take it up there. I think it was February 4th - April the 3rd and -

Q. Any particular time of the day?

A. No, I don't recall it, just April 3rd.

Q. April the 3rd you were to bring the gun to the New Rebel?

A. Yes, that's correct.

Q. You were to check into the New Rebel? Did he tell you to do that?

A. Yes.

Q. And did he say anything about what he would be doing in the meantime?

A. I do have some recollection of him saying something about he had to go to New Orleans? But if you asked me that yesterday I probably wouldn't know it, but that's just something I recollect now.

Q. Did he tell you why he would be going to New Orleans?

A. Well, for some type of business or something. It had something to do with the gun transaction and soforth.

Q. Did he say he would be, be meeting any specific people in New Orleans?

A. No, I have clear recollection of New Orleans being mentioned but I never have, I never, I don't recall any names being mentioned or anything like that.

Q. I was just thinking if he was going to New Orleans to handle some business related to these gun transactions it would make more sense to him to take the gun with him to New Orleans, did he ever explain that, why the two of you say didn't go directly to New Orleans as opposed to the two of you going off in different directions?

A. Well, I don't know, he wanted me to, he wanted me to haul it to Memphis. I had an automobile. Of course, I guess it's a federal offense to haul it across the State line, I don't know, I assume, I assume it is. I can't explain to you what it -

Q. Well, you were in trouble either way hauling it from Alabama to either Tennessee or Louisiana, weren't you?

A. Well, that's why I wore those bumper stickers, "Support your Police" and things like that to keep the heat off. Of course, if I had been - usually the police won't stop you or bother you if you are, observe all the rules and regulations they got written out. So, I never really - Whenever I'm outside I'm not really too concerned about getting arrested. Of course you keep away from crooks except when you have to deal with them things like that, stay away from certain neighborhoods, you usually won't get -- The police don't make it a habit of arresting persons that don't appear to be in some type of - maybe you could answer this - some type of, if they did they'd be stopping everybody on the highway.

MR. EVANS: Sure.

While you were still in - While you were discussing or while he was discussing with you the trip to Memphis, did he give you any sort of time table or time schedule you should arrive at ---

A. No. I think he had -

Q. Did he tell you to take your time or did he tell you what to do or he just said, I'll see you in Memphis or

the New Rebel Motel on April 3rd?

A. He said April 3rd, yes, I, it was my impression he thought maybe I was, maybe went back to Atlanta or something, but I made the decision on my own, I'm pretty sure, to go to Memphis and just drive slow rather than make the long trip back to Atlanta, just drive slow and stay, say drive three or four hours a day and stay at different motels which I did.

Q. Okay. All told how many hours, how long did you stay in Birmingham?

A. On that particular time?

Q. On this particular time.

A. I don't know if I stayed there that night or not, you'll have to check the records there, but I think - I believe what I did is, I stayed in a place, drove a few miles outside of Birmingham and stayed in a motel.

MR. GANNON: Do you remember what city that was?

A. I recall, three or four of the cities I stayed in between, I writ them down, but I, I can't, I may recall some of them. I think I stayed in Florence.

Q. What state is Florence in?

A. Alabama.

Q. Alabama.

A. I recall getting a haircut there. That would probably be April 1, when the government had that's when they had me in Atlanta. I think I was in Florence, that's, I think that's up towards the north, towards the north.

MR. EVANS: That's right.

A. I think I stayed in another motel between Birmingham and Florence and I stayed in a motel one night in Mississippi but I can't recall the town. If I can see a map I can recall it. And I stayed, April 2d, I stayed at the DeSoto.

Q. So working back, you had, the DeSoto, rather New Rebel on the third, Desoto on the second, a motel in Florence on the first? A. Yes.

Q. Do you remember where you stayed on the night of March 31?

A. If I could see, saw a map, I could get it, but I can't recall, b

Q. What general geographical area would that be in?

A. As I mentioned I wasn't driving too far a day, so it would probably be - if Florence is north it would probably be between Birmingham and Florence. I have a clear recollection of Florence. It sits off the highway and I drove in. I cut off on a street and drove downtown and --

Q. Do you remember the name of that motel in Florence?

A. I'd draw a diagram for all these but I can't - I can't recall all the names of them.

MR. EVANS: What would you saw you averaged going up, two or three house driving a day?

A. Not much, yes.

Q. Not much more than that, right?

A. Driving slowly.

Q. Did you see Magoulas before you left Birmingham, did you go by his place?

A. I don't remember Ma-, the only place I recall in Alabama is the Starlight, that name, now there are various, Magoulas and those other places I've been in them, but I don't,

I don't recall - I don't recall the names.

Q. Were you ever in Magoulas's with Raoul?

A. Well, I may have, but I don't recall, I just don't recall what's Magoulas's and what isn't. I would assume -- I use to frequent, other than the Starlight, I use to go in a place right across the street from it. Now, I went to two other place but they were down by the train station somewhere.

Q. What did Magoulas look like?

A. I don't, the only person I ever recall, of -- Now, I can't recall his identification now, He was the owner of the Starlight, he was an Italian, I believe.

Q. What did he look like, do you recall?

A. Not now, but he's kind of heavy, I'd say 50's.

Q. Heavy set?

A. I believe he was.

MR. GANNON: The owner of the Starlight?

A. Yes.

MR. EVANS: And that wasn't Magoulas?

A. No, he was an Italian. I think Magoulas was Greek.

Q. Greek or something?

MR. LEHNER: Magoulas is a place with the name Magoulas on it or is Magoulas, you called it Magoulas because the owner is Magoulas and you know him.

A. Well, I don't have any clear recollection of how I know that. I just don't know it may have had a name on it but I don't know how some, somethings --

MR. EVANS: Do you know how to spell that?

A. No, I don't.

MR. LEHNER: Is that one word, Magoulas?

A. I think so.

Q. Who were you there at Magoulas's with?

A. Pardon?

Q. Who were you with at Magoulas's?

A. I don't recall ever being specific while being there with anyone. It was - I didn't have too much association with anyone in Birmingham.

Q. How would you describe Magoulas's?

A. Well, there was, there was a place under a hotel, I think that's one of the first places I stayed in that night right across the street from the Granada Hotel, but there was a place I use to go in there two or three times -

Q. The Granada Hotel?

A. The Granada Hotel, yes.

MR. EVANS: That's the first place you stayed in when you went to Birmingham?

A. That first night. I was, I think that was underneath the hotel, but I think there's two clubs, two or three clubs there, I just don't have no clear recollection. The only other place I ever went with any, could have been is, I think this was up by the train station, right next to a big motel. They had some kind of a floor show in there, but, I think they had a restaurant in the front and a floor show and bar in the back.

MR. GANNON: Was that Magoulas's place?

A. Well, it may have been, I don't know, I just can't recall.

Q. You told us, I think it was, you apparently did have some conversation with him because we are talking about your background, you know, well at least the background that you were giving to people, you said you told them something about working on a ship or shipyard, or something like that, did you have any other conversation with them about your background?

A. With who?

Q. Magoulas.

A. I don't recall talking to Magoulas.

Q. Then how did you get to know him and his name?

A. Well, I may have seen his name on the, on the - See, I been asked about this Magoulas before, I may have seen his name on the front of a tavern or something, but these people are kind, these foreigners they don't talk -

MR. EVANS: Does Huie know about this guy?

A. Who?

Q. Huie.

A. He never mentioned his name.

Q. No, I'm saying you say you mentioned this guy to someone else, I'm just thinking that maybe someone else has done something on this, did you mention it to any of the attorneys or anything, Magoulas, Huie or Haines or Foreman?

A. No, I never mentioned that.

LENNER: Who did you speak to before you mentioned that you spoke about this before?

A. Well, some reporter came up here and asked me about various people. I don't know if he was, Magoulas, was one of them or not.

MR. GANNON: Do you remember who that reporter was?

A. No, he was from a Birmingham newspaper or something.

Q. Was this recently?

A. Yes.

MR. EVANS: Okay, so, you are on your way up the road on the way up to Memphis.

MR. LEHNER: The first night you say you stopped at a place between Birmingham and Florence, is that what you are saying?

A. That's correct.

Q. Do you remember that place?

A. No.

Q. And you used the Galt name?

A. Yes.

Q. And the second night you say you stopped at a place in Florence, is that right?

A. Well, let's take it back, if I purchased the rifle on the 30th, if you know I don't know, I think it was the 30th, the second one. Well, I had the - So, if there's 30, if 31 days in a month, 31st, first, second, so, I had to have stayed somewhere three nights until I got to, until I got to the Desoto so the 30th I would have stayed somewhere outside of Birmingham and the 31st would have been - I would have ~~either~~ stayed in Florence the 31st or the 1st, and I stayed in -

somewhere in Mississippi about the middle of, the north of Mississippi on the 1st and I would have checked in the DeSoto the second and the New Rebel the third.

Q. What happened at these various places you went to on, during this trip, side stopping at the hotel and driving a couple of hours, what did you do the rest of the day?

A. I think I drive more, I probably checked in and tell them I'd stay there until 11:00, 10 or 11:00 that morning, and they'd run you out at 12 or 1, and then drive three or four more hours and check in to another one. So, I would arrived there on April the 3d. .

Q. Well, how long a driving time was it from Birmingham to Memphis?

A. Well, I don't know it's hard to pin it down when you, when you are driving that, that slow I guess you would, from Birmingham to Memphis, I guess it's 250 miles. I just guess, I don't know if it's that far or not. But these records, the FBI must have them because I told Huie about all these stops shortly after he come in the case and he apparently give them to the FBI.

Q. What did you do the rest of the day?

A. I'm willing to go down - I know I have - If there is anything I do know, I do know about going from Birmingham to Memphis between March the 30th and April the 3rd.

Q. What did you do during the rest of the day beside driving and stopping off at the motel?

A. Nothing, there was nothing to do. I probably just

stayed in the motel room probably about 11:00 that way I wouldn't want to be hanging around outside.

MR. GANNON: Did you try the rifle out at all?

A. No, I didn't.

Q. Where was it, was it in the back seat or the trunk or where?

A. It was in the trunk, I assumed that, because I wouldn't have laid it in the back seat.

LEHNER: Did you have a receipt for the rifle?

A. I think so.

Q. And if you got stopped what were you planning to do if the police stopped you and searched the car?

A. I wouldn't have, that's something I never considered, the police stopping me. I never really did get concerned about that until, you know, they started to, well, stopped me. I just --

Q. Well, you told us before that you usually had a plan as to what address you were going to use and what name, and if they stopped you with a gun were you going to show them a receipt under, with Harvey Lowmeyer's name on it or were you going to show them your driver's license?

A. No, I would show them my driver's license. I wouldn't show them the receipt, they don't - unless they wanted to see or something.

Q. Well, we will take a break now for a couple of minutes and stretch a bit.

MR. GANNON: Well actually, Bob, the Lieutenant came in and asked if we could come up stairs now for lunch.

MR. LEHNER: Okay. Do you want to do that Mr. Kershaw, do you want to start, take a lunch early today, now?

MR. KERSHAW: You have forced me into it.

MR. LEHNER: Okay.

(Break for lunch at 12:10 p.m.)

(12:47 p.m.)

MR. LEHNER: It is now 12:47 and the same group is here that was here this morning and we are speaking with James Earl Ray.

We were discussing what you were doing during those days between March 30th and April 3rd, and you were telling us that other than driving slowly you were spending your time in the motels. Was there anything that you can think of other than that that you were doing during that interval?

A. Yes. I have a recollection of going somewhere to get a haircut in Alabama one of those days and the barber shop was closed that day. Now, that may have been - Now, I got a hair cut I believe at one place but one of them was closed because they were closed on that particular day. Now, I don't know if that was Florence. It may, it may have been, Florence is where the place was closed on that day and I got a haircut later in Memphis.

I think that is - Yes, I recall getting a haircut in Memphis.

Q. Where in Memphis did you get the haircut?

A. It was on one of the main streets towards the Mississippi line, but I could find it, I could find it on a street map, but I can't recall it.

Q. Which day was that, that you got in Memphis?

A. Well, it was most likely been the second, it would have been close to the Mississippi line. I think I drove in and got a haircut.

Q. Now, let's take it from the second. You are clear that on the night of the second you stayed in the DeSoto?

A. Yes.

Q. Was that DeSoto the name of the county or the name of the motel?

A. Both.

Q. And what time did you get to the DeSoto on the 2d of April?

A. Well, now I can just guess on that. If I left Corinth, I'm positive that's, I stayed there.

Q. You stayed there on the 1st?

A. Yes. I would have probably checked in that afternoon.

Q. Of the second?

A. One o'clock.

Q. What did you do once you checked in on the 2d at the DeSoto at about 1:00?

A. I don't recall anything particular. I know I got a haircut. I went to the drug store and I think I left some stuff in Birming -- Atlanta, a razor or something. I think I purchased a razor.

Q. So when you stopped at the DeSoto you spent the day in Memphis?

A. Well, not, now, not, just on the edge of it there.

Q. That's the day you got the haircut in Memphis on the 2d is that correct?

A. I'm not positive, I think it was, I'm pretty -

Q. Where was the barber shop?

A. It was on a main street, but I can't -

Q. When you say a main street, was it on Main Street, the name of the street?

A. Yes, I say it may have been on Lamar Street, I got to have a map here.

Q. You are looking at a map that Mr. Kershaw supplied for you today?

A. Yes.

Yes, it would be on Lamar or maybe it would be on Highway 55. That looked, it was somewhere on the Mississippi, not too far from the Mississippi line. Now, I'm not a hundred percent whether it was April 3d or April 2d. I may have, - It could have been the morning of April 3d but I think that's been established.

Q. When you say it's been established how was that been established?

A. I think the government and my attorneys established some of this. I don't know if they established the haircut location. They might not have considered that important but -

Q. Well, did Mr. Haines know about this haircut place?

A. I don't think he - They had trouble finding it, The couldn't even find the motel, the DeSoto Motel, I don't think they found it. I probably told them about it but I don't think he asked me just where it was at, but I do

I'm, do recall that the street ran on an angle, so if it did it may have been somewhere on Lamar, but I don't know when - what I would have been doing over there, if I was staying around the DeSoto Motel. So, that makes me think it may have been April 3d I got it in the morning.

Q. What else did you do on the 3d?

A. On the morning of the 3d?

Q. Yes.

A. I stayed in the - Well, see I checked out about 11:00 and I think I stalled around. I drove around for a while, before the time I had setup for the meeting and - I ate -

Q. This was - We are talking about the morning of the 3rd?

A. Yes.

Q. Yes.

A. I know I ate breakfast. There's a restaurant that adjoins the motel and I stalled around there for 45 minutes and I can't - I can't recall just what all I did do on the morning of the 3rd except, like I say, stalled around.

Q. When were you suppose to meet Raoul?

A. That's suppose to be about 3:00 as best of my recollection.

Q. On the third?

A. Yes. It may have, yes.

Q. This was arranged when?

A. The night before at the New Rebel Motel.

Q. Well, when you saw him in Birmingham when was the last

time you saw him in Birmingham?

A. That would have been the day, the evening before I left, March the 30th I suppose.

Q. Now, did you have an arrangement at that time to meet him somewhere in Tennessee?

A. In the New Rebel in Memphis.

Q. And what time were you suppose to meet him in Memphis at the New Rebel?

A. I don't think there was any specif time there. I was just checking in and he'd, he seemed to know where it was at.

Q. What I'm getting at, on the 30th of March in Birmingham, Raoul gave you instructions to be at the New Rebel Motel and that he would meet you there?

A. Yes.

Q. Did he tell you approximately what time he would meet you, what day it would be?

A. Well, usually in a motel you can't - you can't check in until 2:00 I believe it is. So, any time within there and the evening, it's not too many hours. And all you have to do is stay around if you want to meet someone and they'll show up.

Q. Well, he told you that he'd meet you at the New Rebel Motel on the third of April?

A. That's correct, 3rd of April.

Q. That's what he told you on the 30th of March?

A. 30th of March.

Q. But he didn't specify any time or approximate time

as to the meeting that was to take place?

A. I don't recall any, I, just said to check in there and he'd make some contact or something.

Q. Now, the morning of the 3rd you think you went to Memphis to get a haircut?

A. It's either the 3rd or 2nd. It's, the thing that made me believe it would have been the 3rd was that, if it was on Lamar, see, because I wouldn't have been in that area. I'd been in the area down here where the DeSoto Motel was.

Q. How far was the Desoto from the New Rebel?

A. I'm not certain. I assumed the DeSoto was right down where, so, you'd just have to look on the map, I don't -

Q. What would you approximate this distance?

A. Now. I don't have no clear recollection of that because -

MR. EVANS: You said the DeSoto is where?

A. It would be either here or here (JER pointing to the map), it was right on the line, there's the DeSoto. See, I think it says DeSoto here --

Q. DeSoto County, right?

A. Yes, it would probably be right here. Yes, I think it would be right here, south.

MR. KERSHAW: You could come in on this highway and cut across here?

A. It could be, I don't, I don't --

MR. EVANS: You don't exactly know where the New Rebel Hotel is on this map?

A. Well, since - I think it was checked out before.

I think it is on Lamar, but I'm not certain, either that or on Poplar, but I'm not certain.

Q. Well, was there any - Well, let me just ask you this. Approximately how many miles would it be from the Desoto to the New Rebel, just approximating, are we talking about a couple of miles?

A. Well, looking at the map, I'd say, I don't know how big Memphis is. I'd say four or five miles.

Q. Was there any reason you didn't stay at the New Rebel on the second since you were supposed to be there on the third?

A. It would have been no reason except I'd rather stay out in the boon docks or whatever you want to call it rather going into town.

Q. Why?

A. Well, I mean there's less traffic and there's always the possibility you could get stopped for a traffic ticket or something. There's less police around.

Q. Which was the better hotel, the DeSoto or the New Rebel?

A. Well, the DeSoto seemed like it was kind of a rundown place. The New Rebel was more modern place.

Q. What I'd like to understand is, why if you had to meet him on the third in the New Rebel and they are only a few miles away, why didn't you just go there so that you wouldn't have any hassel trying to change and make sure that you saw him on time, also, in light of the fact there was no time specified

for you to meet him, for you to meet him?

A. Well, April the 3rd was specified, of course I could have went straight to Birmingham and drove right straight into Memphis, but I just thought - I didn't know what my reasoning was at that time, but I just didn't want to, I guess go into town with the rifles and things like that. Anyway, I made some kind of a judgment to do it like I did.

Q. You said rifles, you only had one rifle, right?

A. Yes, one.

Q. Did you have your handgun?

A. No, I didn't have it at that time.

Q. Did you have any handgun?

A. No, nothing.

Q. What time did you check in at the New Rebel?

A. Well, it would probably be as soon as I had an oport --- As soon as the time span allowed. I think you usually can check in at 1:00, I think that's so I would have checked in as soon as the new day started.

Q. Well, if you get to a motel at 11 in the morning they won't accept you at that time?

A. Well, it's any impression, it's always been my impression you didn't go in a motel in the morning and check in for that night and the next day too for all for one price. I may be wrong, that's just, I never did, I know they run you out of them, what is it, 1:00, 12, or 1:00.

Q. Well, there's check out times -

MR. GANNON: Check out times, sure -

MR. LEHNER: -but if they have vacant rooms and you got there before the check out time your understanding was you wouldn't be allowed in unless you paid an extra day?

A. Well, I thought there was a time - I think you check in a motel 12:30 a.m., well, you couldn't stay there until the following day, 12:30 a.m., plus that morning. In other words I think they have a certain time. Now I don't know, but I just assumed, I've always assumed they had a certain time where you could check in. Now, I have went in a motel, motels, at 8 or 9:00 in the morning and checked out after four or five hours, but I've never stayed 36 hours on - I don't believe -

MR. EVANS: How did you know where the Rebel - the New Rebel was?

A. I just checked in the phone book. I think I looked that up at the DeSoto.

Q. Did you, did you know how Raoul picked, chose, did you ask him why he did choose the New Rebel?

A. Well, I assumed, now, why he picked it. But I didn't have any idea then.

Q. What's , what's your assumption?

A. Well the police guarding me, told me that it was run by a person with a criminal record, things like that.

Q. Oh.

A. Shifty activities going in there.

MR. LEHNER: So that you now realize that Raoul picked it because he knew someone that was associated, or that own it and that therefore, there might not be any questions asked if he - if he was doing anything illicit there?

A. Well, possibly, if you came in visiting or something, I don't know what the procedure is for visiting motels late at night but I assumed they have night watchmans around there or something. I know a lot of these motels, they have girls and things coming in and out, and certain motels, they are not as strict on the rules as some of the other ones up town would be.

Q. How do you now realize that the person who owned the New Rebel had some kind of a criminal connection?

A. The police, the police guarding me in Memphis made some reference to that and I read, then later on I read something about it. But I think I read something about it. I have a clear recollection of learning later on, not only the New Rebel but the DeSoto, they, they had been in trouble with the law several times.

Q. What illegal activities did you and Raoul carry on at the New Rebel?

A. I didn't carry on any, except the rifle.

Q. Did you show him the rifle at the New Rebel?

A. No, I don't think I did.

Q. Did you show him the - When did you show him the gun?

A. I think the last time he saw it was in Birmingham, it was raining that night and he came there and I think he got it under his rain coat somehow, not all of it, but most of it. It was in a box or something.

Q. And after you showed it in Birmingham when was the next time you showed it to him?

A. I never did show it to him after that.

Q. When was the next time he got it after you showed it to him in Birmingham?

A. He got it at the New Rebel that night. I don't know what time it was. I know it was raining hard and I think it was 9 or 10:00.

Q. Where was the rifle?

A. It was in a box.

Q. In your room?

A. Yes.

Q. Did you show it to him in the New Rebel?

A. No.

Q. What happened then?

A. Our discussion and all that?

Q. Yes.

A. Well, of course, he inquired about the rifle and I told him I had it. It was in a box and of course I assumed he knew that and there was some discussion about where we'd meet him, and I would rent a room, and things of that nature.

And I think he gave me the address that was written on a piece of paper. He give me a certain time to be there.

Q. What time was that he gave you?

A. I think it was around 3:00, maybe earlier. I think it was around three. I think it was exactly 3:00, and it was some discussion about renting a room, I think, I'm not, I'm vague on this. I would rent a room and I think I mentioned to him, he said something about, I think he, I got the impression he wanted me to rent, didn't want me to, but thought I'd rent it under my name or something, and I think that's the first time we decided on the Willard name.

Q. How was that name decided on?

A. I, well, ~~that was~~ my name, I came up with that particular recollection since then of knowing someone in some connection with some type of a fence. I'm not certain, I just can't peg that Willard name down. If you look back through my records maybe some Willard would crop up, I can't think of it.

Q. And what was the name - what was the reason that another name other than Galt was going to be used at the, at the rooming house?

A. That was my, my decision, if ~~there was~~ any weapons or anything, anything illegal and especially in a rooming house or hotel, then I - That would be standard procedure for me to use a different name especially a flop house.

MR. EVANS: Did he give you any directions as how to, when he gave you the address, did he tell you how to get there?

A. He just said it was downtown, it wouldn't be hard to find.

MR. LEHNER: Did he say how long to rent the room for?

A. Not at that time, no.

Q. When did he tell you how long?

A. Well later on I got the impression that we'd be there a few days, I didn't --

Q. Any time before you rented the room did he tell you how long to rent the room for?

A. Well, I just got an impression, I didn't get any specific answer. I assumed the conversation about showing, displaying guns and

transacting guns, it wouldn't be too long. There was some mention about going down the river to New Orleans or something, there was just nothing specific on about how long I would be there. But every, all the conversations I had, I had the impression that it would probably be three or four days.

Q. Now, you said about displaying guns, was there more than one gun that was going to be displayed?

A. Well, Yes, there was a reference, I'm not sure where it was told to me, it was either, I believe it was told me the next day in the morning, in the rooming house, that I would probably be going back to Birmingham and getting some, more of the scope rifles and more of the, in addition, purchase some of the surplus rifles.

Q. When was that said?

A. I think that was mentioned the next day, in the rooming house.

Q. About what time was that?

A. Well, that would have been one of my short visits in the rooming house then. It would have been, it would have probably been 5 or 5:30.

Q. Was that before or after you purchased the binoculars?

A. That would probably have been after - I think that's one of the first things I did, was purchase the binoculars.

Q. He then told you after about 5 or 5:30, that you would be going back to Birmingham to purchase more rifles?

A. Yes. If the transaction went through, but, those

were all impressions I got. They were not really definite but they, they were strong enough to make me believe that I would be going back.

Q. What time were the purchaser or purchasers suppose to arrive at the rooming house?

A. Well, apparently it was suppose to be sometime after six o'clock, somewhere around there. I'm not sure, they were suppose to arrive at the rooming house, because he did ask to use the car once, so, I assumed maybe he was going to meet them some place else or drive them some place else.

Q. How did he get to the New Rebel?

A. How did I get there?

Q. How did he get there?

A. I guess he drove a car, I have no idea.

Q. How did he get to the rooming house?

A. Well, I assumed he drove a car, but I don't have no idea.

Q. So it is your understanding that he left that car in Memphis when he got into your car later?

A. When he got into my car later?

Q. Did he leave the car in Memphis or did he take the car out of Memphis?

A. The Mustang?

Q. The car that he used to go to the New Rebel. Did he use that car first of all to go to the rooming house?

A. Well, I don't know how he got to the New Rebel. I assumed it was a car, he had a raincoat on and it was raining, and the New Rebel is laid out so that if his car

was parked in the street or something you couldn't see it because it's a horse shoe shaped place, and it's a driveway comes in and the, as I recall right, where you check in at it, it protrudes quite a bit out and, only way I could have seen anyone coming in there period would be looking out the window when they drove up, that is, if they parked in the motel, if they parked out on the street it would have been impossible to see anyone because the street was just laid out at the motel where you just couldn't see anyone.

Q. What time did he arrive at the New Rebel at your room?

A. It was dark, I assumed it was about 9 or 10:00.

Q. What time did he leave?

A. Half an hour later, whenever that was.

Q. What did he take with him?

A. Well in addition to the rifle I don't, I can't recall anything that he took.

Q. Did he look at the rifle in the room?

A. No, there was no more looking at it.

Q. Had you taken the rifle out of the car when you stayed at the New - the DeSoto?

A. I don't know if I did or not. I don't, I'm reconstructing this. I don't think I would have taken it out. Because I had it in the trunk, I'm positive I wouldn't have took it out. I would have probably took my, I usually had that small suitcase, that overnight case, I would have took it out.

Q. What was the reason that you took it out and had

it in your room at the New Rebel?

A. Well, that's where he was suppose to pick it up.

Q. You were expecting him to pick it up?

A. Well, I didn't know, I had the camera equipment he didn't pick it up, I assumed he was going to, I mean, I was going, I was going through the bargain or whatever you want to call it.

Q. Did you have the camera equipment in the New Rebel or did you have it in the car?

A. No, I don't think I ever moved that camera equipment. I think it stayed in that car from the day I put it in, in Birmingham until I --

MR. GANNON: Did you ever, did you ever ask Raoul to take the camera equipment off your hands, it was just, I guess cluttering up the trunk wasn't it?

A. I asked him in Mexico after we crossed the second customs house. He said, he acted kind of nervous and he said, no, he'd get it later or something.

MR. LEHNER: Did you bring it up to him again after Mexico?

A. I forgot about it. It just stayed in the trunk. You know, I never thought about it.

Q. Did you think the gun transfer was going to take place in the New Rebel?

A. Yes, I was, well, I didn't think, but these are assumptions you make.

Q. Why you brought the gun into the New Rebel?

A. Yes, that's one of the main reasons is, if you are told to meet somebody at some certain extent, well, I would assume -

Q. It was raining when he entered the New Rebel and when he left?

A. I'm not a hundred percent sure, but I think it was raining pretty, he had a raincoat on, and I had some recollection of, if it wasn't raining, the weather was bad or something. O. And when he left your place at the New Rebel he had the rifle with him and walked out in the rain with it? Is that right?

A. Well, I'd say he had it under his coat or something, part

Q. And you don't know if his car was parked out in front or was parked some distance away where you couldn't see it?

A. I have a strong recollection it was raining pretty hard, because, you know, on second thought, because, I guess you'd have to check with the weather report, but I have - I didn't see anything, I do have a strong recollection it was raining hard that night.

Q. Did he tell you how he found out where your room was at the New Rebel?

A. No, my car was parked right in front of it, so, I think it's, they're marked off in stalls.

Q. So if your car was parked right in front of it he would have parked right next to your car, right?

A. Yes, possibly, yes.

Q. And, therefore, his car would be right outside in front of your window, right?

A. Yes. But I don't, I don't recall seeing any lights. Usually you see lights reflected, somebody pulls up, I don't recall ever, I would, I don't recall, now, and I don't recall eight years ago, so, I, there's an assumption that nobody pulled up there. Now --

Q. On the third at the New Rebel did he tell you when

the people^{who} were going to buy the guns were going to come to Memphis?

A. I think there was just vague reference made there. I think most of the references were made after we was in the rooming house, there was mention made that I was going back to Memphis or something like that.

Q. Going back to Memphis?

A. Yes - No, Birmingham.

Q. What was your, what was your understanding on the third when he told you to meet him at the rooming house, what was your understanding as to what was going to happen in that rooming house? You spoke to him on the third?

A. Well, I, this is an assumption, well, I would assume there was suppose to be some type of a gun transaction there, but -

Q. Gun transaction was suppose to take place in the rooming house on the fourth?

A. Some type of disolv or something.

Q. On the fourth at the rooming house?

A. Yes, that's correct.

Q. Now, did you ask him why he wanted to take the rifle since you had been handling the rifle and he had been the money man and you had been taking the risk, handling the rifle, did you ask him why, now on the third, he wanted to handle the rifle?

A. No, I didn't ask any questions. I don't recall ever asking him over two or three questions at the most. I

would never ask anybody why he was, he didn't want me to do it or ~~some-~~
thing if he was a middle man in some type of an arrangement.

Q. Did he tell you what your function was going to be on the fourth when he spoke to you on the third? Did he tell you why he wanted you there on the fourth if he was taking the rifle?

A. Well, there was nothing, nothing specific, I think my function was to rent a room there, and just maybe use the room for some type of meeting of some sort, that was my only function that I could determine at that, at that time.

Q. And you were to be in the room at what time?

A. About three o'clock.

Q. Did he say where he would meet you?

A. Well, I'm not - I'm not - I can't recall all the details on this, but I think the first meeting was suppose to be in Jim's Grill underneath, and if that didn't work out why I was suppose to call him or something - Q. Call him where?

A. -in New Orleans or something like that.

Q. If you didn't meet him in Jim's Grill you were suppose to call New Orleans?

A. Well, that, that was always arrangements we had. If something happened why get in contact with some number -

MR. EVANS: Is this the same number that you gave us, the partial number that you gave us, 7557? Is that --

A. That's correct, yes.

MR. LEHNER: Was there any reason why he, that he gave to you as to why he wanted the transaction to take place in the rooming house as opposed to the New Rebel?

A. No, I made assumptions about that later on, but --

Q. What assumption did you make?

A. Well, it's the type of neighborhood, you can come and go as you want to. Usually those places around the river front are all, kind of--a lot of questionable operations going on around there and --

Q. Was it your idea that you were going to stay there about three days there with the, with the gun in the room?

A. No, I didn't have, I didn't, it was my, I didn't have any impression that I was going to stay there with a gun. I had the impression I was going to stay there. I took, I --

Q. Well, what was your impression as to your purpose of staying there for three or four days?

A. Well, I think he was suppose to, trans-, contact some other parties or something of that nature, and that was just the impression that I got. I was never told, you know, well, we will stay here a week or something.

Q. Well, it was your impression that you were staying there for the purpose of displaying weapons?

A. Either that or they, I had the impression more that, that would be a meeting rather than displaying the things. That would be some type of, just a place to, you know, hand your hat while you talked to someone or something.

Q. And can you think of any reason why a place like the rooming house would be chosen to show rifles when it didn't even have locks on the doors such as the rooming house was chosen for that type of thing, meeting, as opposed to the New Rebel which you now know which is a place where, which was run by people who had

criminal connections?

A. Well, I can't think of any on the -- Well, if I had my choice and I was making some kind of illegal transaction I'd rather, unless I knew the owner of the New Rebel was shady I'd rather make it there on Main Street. But I think what you are getting into, what we will probably be getting into now, what you know, the reason for renting the room, whether it was to shoot King or make some kind, make some type of gun transaction. I see, the New Rebel - I don't think shooting anyone from there but that's, these are substantial areas we are getting into, so, and that's, based on my judgment and things like that.

Q. Well, what I'm, what I'm getting at is your state of mind, are, are you at that time wondering if we are showing guns, why are we doing it in this, in this rooming house without locks on the door, as opposed to a place that has a lock on the door, such as the New Rebel. If you are looking for some clandestine operation where you don't want other people to walk in on you and notice what is happening, especially where you have a rooming house where there is a landlady and you don't enter directly into your room as you do in a motel?

A. Well, of course, I have strong, strong suspicions now that there was never meant to be any kind gun transactions, although there very well might have been. I guess everyone looks at things different. I think, if you forget a minute, the motel, the New Rebel Motel was, the proprietor was some type of a shady individual, I think that by all means I'd rather have the, have the Main Street for a

transaction because usually there is a lot of winos down there, while they might pick up, you know, pick up your razor or something and sell it. I don't think they, they are, harmless outside of that, so

Q. What did you say?

A. They might pick up a razor, or steal your razor, or clock or something, but they wouldn't - But I don't think they would come in your room unless they was drunk, really drunk, and they'd have to work up their nerve or something.

Q. All right, after he left the New Rebel on the 3rd with the weapon, you stayed at the New Rebel that night, or did you go out somewhere before you went to sleep?

A. No, I didn't go anywhere.

Q. And what time did you get up in the morning, and what did you do then, the morning of the 4th?

A. Well, I stayed, stayed there quite late in the day, late in the morning, 11:00 and I stalled around and it took me about an hour to eat breakfast. I'm not sure if I got a haircut that morning, but I think -

Q. You might have gotten a haircut the morning of the 4th?

A. It's a possibility, I'm not certain.

Q. It might have been either the 2nd, 3rd, or 4th?

A. Second, it wouldn't have been the second.

Q. Well, I thought you, before you said that it was either the 2nd or the morning of the 3rd?

A. Well, it could have been the 4th, I, I just don't know that's, they've, I think it was the same day I went to the drug

store to get a razor. I think I left the razor and I think the police have the - I think it's in the statement I gave, I, right thre on the desk, they have, the day I went to the drug store and got the razor, I think it was the same day, but I just can't -

Q. What statement are you referring to?

A. There's a statement in there what the police would prove. I think that's it there.

Q. Oh, this is, this material that you gave us?

A. Yes. Do you want me to look through here?

Q. Well, it's not necessary now, whatever your recollection is is what we are now interested in.

A. Well, go ahead, I'll glance throught it while you are asking me.

Q. Well, I don't want you to have to do two things at once. If you want to look over it fine.

A. Well, I don't, I don't even see it in here. No, it's, I don't, I don't, see it.

Q. We'll at a recess, we'll take a brief recess this afternoon--

MR. EVANS: What else did you purchase beside the -

MR. LEHNER: Excuse me, there will be a recess here sometime in the afternoon. If you want to look over them and we can get back to them.

A. I don't think that's a stip- I think that would have been the stipulation. I don't believe that's -

Q. You don't believe we have the material here?

A. No, I just think that's something the State contended

they would prove and I think the stipulation was different.

MR. EVANS: James, you said you bought a razor, what else did you buy?

A. That day -

Q. Yes.

A. -or whatever day it was. A razor -

Q. Third, fourth, whichever date?

A. I guess that's it, I can't recall.

Q. Did you buy that from a local store or in a motel?

A. I think it would be in a drug store close to the Mississippi line, somewhere close to DeSoto County.

Q. Did you get a receipt in the bag?

A. Yes, I think so.

MR. GANNON: Did you get a good night's sleep the night of the third?

A. Well, I don't recall, I think I did.

Q. I guess the reason I ask I saw in one of the books, a place, reported about the night clerk looking up and seeing your light is on, like at 12:00 midnight, then 2:00 a.m., then 4:00 a.m.

A. Well, that was just - I think Gerald Franks, that's just jazzing up the book. There's nothing like --

Q. The way you remember it, you got a fairly good night's sleep?

A. Yes, un huh.

Q. Did you make any phone call from the New Rebel?

A. I don't believe there was no, I don't believe there was a phone in there.

Q. Did you make any phone calls from any of the places on the way from Birmingham to Memphis, including the

DeSoto and the others?

A. I never made, no, I never made any phone calls, all the time I was in Memphis, other than the stops I made in between Birmingham and Memphis, I never made any phone calls.

Q. On the 2nd and the 3rd, you know you were - the second that's at the DeSoto and the 3rd you stayed at the New Rebel, did you drive through Memphis at all in and out of the town?

A. I think I just stayed on the edge of it on the Mississippi side.

Q. You didn't drive downtown at all?

A. No, I'm almost positive that I didn't drive downtown.

Q. Did you pick up the newspaper, the Memphis newspaper during those, during that time?

A. I have no recollection of it but I usually always buy a morning paper so it would have been unusual if I hadn't of bought it.

Q. Did you know anything about the sanitation worker's strike?

A. No, I wouldn't --

Q. Did you know that there was a sanitation worker's strike while you were in Memphis?

A. No, I had no idea, sanitation strike.

Q. Did you know that Dr. King was due to arrive in Memphis?

A. No, I had no idea then.

Q. Did you know who Dr. King was?

A. I probably had a vague idea, but I don't

have any strong idea. As far as him arriving in Memphis, I understand he didn't know he was suppose to arrive there himself. So --

Q. Did you know that he, when you were in Memphis did you know there was such a person as Dr. King, Martin Luther King, who was a civil rights leader?

Q. I probably had an idea of him like I'm trying to reconstruct what I would have an idea of, now, of course, I know the President, the Vice President, I'm a lot more aware of public officials and politics now than I am at that time. I'm more interested now. But wouldn't, probably at that time I wouldn't have had any specific knowledge of any individual at that time.

Q. What I mean is, did you know that there was such a person when you were in Memphis? Did you know there was such a person as Dr. Martin Luther King and that he was a -- purported to be a civil rights leader?

A. At that time, at the particular time I was in Memphis I had no idea but I probably, I may have had a vague idea that there was such an individual, but if it would been in the paper not only about him but President Johnson, or someone else, I usually just buy the paper and glance through and look at the sports pages or something, just a force of habit. I wouldn't, unless I wanted to find a job or something I wouldn't be reading about all the public officials at that point.

Q. On the 4th what time did you get up and what time

did you leave the New Rebel?

A. The 4th, well, I ate a meal there at the restaurant adjacent - I must have - I probably went in there 11:00. I probably came out at 11:45, that's as close as I can get to it. Let me get, expand on these newspapers a little more. Sometimes when you are in solitary confinement or something like that or if you don't have anything to do up in your room, well, of course, then I might read the paper, you know, from front to back, but I'm just talking about picking up a newspaper, when I had some other business to take care of. I wouldn't be reading up on all the local scandals or anything like that.

Q. All right, what time did you leave the New Rebel on the 4th?

A. I believe I left the restaurant about 11:30, maybe 12:00, but I can't be sure.

Q. Do you know what time you checked out of the New Rebel?

A. Probably 11:00.

Q. Did you pay, pay in cash?

A. I believe I paid when I came in.

Q. And what time did you leave the restaurant?

A. Just guess, 11:45 or 12.

Q. Where did you go?

A. Well, I drove around. I had till 3:00. I think, I think I drove towards the Mississippi Line. I think I stalled around a few taverns down there. Well, anyway I stayed in that area until approximately 2:00.

MR. GANNON: Did you have a couple of drinks in those taverns?

A. Well, I don't drink. I buy a beer or something I won't drink over half of it, you know, because I don't care too much for it. I did have a recollection of eating a sandwich down there somewhere, but that's about it. I think my, my activities at that time would be all in a specific area of south Memphis.

MR. EVANS: Being a fugitive did you notice any unusual police activities?

A. Well, not in particular. There was a lot of police around there, are you talking about on hindsight or at that time?

Q. Well, I'm talking about at that time, did you notice any sort of unusual police activities, unusual amounts of radio cars, you know, patrol, prowl cars?

A. No, I don't think -- I have some recollection now of there being a few more patrol cars than normal, but the different towns have different things. I know if you go into certain parts of Los Angeles you don't see nothing but police cars where in other sections you very seldom see one. So, if I saw a lot of patrol cars around I'd just assumed I was in a hot neighborhood or something.

MR. LEHNER: And you said you had time till three o'clock, what did you do during that time?

A. I spent most of that time in South Memphis probably close to Mississippi.

Q. A couple of taverns?

A. Yes.

Q. And what did you drink?

A. Probably a half bottle of beer in both of them.

Q. Do you remember which places they were?

A. I think, I, on recollection, I think one of them would have probably been in the Mississippi, on a line, right on the line because I think they had some type of a - I don't know if it was alcoholic beverage law or something. I don't know if you can buy beer in Memphis during that time, during that time, of day or something, but that might, that might be false, I don't know, but the only thing I do know is that I was in the south part of Memphis, probably close to Mississippi.

Q. What did you do after the going to these two taverns?

A. Well, well, I went down there from the New Rebel and I think that's, that's about south middle Memphis. I don't know how long it took me to get down there, I'd say 45 minutes. I know I, I stalled around in that area until about 2:00 and then I, then I left that on the way to Main Street about 2:00.

Q. What happened then?

A. I may have made one inquiry or something about Main Street. I know, I knew, it was downtown, I was told that much but, I didn't know exactly where downtown and I think the first inquiry I made was, was the public place where I checked the car at, and I think he give me directions and I stopped two or three places along there getting directions on where Main Street was. I just knew it was downtown and that was it. I think what I did, I think I drove, when I got towards the area that looked like downtown, I drove off in a

regular parking lot, a public, a public garage.

MR. GANNON: Did you think of getting a map?

A. In Memphis?

Q. Yes.

A. Well, not particularly. If I got a map I wouldn't know much more than what I knew by inquiring, because I could have found Main Street probably, but you got to have some familiarity with the town before you can found the street.

Q. I was wondering why you, since you had the car, that made you much more mobile than you would be on foot, why would you bother to park the car instead of driving around to find the place?

A. Well, I don't like to drive around the middle of town trying to find the street or anything. I figured, I was pretty close to uptown, I just figured I would just, you know, walk on down there, and, of course there was no, not even no certainty that I was going to have to take the auto down there. But, of course, --

Q. Why do you say that, why do you say there was no certainty that you had to take the auto there?

A. Well, I wasn't a hundred percent certain, that I would have to end up, I thought I would, but I wasn't sure that, you know, that you could even park down there far as that goes, in that area, so there was no compelling reason why I had to drive the car down there, looking, you know, driving around downtown trying to find the street I was looking for.

Q. How did you decide to park where you did park?

close to downtown and that's probably the reason I parked there.

Q. What, what was the place that you did park, do you recall?

A. I recall the location, but I recall
the street.

Q. What was the location?

A. Well going from Main Street, now, I'd say you go north on Main from the rooming house we are talking about before, go about five blocks down north, turn right and go five or six blocks and that would be sort of south, and turn left and go a couple of blocks, and the main, that was, the parking lot was right in that area. It would be on the left hand side of the street.

Q. So if you were leaving from the rooming house you would go five or six blocks north?

A. North.

Q. Then you would take a right?

A. That's correct.

Q. For how far?

A. Five or six.

Q. And then what?

A. A left.

Q. How far?

A. A couple, two or three.

Q. And that's where you parked?

A. That's correct.

Q. And then from there you got out of the car, did you take anything that you had with you in the car with you at that time?

A. No.

Q. And what did you do?

A. I started looking for the rooming, for the Main Street place.

Q. Was there any reason you parked so far away from Main Street, five or six blocks from Main Street?

A. Well, I parked as close as we could to, from the main park of town.

Q. Well, you were looking for a particular number on Main Street weren't you?

A. Yes. I was looking for a street too, and I was informed the night before that it was downtown so I parked.

Q. Well, you were looking for an address, what address were you looking for?

A. Main Street, 400 something, whatever it was.

Q. And yet you parked five or six blocks away without having, five or six blocks from Main street without having passed by this particular 400 number that you were looking for?

A. No, I never passed, that's the first time. The first time I passed by was when I drove up there later but, I was just under the impression that the address was downtown somewhere and I could get out and make a few inquiries and find out where the address was and I wouldn't be out the 75 cents, a parking bill, I could then get in the car and go, you know, find out where it was at.

Q. Well, were you told the name of the grill to look for Raoul at?

A. It was mentioned of Jim's Grill, yes.

Q. And you were told that, that was right underneath this rooming house?

A. I believe, yes, I believe that was it.

Q. Was there any reason you didn't drive up and down Main Street looking for Jim's Grill so that you'd be able to find it, and then once you had it located, to look for the nearest parking lot from there?

A. Well, I didn't even, I didn't even know where Main Street was at the time. It was my idea just to park the car there and try to find out the street and where it was at, and then get in the car and go on up there.

MR. GANNON: Wouldn't it have been easier just to go in a gas station and say, how far am I from Main Street, I'd like to get over there, and get directions that way while you still had the car? You had much more mobility than, than you would have when you were on foot. I mean, it's one thing to be lost in a car and another thing to be lost on foot. On foot you're, you know, it's going to take a lot longer to get where you are supposed to be going.

A. Well, at the time I still had an hour. I can't, see those, those are judgment questions how come, you know, if I were to drove the car up there and found that, then I could foresee then why someone would wonder couldn't you just park the car and go find out where you was at. But I think I did make two or three inquiries of where the street was. I think the parking lot attendant and some --

thing like that, but I just don't like driving around town, a strange town especially, looking for oneway streets and all that, trying to find a, you know, particular address.

MR. EVANS: Was it congested, was the area congested, this main street area was it congested?

A. Where I, it, where I parked, where I parked at it was pretty heavy. Because it was, it was right on the edge of the main part of the city.

Q. Well, you parked five or six blocks away from Main Street?

A. Away from Main Street?

Q. I thought you said from the rooming house you had to take five or six blocks and then a right for about five blocks I think, and then I think you said you took a left for about two blocks, so that's about five blocks from Main Street that you parked?

A. Yes, I would guess there about.

Q. What did you do with the ticket for the parking lot?

A. I guess it's in my, part of the FBI, FBI evidence.

Q. Do you mean, you think you had it when you were picked up in London?

You left it in the car?

A. Well, I possibly threw it away. But, I described this in somewhat detail for Haines and Huie and I assumed he gave it to the FBI. I could pick this place out now because it was, and had certain characteristics which would be easy to remember, so I know where I parked at.

Q. Well after you parked you then walked to Jim's Grill,

is that right?

A. Yes.

Q. Did you go directly from where you parked at Jim's Grill or did you stop anywhere?

A. Well, I stopped at another Jim's place. I think it was, now, I don't recall the name Jim on it but later on I was told it was a Jim's Cafe or something, and inquired about the address. He said something about, that I was in the wrong place or something, and it was down the street or something.

Q. But you didn't have anything to eat or drink at this wrong Jim's place, did you?

A. I think I stopped in, yeah, I know I had a half beer but I didn't drink it all, but --

Q. Well, didn't you have the address you were looking for, the 400 number?

A. Yes.

Q. And by looking at the numbers near this other Jim's place did you realize that this was not the one that Raoul had reference too?

A. I don't know if I had, this is a rundown ar-, neighborhood. I don't know if it had the number on there or not. But I think now, I don't know if this place was Jim's but if it was I might have thought I got the wrong address or something. But I definitely recall going in a place like that ~~where~~ there was a Jim's Cafe, I couldn't say you'd have to check it out.

Q. So after you ordered this beer what did you do next?

A. I stayed there a few minutes I suppose and went on in the direction where the grill was suppose to be.

Q. What happened then?

A. Well, I forgot, I'm not sure about all the transactions. I made so many of them within an hour, half an hour period.

Q. Well, tell us as best you recollect at this time.

A. Well my recollection is now that I met this Raoul in the tavern underneath.

Q. About what time was that?

A. I think before - Now, before I, met him, well, that would been aobut 3:30.

Q. So you were about a half hour late?

A. Yes.

Q. Did you have a watch with you on that day?

A. Yes. I think before I met him I run across another party in another bar or something and I'd forgot about this.

Q. Which bar would that be?

A. Well that would have probably been the other one down the street, the first one.

Q. Jim's Cafe?

A. Yes. Some individual had certain similarities to him and he was with some other individual, but -

Q. A person that looked like Raoul you mean?

A. Well, he had certain, he was dark - I know he looked at me two or three times. I forgot about this until I read Chastain's book or something here a couple of days ago. Well, anyway --

Q. When did you read Chastain's book?

A. I read some article he had written, written about it or something.

Q. When was that?

A. When was that?

Q. When did you read it?

A. A couple days ago.

Q. A couple days ago, was it since we saw you last?

A. I believe it was, yes.

I got these various excerpts and stories and I'll tell someone something and I'll forget it and I'll read the book. I told Huie this, anyway, so, but I think Chastain said I told Huie and - But, anyway, I seen these two individuals in this first tavern but when I got to the Jim's Grill and I met Raoul, and then we had the conversation about me renting a room, and what's later on I read it. I had some recollection about me and him being in the car but I, I can't recollect when that was. One of the first conversations was that I would purchase some type of binoculars with the infrared binoculars.

Q. Well, let's see if you can take it step by step again. You met Raoul about 3:30 at Jim's Grill and as best you recollect now what was that conversation?

A. Well there was, the conversation was about - I would go ahead and rent the room. There wasn't much more conversation than that.

Q. Was there conversation about what name you would use?

A. I think we made some kind of determination on that the night before, the Willard name.

Q. And was there a determination as to what room you would rent?

A. No. I got the impression from him that there were rooms available there.

Q. And was there a determination as to what view you would look for as far as the room?

A. No. The lady that rented the room she said there was two types of rooms, a sleeping room, and plus some type of a housekeeping room.

Q. And as far as when you and Raoul spoke at 3:30 in Jim's Grill was there a discussion as to whether or not it would be a room for one, just for you or would it be a room for two, for you and he?

A. There was no discussion on that, I --

Q. What was your assumption?

A. Well my assumption would be for me, because I wouldn't be interested in two people in one room.

Q. You were assuming that Raoul would stay at a different place, not at that rooming house?

A. Well, he may stay there but I didn't think he would been staying - If I rented one, one room - Now, I'm talking about after I rented the room, what assumption I would make. I -

Q. I'm talking about 3:30 when you are talking to him at Jim's Grill, were you assuming that you were going to rent just one room under your name and that he was going to rent another room in that place or was he going to stay somewhere else, what was your assumption at that time from all your conversations with Raoul up to then?

A. Well, I didn't have any assumption where he was staying. Later on I had some type of assumption he was staying there, but I, at that particular time I didn't have any. If I rented a room I assumed I'd be, I would be the only one staying in there unless there was some type of business transaction. But, let me say about this area, I had some trouble recollecting all these various trips and I think I have - I know I went back and got the car from the parking lot but I'm not real certain just when I got it, whether it was before I rented the room or after I rented the room. I'll just have to reconstruct this on what I think I would do now, and I think I would probably got the car after I rented the room.

Q. I'll tell you what we'll do, we'll take a break for you to think about it, if you would, for one moment, and we'll give our stenographer a chance to rest up.

(Break at 1:44).

MR. LEHNER: Okay, it is now 1:51 and the same people are here that were here prior to the recess.

We were talking about your impressions when you were in Jim's Grill and you met Raoul, and can you take it from there, what was your impression as to - your impression was rather that you were going to be staying in the rooming house for maybe three or four days-

A. At the most.

Q. -and what was your impression of Raoul?

Would he be staying in the rooming house, staying elsewhere, all of your conversations to date including the one at the Jim's Grill, what was your impression?

A. Well, I thought there was the possibility that he would be staying at the rooming house, but there was no certainty.

Q. Had he ever stayed in the same place as you before?

A. I can't think of any place unless it would have been the motel in Mexico.

Q. Did he stay overnight there?

A. I don't know if he did or not.

Q. You are talking about in Neuvo Laredo?

A. Yes.

Q. Can you recollect, think back whether or not he stayed overnight in that motel?

A. No, I can't, it was a, he had a car there, someone else did, but I can't - I can't - I assumed that's another one of those motels like the New Rebel where the owner is somewhat under suspicion or something.

Q. What kind of car was that that Raoul rode in, in Mexico?

A. I don't know what the make of it was. It was a, something similar to a Ford or Chevrolet. I'm not conversed in all these models.

Q. Do you know whether or not he ever drove a car in the United States?

A. No.

Q. And you don't know how he transported himself any time other than the time you were transporting him in the United States?

A. I thought it was public transportation because everything lead me to believe it was public transportation.

Q. Was that your impression of how he was transporting himself to the New Rebel and from the New Rebel?

A. I don't know about that. I never even looked. I never even I just glanced outside from the New Rebel. As I mentioned, it was raining.

Q. Okay. At the time you saw him in the, at Jim's Grill it was about 3:30 and how long did you spend with him in Jim's Grill before taking leave of him?

A. Before I took leave of him, I can't be specific about how long, I would say in the grill, not over 10 minutes.

Q. Did he tell you where he wanted that room to be in the rooming house?

A. No. That was, it was just a mention of the room and that was it.

Q. For all you knew you could have been in a room that

faced out on to Main Street, right?

A. Well, these rooms are, there's no problem going from one to the other if you want to go in one.

Q. But he didn't give you any directions, you could have just as easily taken a room in the, as you just go directly up the stairs facing the front and Main Street, right?

A. I don't recall at this time any directions to rent any specific room. I think it was more or less the mention of the room. There may have been some recollection, but I don't have any recollection of that at all.

Q. Well if he didn't give you any instructions on where you rent the room and you rented a room that faced out on Main Street and the first building, the building where you go directly up the stairs, wouldn't that be a bad thing for his eventual plan to shoot King from the back of the rooming house in the adjoining building?

A. You mean if a party intended to shoot a party in the back?

Q. Why would he get a room in the front, especially since the room in the back ^{that you got} was not in the same building but it was sort of in an adjoining building to the building where you walked up the stairs?

A. Well, you are asking me, you know, to put myself in someone else's position, I --

Q. Yes, that's what I'm asking, I'm asking --

A. yes, I told - well, I'm not known for deep planning, I would think caution more than anything else. I would assume if anyone

was going to shoot someone that he wouldn't exactly know where his location was going to be. I would suppose you could shoot someone from Main Street but, of course, if you are talking about specific, I seen the mock-up of the hotel and I could see where it would be an advantage of being in the back, but of course there has been allegations that the shooting took place in the back yard or something.

MR. KERSHAW: How many bathrooms are there on the floor?

A. I have no idea how many there are on the floor.

Q. But there was this one, - A. I think, yes, there was one.

Q. - and all the rooms up there you could get from one of those bedrooms to that bathroom if you wanted to?

A. I suppose so.

LEHNER: Of course, if you were getting from a front room that faced out on Main Street to go to a back bathroom that forced out on Maulberry Street in the adjoining building you'd have to carry that rifle through the entire rooming house with the chance of someone seeing you, wouldn't you?

A. Yeh, I suspect in that type of rooming house, with that type of clientele you coulda led an elephant down through there and they wouldn't had been no disturbance. They would just thought they were, they had too much to drink.

MR. KERSHAW: During the morning of that day you didn't know where Raoul was, did you?

A. Not that morning no.

Q. He could have used that morning to case the rooming house and could have know that there was only one or

two rooms available up there as far as you know?

A. As far as I know yes. Of course I could have been casing it that morning myself. But I don't believe I was.

Q. Did you?

A. No. I wasn't in the area.

MR. LEHNER: All right. You went into the rooming house after being with Raoul for about how long did you say?

A. Not too long. Not ten, I don't think the conversation lasted 10 minutes.

Q. You walked into the rooming house, was that up a flight of stairs?

A. Yes, there was a flight of stairs.

Q. And what happened then?

A. I inquired with the lady if she had a room, and she said she had two. She said she had a sleeping room and a housekeeping room. I don't -

Q. Sleeping room and what's the other one?

A. What you call a housekeeping room in that type of place. She, I told her I wanted a sleeping room.

Q. A housekeeping room would be a bigger room with a stove and with kitchen utilities?

A. That's correct.

Q. Where was the housekeeping room?

A. I don't know.

Q. Did you go into the housekeeping room?

A. I don't recollect if she showed me or not. She may have showed it to me.

Q. And do you know where the housekeeping room faced?

A. No.

Q. Did Raoul tell you whether to get a housekeeping room or a non-housekeeping room?

A. No, there was no mention of that.

Q. So you know that at least one other room other than the room you got was available and you don't know whether that room faced Main Street?

A. I don't, did the other room face Main St, the housekeeping room face Main Street?

Q. Well, I'm just asking you, at this time do you know where that other room faced?

A. I'm not sure she showed me. I have a vague recollection that she told me she said something about I have two rooms, and she said something about a, she may have shown me the one and mentioned something about, she had a sleeping room. But I took the sleeping room. I don't recall all the details. I know I did tell her I wanted a sleeping room, but I don't know just, the exact time I told her.

Q. How did you get to the sleeping room?

A. How do you get there? Well, my best recollection of the house is there's a lot of winding around going up stairs and down stairs, so, I don't have no clear idea just, I seen this show on here a couple of mornings ago about, Mark Lane was on TV. He had a mock-up about how you get in house and I learned more then than I know now, how you get in there. There's two doors into it one you go up one side and come out the other, but I don't recall. I just don't recall all the details

of the - I don't know if you ever been in the house but it's layed out kind of ood, isn't it? That's, I know up in front the desk, I remember that.

Q. Did you sign a register there?

A. Yes.

Q. And what name did you give?

A. Willard.

Q. How long did you pay for?

A. A week.

Q. How much did you pay?

A. I don't recall, it's eight or nine dollars.

Q. Did you ask if there was a daily rate?

A. No. Usually daily rates, they add up to more than, three or four days will cover a week.

Q. Well, do you know what the daily rate was?

A. I assumed it was two or three dollars.

Q. And because you assumed that you were staying at lease three days you took the weekly rate?

A. Yes.

Q. What made you assume you were staying three or four days?

A. I don't know, I just got that impression I'd be three or four days. He might of made some reference to it. Usually when I, I get the impression or I do intend to stay somewhere for three or four days in a hotel or place like that, usually it is just as cheap to pay a week because, you know, there is always the possiblity that you will stay there longer so you must rent the place for a week.

MR. GANNON: Did Raoul say anything specifically to give you the idea of three or four day stay?

A. He did, but I can't recall what it is, it's uh, --

Q. Did you say --

Q. I got the impression that, that transactions were not consummated and that they maybe, I may be there three or four days.

Q. Did you say to him anything like I don't mind spending the days here if we have to do business, but maybe I can go back and sleep in the New Rebel, I have a place where the car could be, I wouldn't have to do all this walking. I have a place with a lock on the door. I wouldn't be surrounded by winos, was there any conversation like that as to, with him?

A. It never reached that point, but I'm sure there would have been, because if I intended to settle down in there for a long seige or anything I wouldn't, I'd have made some other arrangements. There was no lock on the door, that's why I didn't bring all my clothing up there and things. I just brought the bare minimum, I don't know you just have to go, you know, from day to day in a place like that, but I would never, I would probably sleep on a bed. I had an extra cover on the bed or something.

MR. EVANS: Why did you use the word seige, long seige, what do you mean long seige?

A. Well, if I'm going to stay around there and the police are running around there and there's guns floating around I wouldn't, I wouldn't want to stay at a place like that. I don't mind staying a couple days.

Q. Are you saying you anticipated something happening and you might have been hold, caught up in there or something?

A. Well, I knew the rifles were somewhere around town, somewhere, so I knew there was something going on illegal. So, I just the location of the place, I just wouldn't want--

Q. Did anything -

A. -to get hung up in that type of place.

MR. GANNON: Did anything give you the idea, you used the phrase, police running around, did anything give you the idea that the police would be running around?

A. No. But they do run around in that type of locale.

Q. Then it's, doesn't that kind of conflict with the idea that this was a locale where you wouldn't have much trouble with criminal activity because it was the normal thing?

A. Well see that's, that's a difficult question, now, you, I mean, that's the answer to that would be yes in both ways. I really wouldn't care about - I wouldn't object to staying there a couple of days but I wouldn't want to stay around there long enough where they got, I got on a first name basis with the people and they started asking well, what do you do for a living and all that.

Easy if you go there and stay a couple of days, you tell them that you are doing this or that, and then, you can move on out.

Q. But you had been very successful all through this period from the time you left Jefferson City in avoiding contact with the law, hadn't you?

A. Well, I had been stopped two or three times, yes.

MR. GANNON: But not because you had been doing anything suspicious, and it had never led to any kind of trouble with the police, had it?

A. That's correct, yes.

Q. Well, what, was there any reason that made you think this particular occasion, as opposed to say going over the border from Canada to Detroit, or going over the border from the United States to Mexico, would be any, any different?

A. Well, except there was more, the time spread was, three or four days more. I did, the Canada and Mexico deal was just a straight drive over and that was it. I'm not sure what you are getting at. Is the time, does that account for the time, in other words if I crossed border, you know, there's a half hour and that's it, unless I get --

Q. Well, you know, that is one difference that you being, staying in one place for three or four days as opposed to one brief motor trip, that's true.

A. See there's advantages, I mean, you know, you say something that, if it belies something else, but there is advantages in being in places like that at certain times, but if you are going to stay somewhere for any length of time I wouldn't want to stay around that place because I know there's a lot of informers around there and after two or three days they are going to start talking, seeing you are dressed a little bit better than they are and the next thing you know the police will be down there, and I just wouldn't want to stay there over a couple of days.

EVANS: When you had your hair cut, how did you have it cut?

A. Just a regular cut.

Q. Regular cut?

A. Shorter than it is now.

Q. Shorter.

MR. LEHNER: Did Raoul say to take the weekly rate?

A. No, that was my, I, I would, do that, that was something that comes natural, but I thought I was going to be over three or four days I would take the weekly rate.

Q. And the reason you thought three or four days was something that Raoul said?

A. He gave me the impression that he was going to make the transaction. It hadn't been made yet. So, I got, he may have said something, it might take a day or so. So, that's a, that's a judgment I made, that I may be there three or four days.

Q. Was it your impression that more than one person was going to come to this rooming house other than you and Raoul?

A. I didn't know if they were going to come there or he was going somewhere else. I got the - I didn't get no strong impression one way or the other. He did mention that he was going, that he wanted to use the car to go that evening sometime. But if he wanted to use the car, I didn't know if he wanted to go somewhere or what.

Q. If you were going to go somewhere else or he was going to go somewhere else, rather, to make the transaction, what's the sense in having the rooming house? Why move out of the New Rebel?

A. Well, I don't know why he would, why he would want another place. See, I'm predicating all this on the gun transaction. I'm not thinking about the -

MR. KERSHAW: Well, what you need to do is subpoena Raoul.

MR. LEHNER: What I'm trying to get at is you're not, you don't seem to be a stupid person. You don't seem to be someone that is afraid to, to bring up a point when it should be brought up. If your impression was that the transaction with guns was gonna take place somewhere outside of this rooming house, did you discuss with Raoul - hey, why do you want me to stay here for three or four days, can't I stay at a more comfortable place like the New Rebel, why do I have to go to a place where there's no locks on the door, where I'm subject to winos, I'm subject to the police being interested in this place because of all the nefarious people here that might be wanted by the police or doing things that the police would be interested in?

A. I'm sure that, if there had been enough time, what short time we was there, I was there two hours maybe, that type of conversation would have come up and I would have started, mentioned about the police around there and things like that. But there was just never no, the time spread what short time I spoke to him, and the short time that I was in there we never did get, get into the police and all that stuff. There was just never any opportunity for that.

Q. All right when you went up there and you saw the room, you told the landlady that it would be acceptable?

A. That's correct.

Q. And did you look out the window?

A. No, I don't think I even went in at that time, I looked in the door.

Q. What did you do next?

A. Well, now this is — This is the part that I'm not, I'm not certain of. I either met him out in the street and mentioned I got the room or I went down in the bar and told him I got it. But I do, the only thing I am, clear recollection of is that I did mention to him or someone that I had to go get the auto and --

Q. Him or someone, who were the other persons?

A. No one just him. And I may have mentioned the Brewer woman too or something. But I don't think I did, but anyway, I did leave there and get the Mustang.

Q. So that conversation was either in Jim's Grill or outside?

A. Yes, I have - I have some recollection of talking with him in the car, but -

Q. Well, the car wasn't there yet so we didn't get, we can't get to that yet, right, the car is back, is at the place where you parked it, right?

A. Yes.

Q. So it either in Jim's grill or outside of Jim's Grill that you had this conversation, is that right?

A. Yes, that's correct.

Q. Okay. Now, did you go to get the car?

A. Yes.

Q. And did you pay for the car, did you pay when you entered or did you pay when you left, do you recall?

A. I'm pretty sure I paid, I paid when I entered, how much I don't know. I don't know how much I gave him. I think you pay him so much and then if you run over you pay them before you get the keys off of them or something.

Q. And did you drive the car somewhere?

A. Yes, I drove to the rooming house.

Q. Where did you park?

A. In front of the rooming house.

Q. And what happened then?

A. I went back in the room and I think took, I think I took the overnight case in the room. That was it.

Q. Did you see Raoul on the way in?

A. No, I think he was in the room, I'm pretty certain he was in the room when I got up there.

Q. What conversation did you have with Raoul when you left after leaving the room and before you got the car?

A. I think I mentioned I rented the room and I think I said I had something I had to get the auto.

Q. You said what?

A. I had to get, pick up the Mustang.

Q. Did you tell him what room you rented?

A. No, I don't think so.

Q. How did he know which room you were in to meet you in when you came back with the car?

A. Well, unless he knew it was just two up there. He may have knew more about the place than I did. I could have told him which one I rented, but I don't have a clear recollection of that. I think he may have asked the Brewer woman or something. I have no idea how that, how that came about.

Q. He might have spoken with the Landlady?

A. He possibly could have, I don't know.

Q. But he was in your room when you returned?

A. That's right.

Q. With your overnight bag?

A. That's correct

Q. What was in your overnight bag?

A. I can't re - I read about shaving stuff, razor, I didn't bring any clothing or anything like that in there, that was about it.

Q. Did you bring the materials that you would be able to stay the night there?

A. Well a razor, yes.

Q. A change of clothes?

A. I don't recall having a change of clothes, no.

Q. Well, were you prepared to spend the night there at that time?

A. Well, yes, I brought -

Q. Where did you park?

A. I brought a bed spread up there and put it on the bed.

Q. Where did you get this bed spread from?

A. California.

Q. From where?

A. I don't know just a store.

Q. Had you used that previously, that bed spread in any of the places you stayed in?

A. I might have used it a couple of times when I thought it was necessary. I can't -

Q. What would be the circumstances whereby you would think it would be necessary?

A. Well, a flop house or something like that.

Q. What, what other time had you used it before this time at the rooming house?

A. I have recollection of using it one other time, somewhere in Texas, or somewhere. I can't - That would have been on the way from New Orleans from Texas, from Los Angeles to New Orleans the second time. But I can't -

Q. You can't think of any place except you think you might have used it in Texas?

A. Yes. I think I used it there once, but I can't think of any other place.

Q. Where in Texas?

A. Oh, a rundown motel down there somewhere.

Q. Is that the purpose that you bought it, to use if you were in a rundown place?

A. Yes. If it was necessary I may have used it there in the hotel in Los Angeles too.

MR. KERSHAW: Bob, I have here a layout of all this rooming house, Canipes, and Jim's Grill. It might help if Jim could look at it and if it seems accurate to him -

MR. LEHNER: If it's helpful to him, fine.

MR. KERSHAW: You have seen this haven't you?

MR. RAY: Yeh, I saw that. I think this was on TV a couple of days ago.

Q. Yes, and does this - did you go up to the rooming house to the right of Jim's Grill like this is indicated here?

A. Well, I know until a couple of days ago I didn't recall that. I know this here, I thought there was just one front door but apparently there was two of , two entrances.

Q. Well, that's the only entrance to the rooming house indicated there.

A. Well, theres a room, a place there.

Q. Yeh, to the downstairs, that's right. Yeh, and think, you don't remember if you went in this one or that one?

A. No, I don't recall.

Q. Do you remember when you got up there turning to the left, as indicated here, and then to the right going down to the bathroom at the end of the hall?

A. I know there was a lot of circling around, but I can't, the only thing I recall I know that the offices are up towards, toward the front.

Q. Office up toward the front. Now, was the room that you rented in this socalled annex or in the main rooming house?

A. I couldn't tell you. I think it was all one place anyway.

Q. Well, do you remember whether that, how far you had to walk from your room that you rented to the bathroom or you don't even remember if you went to the bathroom or not, do you?

A. No, the only think I remember about the rooming house was that the office is up to the front and there was a lot of hallways and short steps and all that around the place.

Q. I see, step down two steps?

A. Yes.

MR. LEHNER: Did you say you don't recall whether or not ^{ever} you went to the bathroom in the rooming house?

A. I'm not certain. I may have, but I'm not 100 percent certain if I did or not because I was out a lot and I could have very well have.

Q. Well, let's take it step by step. You came back, you saw Raoul in your room and what happened, about what time was this?

A. After I went and got the car, well, I think it must have been quarter after four by the time I got back with the car.

Q. Where did you park the car?

A. Well, somewhere in front of the rooming house. I'd say to the north of the rooming house and I think there was another car parked there somewhere.

Q. To the north of Jim's Grill?

A. Did I -- I ---

Q. To the north of Jim's Grill, in other words, if you come out of the rooming house and turn right, that's to the north, right, is that correct?

A. Yes.

Q. Well, were you parked to the north of Jim's Grill, or to the front of Jim's Grill, or to the south of Jim's Grill?

A. Well, I don't know about Jim's Grill. Well, I think I parked north of the rooming house.

Q. The rooming house?

A. -the rooming house door, yes, because I know I had to go, angle back when I put the suitcase in.

Q. All right, when you came up stairs were you surprised to see Raoul in your room?

A. Not particularly, no.

Q. What happened when you entered?

A. Conversations?

Q. Yes.

A. Well, that was, I think the first conversation was we may need some kind of scopes, would be in on the deal or something.

Q. Sorry?

A. Scopes would be on the deal, infrared.

Q. Scopes? Telescopes?

A. Telescopes, or binoculars, binoculars, yes. And he asked me to go to the store and purchase one.

Q. Did he give you money for that or did he rely upon the money that you had?

A. No, the same money that I had.

Q. So that was, how long did you spend with him in your room that time?

A. At that time, very short, I just, I think I threw the case under the bed.

MR. GANNON: Did he tell you why the binoculars, or infrared telescopes were in on the deal now in addition to the rifle?

A. Well, I thought - I got, I can't recall all the conversation but I assumed there was some type of a military transaction.

MR. LEHNER: And did he tell you where to go?

A. He give me general directions, yes.

Q. And what were those directions?

A. It would be downstairs to the right, and on the same side of the street that we were on.

Q. How far?

A. I don't know that.

Q. And did you go there?

A. Yes.

Q. And what happened?

A. I couldn't find it the first time.

Q. You came back?

A. Came back.

Q. And what happened when you came back?

A. Well, he was more specific.

Q. What more specific information did he give you?

A. Well, he told me just about where it was at, how far it was and all that.

Q. And then you went out and went there?

A. Yes, that's correct.

MR. GANNON: Before, when you left the first time to get the binoculars, given the kind of place it was did he give you any assurance that he would be there to look after your stuff?

A. Yes. He told me - Just asked me to go out and pick them up and I assumed he was going to be there, he just wanted,

MR. KERSHAW: Was he always in the bedroom when you came back or was he ever in the bathroom?

A. Yes. Well, I assumed if he wanted the binoculars he would be there waiting for me to get them when I came back. So I just threw my suitcase on the bed and threw, I think I threw the bed spread on the thing and sat down on the bed and discussed it, and that was it.

MR. GANNON: When you went up the street looking for this place to buy the binoculars and couldn't find it and came back, were you at all upset, irritated with Raoul. I mean, this was the same thing he had done a couple of days before with the rifle, he, had given you less than specific directions and then you go out and try to do the job, you come back and for one reason or the other, mainly it seems to be, to be Raoul's fault, you don't have what he is looking for?

A. I'm not sure its his fault. I thought - I'd drank about one beer then and I just cant, I can't drink, makes you can't think too well, and I think probably I just didn't follow instructions or something.

Q. So you didn't hold it against Raoul that -

A. No, I didn't --

Q. -you had been on this sort of wild goose chase.

A. No. It wasn't really a wild goose chase. I just couldn't, I wasn't familiar with the area and I just couldn't, I had difficult finding it. I come back and got more specific

insturctions. There was no hard chore about it.

MR. EVANS: Did you have any liquid, liquid refreshments in your gear?

A. I don't ever recall again. But the FBI says I had two cans of beer, but I can't recall buying beer all the time.

Q. Well, I mean is that unreasonable that you would then?

A. Yes.

Q. Is it possible that you did have?

A. It would be very, very unpossible, I just don't, -

Q. Unlikely?

A. Unlikely, yes.

MR. LEHNER: All right. The second time you went for the binoculars you found the place?

A. That's correct.

Q. And did you discover when you found the place the second time that you had inadvertently passed it the first time you were looing for it?

A. I don't know if I did or not. Possibly I could have, but I don't know. I think I may have, I may have -

Q. About what time was it you found the place the second time?

A. Well, it was getting, it was getting, 4:30, 5, quarter to 5 or something like that.

Q. What happened in the store when you found the store.

A. I asked him about the binoculars and he said something, he,

the salesman seemed sort of nervous and he said something about I had to go in a military store and so I just asked him for a pair of the regular ones or something and I think he said something, about, there may have been some reference to these things that slide on any, fit on top of binoculars or something. I just bought a cheap pair of the other ones and that was it.

MR. GANNON: Why did you actually buy the binoculars, because it seems to me you were like on the way to having a repeat of what happened with the gun. He asked for a specific kind of binoculars you couldn't get them, I mean, you could have gone back to the rooming house. He could have said, well since this isn't what I exactly what I wanted go back and take these back. Did that thought ever cross your mind while you were buying the binoculars?

A. Now, that's possible I don't think the - I have some recollection now of hav- of the infrared binoculars. There is some type of a thing that fits on the outside of the regular ones. The store manager said something about an Army surplus store, and that's -

O. Had Raoul said anything like that, well, if you can't get the infrared binoculars get a regular ones because we can put lenses on them?

A. I don't know if he said that or the other guy said that, the sales man. Somebody, I think might have mentioned it but I just don't have no clear recollection on it, the infrared.

Q. Well, when you brought them back what was Raoul's reaction?

A. Well, I just told him that the guy didn't have

them and he said something about going to the military store and he said something about, well wait 'til later. So, I think I laid them down somewhere or give them to him or something.

Q. This was in the room?

A. That was in the room.

Q. And what time was that when you got back from the second trip?

A. That must have been somewhere past, it was past 4:30 or 5, but I don't know just when it was.

MR. LEHNER: Well, I think you told us it was either 4:30 or 4:45, or so, when you got to the store, and so, after you got the binoculars you went right back to --

A. Yes. Well, I think I stopped at a tavern or restaurant maybe during that time too. I know I stopped at a restaurant.

Q. You had the binoculars with you when you stopped at the restaurant?

A. I possibly could of, I know I stopped at the, I was in the Chickasaw Restaurant and I was in Jim's Cafe again. I think I ate a sandwich in there.

Q. You went to Jim's Cafe a second time?

A. I was in there twice, yes.

Q. Well, the time that you had the binoculars did you go to the Chickasaw with the binoculars or did you give, go to Jim's Cafe with the binoculars, or did you go to both places?

A. I don't know if I went any place. I said it's a possibility that I stopped at the Chickasaw and I stopped in and

got a coke and ice cream. It's possible that I stopped in there, but I don't think so, I think I went out later on.

Q. But at any rate you did return either directly or indirectly after you got the binoculars-

A. That's correct.

Q. -to the rooming house and Raoul was still in your room?

A. Yes.

Q. And did you give him the inoculars?

A. Yes.

Q. Was there conversation to the fact that they were not exactly what he wanted?

A. Yes. I mentioned that the salesman said something about an Army Surplus store, and that's where we'd have to get them.

Q. What did he say to that?

A. He said that it was all right and just leave them go or something.

Q. Leave what?

A. He said it was all right and leave them go until later on or something to that effect.

Q. What was the next thing that happened?

A. Well, now, I can't get straight of all the places I went to. I know I was downstairs twice. I went down there and the second time I think I may have drank, got a sandwich or something. I know I went to another place, and got a, I think I got an egg sandwich and I hadn't had anything to eat except I think I had a sandwich early in the day down in, close to Mississippi.

And I went to another - I went to the Chickasaw Restaurant and got ah - I stopped inthere once and got a coke and ice cream, but I don't know when I did all these things. But I know I did them, but I'm not certain just, on what trip.

MR. GANNON: Can I ask you, just to go back, what about the gun, did Raoul bring that up to your room?

A. I never saw it in the Main Street place.

LEHNER: You never saw it in Jim's Grill when you spoke with him and you never saw it in your room in Main Street-

A. No.

Q. -rooming house?

A. No, I don't think it was under the bed either because I put some, the overnight case under the bed.

Q. Did you ask him about it when you were in Jim's Grill or in the rooming house, where's the gun that we are going to show to the -

A. No. He mentioned that he was going to see some people that night, later on, so, I assumed it was - but that, maybe one reason to assume that possibly he had a room rented there because he didn't have the material in my room, well, he may have had it in another so --

GANNON: Did he say where the gun was?

A. No.

LEHNER: Did he indicate whether or not he had a car?

A. No.

Q. It was your impression that he was using public transportation?

A. Well, I don't know, there was a lot of cars parked on the street there.

Q. Well, I thought you told us before that it was your impression that to and from the New Rebel it was your impression that he was using public transportation?

A. Yes.

MR. KERSHAW: You signed the register when you went in to the rooming house?

A. Yes, I signed it.

Q. Do you know if he went in to the rooming house and got a room at sometime earlier that morning then, would he have signed the register too?

A. Yes, he probably would have, yes.

MR. LEHNER: So it was your impression that he was transporting this rifle by use of public transportation?

A. Well, I didn't know at the time.

Q. I'm talking about your impression.

A. Well that would be --

Q. Your impression.

A. Well that would be an odd way to transport a rifle.

Q. Yes I agree with that.

A. I don't believe anybody would carry a, carry a, especially if it was pouring down rain.

Q. Especially if he is taking all the trouble to have someone other than him purchase the rifle, he didn't want to be seen with it evidently, he's going to sell it to some people in some kind of a criminal venture and he's paid somebody else to do all the transporting now he's using public trans-

portation from a motel to a rooming house to take a rifle there, did this, does this seem to be odd to you?

A. Well, if I'd thought about it, it might have seemed odd but I wasn't trying to diagnos all these things. Usually when you are on escape, outside of jail, you, as time goes by you get less concerned with all the details and more concerned with getting the money and passports and things. That's something that builds up --

Q. Well, lets forget about -

MR. EVANS: Also getting caught, right?

A. Uh.

Q. And also getting caught?

A. Yes. The longer you are out there -

Q. All right, now, was there ever any discussion as to what what would be the procedure if you were ever caught in this rooming house or at any time that you two were together engaged in any of these activities?

A. Well everybody, everyone for himself I suppose.

Q. Well, I mean did you ever discuss it with him, I mean you, did you ever discuss what your story would be?

A. Well, no, he knew and I knew that this was illegal. I never, I never attempted, except twice, to make any kind of conversation with him based on anything personal, or anything, and I got a non-committal answer, so, I never did press him about any type of story or anything.

MR. KERSHAW: You didn't know whether he had, he may have had a car there of his own?

A. Well, very true, yes, I mean, if it is puring down raining and you are picking up a package I don't think he would be tp there flagging down a

bus or cab. As you mentioned, I just don't think you, on something like that you'd probably come up with your own - like I say, everything on your own, but I never had any word with him or anyone else, I never had any details of what I'd say. I knew what I was going to say if I was stopped, but I didn't know what any other party was going to say.

MR. EVANS: What would you have said?

A. If I had?

Q. If you had been caught in that room with the rifle, with raoul? what would you have said?

A. If I'd been caught with him? Well, I never thought about being caught with him. I was thinking about being caught with, myself through a traffic ticket or something like that.

Q. I mean in this situation, in this situation, what would you have done?

A. What would I have told them? Well, I would have probably tried, tried to jump out the window. I can't --

Q. Which window?

A. I don't reall think you can put a story on, you, if the police broke in on you and they caught, well, if there's any wind- any windows around in must of those places -

Q. Was there windows in the room that you were in?

A. I think there was but I don't remember specifically. I usually, if I am renting the place I usually try to get on the ground floor but that was a different situation there.

LEHNER: Was it your impression that possession of that rifle in Memphis was a crime of some kind?

A. Well, it's not so much that, it's the idea of it. I was a fugitive. I have some recollection, now and then, but

I don't know if it's a law now or not, but if a fugitive, if anyone with a criminal record transports a weapon across State lines it is a federal offense and I've always, I don't like to get involved with anything that involves the federal government because -

Q. All right. You told us at that time you weren't thinking that much about the strangeness of Raoul transporting a rifle through public transportation after going through all the effort to disassociate himself from the rifle by having you do all the purchasing and transporting while he does the negotiating in New Orleans. As you think of it now can you think of any reason why he would take the rifle from you at the New Rebel and do the transporting to the rooming house rather than let you do that?

A. I can't think of no specific reason on it unless he wanted to show it to someone that night or early the next morning.

Q. Was it your impression that he was engaged in some kind of a con game with these people that he was going to sell them to, that he was going to say that he could get a hold of these rifles at a reduced price or that no one else could get them since these were, this was a rifle that you or any one else could go into a sporting goods shop and purchase as you did?

A. I don't know what the, what the practice is — I don't know if anyone can go into a place and buy 8 or 9, 80 or 90 rifles or not. I imagine that they might call the police on you to try and find something out about you.

MR. GANNON: Did you check on that at Aero Marine? Did

you ask if these rifles that you examined, the military surplus rifles were available in large quantities and whether they could be purchased in large quantities.

A. No, I just asked him the price and things like that. I think I had it in my mind then that if I was required to purchase them I was going to try and purchase 8 or 10 there and go some other place in Birmingham and purchase 8 or 10 more whatever it was. But I can't see myself going into a place and purchasing 50 rifles.

MR. KERSHAW: Jim let me ask you this, assuming that Raoul shot Dr. King and you gave him the rifle the night before at the New Rebel Motel he's got all night and all of the next morning within which to sight in the rifle, that, that could be, I know it's got to be speculation but this could be a reason for his having the rifle overnight and during the morning, if he did, right?

A. Well, I think the - the owner sighted it in.

Q. The who?

A. The owner.

Q. What owner?

A. Well the individual I purchased it off of.

Q. Well, you mean, the store manager? A. Yes.

Q. He put the telescopic sight on, but he didn't sight --

Do you know what sighting in is?

A. I think they sight it in when they put them on.

Q. Do you think that that is what that is?

A. I assumed that is -

Q. And, so, you think that Raoul would, even though he got the gun from you the night before that he wouldn't experiment with the telescopic sight or test fire it or anything like that?

A. Well, see I know only what I've read and the first rifle had a defect in the barrel or something.

Q. Yes.

A. And the second one I assumed it was all right, so - I imagine that anybody --

Q. I take it that you had never shot a rifle with a telescopic sight on it?

A. No.

Q. So, you don't know what sighting it in means do you?

A. I don't know the techniques of it. I know there's a certain -

Q. You don't know that - you just don't know the technique involved in sighting it in?

A. That's correct.

Q. Okay.

MR. EVANS: You say the first rifle was defective?

A. I read that in the paper, I don't know -

Q. Do you know that to be a fact?

A. No, I don't know it to be a fact.

Q. Did you ever hear Raoul say to you that the first rifle was defective?

A. No. I think his story was, it was the wrong, wrong type.

Q. When you took the gun back to Aero Marine, the

you ask if these rifles that you examined, the military surplus rifles were available in large quantities and whether they could be purchased in large quantities.

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A. No. I think his story was, it was the wrong, wrong type.

Q. When you took the gun back to Aero Marine, the

first gun did you notice what the proprietor of the store did with the weapon? Did he put it back on display after you told him, or what did you do?

A. I don't know what he did with it. I, I really, I really don't recall what he did.

Q. Did he examine the weapon to see if you had fired it or anything?

A. He may have but I don't know - but I didn't notice.

Q. In your gear if you can remember did you have a pair of plyers or a screw driver or anything?

A. I mostlikely did.

Q. What was the purpose?

A. I think that was for a locksmith course.

LEHNER: Was there any discussion with Raoul as to how you were going to obtain a large quantity of rifles to sell?

A. No, I think he said something about me going back and getting some certain, he said I may go back and get 50 or 60 of them plus some more of the more expensive ones.

Q. What I was trying to get at a few moments ago, did you think that Raoul was playing some kind of a con game with the people he was going to sell it to, because what he was planning to do was to go into a store and send a person like you into the store. If you can go in, anyone can, especially a person that has a criminal record and is a fugitive like yourself. If you can certainly purchase it anyone can purchase it.

A. Yes.

Q. His plan was to get rifles through you?

Q. Through legitimate stores, and yet he was selling them - was going to sell them to these people from Latin America, was this some kind of a con game, was he going to raise a price substantially so as to make a profit where he's paying the regular price, he's going to charge them a much larger price and gain it through retail purchases by you? Was that your impression?

A. Well, he was talking about me taking them down there, if I, excuse me, if I purchased the rifles and took them across the border into Mexico at that time I didn't have any idea what the, what the value was, the resale value was, but I read in the paper just the last few days that they were worth 7 or 800 dollars a piece, these military rifles, to these Mexican dissident groups who purchased them. But I never had any impressions that anything was a con game. Everything I ever did with him was serious and everything I did was serious, I never -

Q. Well what I am getting at, is that the value of you and Raoul had to the Latins is that you would be able to get it across the border, or is the value that you and Raoul had to the Latins is that you would be able to purchase the guns or in some way acquire them?

A. I think it was both. I think probably the main thing was getting them across the border. I think, it's easy for a person with a North American citizenship, especially if he is a non-Mexican, to take material across the border. I found that out the first time I was down there. All you got to do is give them a dollar a piece and you can haul -

Q. You value was in transporting them over the border?

A. Yes. My appearance, I mean that was my value.

Q. So if you could do that, certainly you could meet the Latins near the border, purchase them there and take them across the border? Why is it that you have to purchase them in Alabama, Raoul has you meet with them in Louisiana, you meet with - you then show them the rifles in Tennessee, merely to transport them across a border to Mexico? How does that make any type of sense?

A. Well, it might make some sense to anyone, but of course now on hindsight I don't think that was really the, he may have been involved in something like that at one time or another, but I don't - obviously, now you can see that wasn't the, that was a cover story. I think the real operation was to shoot King in Memphis rather than to -

Q. I'm going into your, the operation of your mind. You are not an unintelligent person, you are a person who thinks, you are a person who is thinking of many things, you are, you are a fugitive, you are thinking of survival, you are thinking of how to get money from Raoul to get out of the country, you are thinking of yourself. Now, if Raoul is telling you something about selling rifles in large quantities to transport across the Mexican border, you as a fugitive want to know what the risks are in order to evaluate whether you want to get involved in this, is that true?

A. Yes, that's correct.

Q. You had, you had a risk in taking some narcotics off the Cana --, over across the Canadian border, you had a risk of taking some materials which

which you think possibly was jewelry across the Mexican border, and now if you are going to be transporting weapons from Alabama to Tennessee all the way down to Mexico, you want to know what's in it for you, right, and you want to know why we are taking such extraordinary risks, is that true?

A. Yes, well, that really wasn't too much risk as I saw it the time. There was a certain amount of risk but there wasn't, the risk wasn't comparable to say holding up a supermarket, or something like that.

MR. GANNON: Once you get into the volume, say well maybe transporting one rifle is not so much, but once you got into the volume you know transporting a volume of weapons, say buying 8 or 10 even say at one, two, three, four different gun stores, but then you are moving in the neighborhood of 50, 60, maybe a 100 rifles; that's first of all is a lot, it's a bulky load, the Mustang wouldn't have been able to handle it, you would have probably had to get a truck of some kind and then anything, you know, the guns are just not, you know, guns in quantity are not that easily concealed. It seems to me it's a much more serious risk there than in say the Windsor to Detroit operations or the Laredo -- Neuvo Laredo operation.

A. Well, of course, there's a lot more money mentioned. I think there's \$13,000 mentioned, but I didn't, I wasn't - I wasn't given any details about how the guns were suppose to be transported across to Mexico. Maybe they had some other type of - maybe they were going to take them across in ships, I don't know.

Q. Wouldn't that be the next question that would naturally arise for you, because I mean you were putting yourself in jeopardy again, you'd have to have some assurance that it was a sound operation?

A. Yes, it would have arisen after I got, if I got that far, of course, there would be other questions arose too before I crossed the border again about the money, and the finance, and things like that.

MR. LEHNER: Well, you are a guy that, you weren't someone who was beholden to Raoul, he wasn't a long time friend of your's, you were thinking of James Earl Ray. If the deal was to get things across the border, wouldn't you talk to Raoul about how to do it with the less exposure to yourself; and if the main thing that you were going to be used for was that you - someone who looks a little more reputable, may be, than the people who are involved that you are selling it to, and you have an easier time crossing the Mexican border than say Latins, wouldn't it be logical for you to talk to Raoul about minimizing the risk, about buying the materials somewhere near the border so that you are not carrying it in a truck? If you got 60 or so, if you are not putting all this stuff in the trunk of a car or loading up the back seat of the car, you can't get 50 or 60 rifles into a trunk of a car?

A. If it, if it would have come down to that, of course I can see now where it probably --- there was never any intention of going through with it. But if it would have come down that far yes I would have asked questions.

Q. There was no intentions of him in going through with it, I'm talking about what you are discussing in your mind.

A. Yes, I know, yes well, if I was, if I were -- If it reached that point, I would want to know some of the details naturally. But I don't know, there was never any specific, no one ever told me that I was going to haul the rifles across in the Mustang.

Q. You were told that you might have to go back to Birmingham from Memphis to get --

A. Purchase them, yes.

Q. -to get the surplus rifles? Well, didn't you say to him, gee, why are you doing all this here, I have taken this long trip from Birmingham to here, it took four days, why didn't you tell me when I was in Birmingham to pick them up. You told me to look at them they looked all right, why didn't you buy them, was there a conversation like this between you and Raoul?

A. There would have been if, if, if, if it came that far, but during this two hour period that I talked to him, I talked to him about 10 minutes, and I was running errands and going here and there, at that time. There was no time, but if I would have gotten to Mexico with the rifles or something like that I wouldn't you know say load up my car and then head me across the border. I would have made some suggestions myself, before I went across.

MR. KERSHAW: Yes, but you had gotten on down the line with it. It seems to me perfectly obvious that the very place not to buy military hardware would be in a well known port of entry like New Orleans, or Huston, or dallas, or Galveston, just a smart thing to do would be to buy them in Birmingham or in some interior place and then negotiate about them at

some interior village like Memphis.

A. I don't know how they work these various things but of course I was concerned about the money.

GANNON: What was your estimate of Raoul's intelligence?

A. Well, I think he was a criminal type, I can't -

Q. Did you feel that he was smarter than you were?

A. Some people are smarter in certain ways if they have been doing something all their life they get sort of adapted to doing certain things.

Q. Did you feel he was smarter than you, you were in evading the law?

A. Well, I thought he was a professional and I was a semi-professional, that's the way I would describe him.

Q. So that you thought that he was, was making an adequate calculations of the risk involved for you as well as for himself?

A. Well to a certain extent, yes, because, course if I were to have gotten caught it might have, why, it may not have been disastrous to him, it may have been a loss of certain merchandise.

Q. But in effect then you were sort of entrusting Raoul with your freedom?

A. Well there is always the possibility of that when you are dealing with the criminal types because you have, you have, I'm always more concerned with informers than I am with somebody, trusting somebody else with what you call freedom. See, I can make certain, certain judgments if I'm working with someone, why I can protect myself, but if, an informer you can't protect yourself from that type.

Q. I guess that's what we have been talking about, the judgments in this situation about, you know, where you could protect yourself. That, I'm not saying - I'm not suggesting that Raoul was an informer, that he was going to turn you over to the police or anything, but he could just make a mistake, a mistake that if you had been in charge, or had some say in the affair then you would not have made, and yet that mistake that Raoul made would get you in trouble, get you back, bring you back to Missouri, that's the thing I had in mind. that --

A. Well, I don't think I was working with him whereby I was more, some type of lawbo---robot, or anything like that. I can make certain judgments myself. I wouldn't want to get involved with anyone where I had to do everything he told me right to the T, I like, certain small things where maybe I didn't have no experience in them but at the same time I may possibly know more about it than he does.

Q. But this has been sort of the situation, you know, it, was sort of the situation with your relationship with Raoul that you were doing thing to the T. more or less and in some times - in some incidents at least doing a lot of of unnecessary things because of his own, just the vaguiness of the directions he was giving you?

A. Well, that's correct but of course he was paying me and there was no there wasn't a lot of work to it and there was a possibility of, there was at least, over all I think there were less chances of that, of being arrested, than if I was committing holdups, and there was a possibility that he had mentioned passports. I think

if he hadn't mentioned passports I probably wouldn't have gotten involved in any of that type of business in the first place.

But -

Q. But here it was April of 1968, he'd first mentioned passports in July or August of 1967, it was, what's that four-eight months later he still hadn't come through with the passports were you beginning to wonder about where he could ever deliver on the passports?

A. Yes, I was, of course, it was wishful thinking, but I had gave up on the passports, I was concerned with money at that time.

MR. LEHNER: When did you give up on the passports?

A. After Mexico.

Q. Okay. So we're to the time that you returned the binoculars to him, what happened thereafter?

A. After he took them? I'm not clear on that, I know all the places I was at, I am clear from about 5:20 on, but prior to 5:20 I know all the places I was in and out, but I don't know just the sequences.

Q. As best you can recollect, from the time that you gave him the, the, binoculars until, as you say, you are clear at 5:20, what happened?

A. Well at 5:20 I think that's when he suggested that he was going to use the Mustang that evening and -

Q. About what time did you return with the binoculars and give them to him?

A. I don't know, it must have been 4:30.

Q. Now, from 4:30 to 5:20 what do you think happened during that time?

A. Well, it could have been 15 minutes, it could have been quarter to 5 when I gave them to him, during that period I most likely, I think I was either under Jim's Grill or at the bar at one time. Cause I know I went in there a second time and they changed waitresses, a white waitress to a black waitress, I was in, only in there 15 or 20 minutes.

Q. They changed from the white waitress to the black waitress?

A. In Jim's Grill, yes. From the first time we met. So, I can't, I don't know just what place I was in first and what, which ones I was in second.

Q. 5:20 where were you?

A. That's probably when I was at the, I was in the room at

Q. And what happened then?

A. That's when we had the discussion about, he, he was going to use the Mustang that night and I could go somewhere and kill some time, or somewhere, a movie or something, and I think about that time, I think I - I know I sat in the car one time about 10 minutes thinking what I was going to do, and I know I went to, I think it was the same grill I checked in when I came, when I was trying to find the place.

Q. You're sure, that's what you think is called Jim's Cafe?

A. That might be it. It sits right on the corner. I know one place sits right on the corner I was in twice.

Q. On Main Street.

A. Yes.

And I think, I think the second --

Q. Where is it in relation to the binocular's store?

A. Well, it is across the street but I don't know what relation. I don't know where the binocular store is at.

Q. The binocular store is on the same side of Main Street as Jim's Grill and the rooming house?

A. Yes.

Q. And Jim's Bar - Jim's Cafe is on the other side of Main Street?

A. That's correct.

There was a second time I was in Jim's Grill underneath, now I may have been in there three times, I don't know, but that's where I seen these two individuals that I was kind of suspicious of. I thought they were looking for me or something.

Q. Had you ever seen them before?

A. No, I never seen them before.

Q. Have you seen them since.

A. Well I seen the picture that looks something like him, but I don't recall the picture.

Q. Which picture was that?

A. Someone named Youngblood or something

Q. Where did you see that picture?

A. I think Wayne Chastain had it. He showed me a bunch of pictures.

Q. That might have been one of the two people that was looking at you strangely in Jim's Grill?

A. Yes, underneath.

Q. Okay.

A. At that time I went to the - now this -

Q. The picture that was shown of Youngblood was that the person that was in Jim's Grill or was that someone that looked like the person in Jim's Grill?

A. Looked like the person.

Q. In other words you could say it was not the person but it bore similar resemblance to him?

A. Yes. At that time I suppose if I went in there I must of arrived at this other taven about 5:30 or maybe a little after. I was in there I think I ordered another beer in there and at that time I decided to, sometime at that time I decided to service the automobile. And -

Q. This was, this was, you were in Jim's Grill at that time?

A. Yes I didn't decide to service the automobile then, that's when I went down the street. I was going towards the movie.

Q. All right.

A. I went in a tavern right across from the movie I think it was.

Q. That's where you had this last beer?

A. Yes.

Q. And you decided to service the automobile?

A. That's correct.

Q. And what did you do then?

A. I went back and I was hemmed in because, I, hemmed in from the front, I think it was, and I think I pulled out and drove around the service station and --

Q. What time did you get to the service station?

A. I have no idea.

Q. Was it before or after five?

A. It was suppose to be, it must have been close to six, it was after 5:30, and I think I went in to two service stations then. I don't know if I - I don't even recall if I got the tire, I know I didn't get it fixed. I don't know if they put any air in or not.

MR. KERSHAW: Did you ever go back to the rooming house after 5:30 James?

A. Yes, I went back towards it and I got -

Q. But that's when you got waived off?

A. I don't recall getting waived off, I recall seeing the police and the squad car parked in front of me.

LEHNER: You are talking about after you went to the two service station?

A. Yes.

Q. Now -

MR. KERSHAW: But you just went back towards the rooming house after 5:30, you never successfully made it back to it, is that right?

A. Yes.

MR. LEHNER: Now each of the times that you saw Raoul from the time that you first saw him in your room until you last saw him in your room - Let me, let me withdraw that.

Each of the times that you saw Raoul from the time you first saw him in your room until the last time you ever saw him all those times were in your room, is that true?

A. That's correct.

Q. So, that, that was the first time you came back to your room when you had the bag, your little bag, and each time you came back thereafter you saw Raoul in your room and that finally you left and went to get a drink and go service the car, is that true?

A. Everything is true except I have a recollection of seeing him in the car one time, just for a couple of minutes. We had a short discussion in the car -

Q. When was that?

A. - I don't know when it was, I just can't get that together.

Q. When could of that been?

A. I don't, I couldn't, I can't get that together.

Q. Well, you told us that each time you saw him was in the room?

A. Yes.

Q. And you also told us that the first time you saw him in the room the car wasn't even in front of the place, it was in the parking lot.

A. That's what I say, that's what, that's what has got me confused about the various things. Cause if the car wasn't there, then I couldn't have been in the car with him, but it must have been sometime after the car was there. Now this may have been something that I gave Huie years ago and then we, then I changed it or something. Let me get, mention these papers I gave to Huie. A lot of them I altered after I re-think things because he was wanting them real quick and I wrote the

first ones out real quick and then I wrote first of all I'd send him a sheet of paper out saying no that's not quite right and he'd go ahead and make some alterations on it.

MR. KERSHAW: Do you remember about what time it was that you saw the man you, that could be Youngblood in that, in Jim's Grill or the Jim's Grill, Jim's Restaurant?

A. It was probably the last time I was in there. Because, I was concerned because he was looking at me twice. He looked at me the first place and the second place I saw him.

Q. Correct me if I am wrong, but I thought, I thought what you had said is that it was a person who was not Youngblood but who looks like Youngblood?

A. That's what I said, yes.

MR. LEHNER: Let's take a little break with our stenographer, and it's 3:00 and we will come back in a couple of minutes.

MR. LEHNER: It is now five minutes after three p.m. the same day, and the same people are here, and we're --

Let me ask you, have you thought over the recess or can you think of now when if any time you were in a, in the car with Raoul in front of Main Street or on Main Street?

A. I have a , I have a recollection of being in front of the car but I can't, I can't per it down. It may be false, it may be, I know I was in the car once, maybe I was in there by myself, maybe those papers if you get them from Sommers, I made some reference in there to them. I think I didn't make reference to the individual, I just said I thought he was watching me.

Q. Now, you say you corrected these papers from time to time, and when you thought of things that were not quite accurate you made corrections and sent it to Huie?

A. Yes, at the beginning he was in a hurry for the papers, you know, he'd, have to have, in otherwords if you get material you can't publish it the next day it takes quite a while to publish it, and I'd had some trouble with contracts. I didn't want to sign them consequently it was up - I was extradicted July 19, it was up until August before these, we ever decided to give him papers.

MR. KERSHAW: Bob, if you haven't got any - if I may ask one question on this?

MR. LEHNER: Please go ahead.

MR. KERSHAW: I just want to clear up this Youngblood business. You saw a man in Jim's Grill that looked like Youngblood, is it true that you could, you couldn't say positively whether it was or was not?

A. Oh, yes, I couldn't make no identification.

Q. It could of been Youngblood?

A. It could not, I guess.

Q. Or, but you just can't say positively whether it was or was not?

A. No, he just had some pictures there and we was discussing these people I saw and I said this looks like him, and I didn't even know his name at the time. He had an alias. I don't think, I think his alias was Armstrong or something.

Q. Who is this that we had the pictures?

A. Wayne Chastain.

Q. Wayne Chastain, and Young-, you have learned who Youngblood is suppose to be since the murder of King?

A. Chastain said his name was Armstrong and that was an alias and then later on he learned his name was Youngblood.

Q. Do you know who Youngblood is supposed to been, and what he's suppose to have done?

A. No, I don't know. I know he's some crook or something.

Q. Do you know whether or not he's a professional hitman or has been charged as such?

A. Well, I read these stories, but I don't know anything. I have gotten the stories -

Q. Just what you've read?

A. Six or eight months ago, I guess.

Q. Well, do you know who he is?

MR. LEHNER: Well, rather than make any statements, I just thought I'd like to ask some questions to see if I could clarify this point that I've asked Mr. Ray.

I thought on two different occasions you told me that when you looked at the photograph you realized that the person in the photograph, Youngblood looked like one of these two guys that you saw in Jim's Grill, but that Youngblood was not one of those two guys. I thought that's what you told me on two, two occasions?

A. Did I say he was definitely not? It's difficult to, to always determine people by photographs. This individual

I was talking about I saw in Memphis in these two bars. I just, I don't have no clear recollection of him at all except he's dark and somewhat swarthy and he had someone with him, behind him twice, some guy drinking, and the other guy was dressed in a, I think a Navy pea-coat, a sailor type - I probably went into more details with Huie on what he looked like, but I, I can't recall.

Q. All right.

Let's pass on to the time you say you went to two gas stations. You didn't get the tire fixed, was the tire on the car or was it in the trunk?

A. It was in the trunk I'm almost certain.

Q. You're not quite certain?

A. I'm certain, yes, I am certain because I changed tires. If I hadn't of, it would have been flat.

Q. Did you change it yourself or did you take it to a service station?

A. Yes, I did. I changed it.

Q. And you checked the trunk of the car when you did that I take it to get the tire out?

A. Yes, I think, I think I changed it the day, the day, the day before. I think I changed it right outside of town. It got low or something, I could feel it, I changed it myself.

MR. GANNON: By the roadside?

A. Yes.

MR. LEHNER: Now after you changed the tire at the - I'm sorry, after you went to these two service stations you

did not do anything in relation to the tire. What did you do next?

A. Well, I pulled out and drove I guess four or five blocks. Well, I turned to the right and went four or five blocks. In other words in the opposite direction of what I had been going, and then I made another turn to the right and I think I made another turn to the right, and the best recollection there is, I saw a police car parked in front of the street. I believe he was quite a ways away, maybe a block and there seemed to be a little activity in that area - - a few people running around, so I went the other direction, which would have been south and -

Q. Where were these two gas stations in relationship to the rooming house?

A. Well, I think if, if you left the rooming house and come out and turned right, say you was driving the car or walking, you would go about three or four blocks down north and then turn right, and go 4 or 5 blocks more somewhere along in that area.

Q. So it'd be, maybe just a couple of blocks from where you, you had parked the car?

A. No, I'd say more than that, maybe eight or ten blocks.

Q. But in that direction? In other words would it be, if you drew a line from the rooming house to where you parked the car, would these gas stations be in that line?

A. If you drew a line from the rooming house to where you parked the car?

Q. In other words I thought what you said, where you parked the car you went down about five or six blocks?

A. Yes.

Q. And then about five blocks to the right, and then two blocks to the left, and so the service stations are about three blocks to the right and about four blocks to the, to the right again?

A. Yes. I would say when you come out of the rooming house, let's say you are walking, you turn right and go down about four blocks and turn right again and go down may be five or six.

Q. That's where the gas station was?

A. Yes, that would be, yes.

Q. And where would, and where would the place where you parked the car be? Do the same thing, if you would, coming out of the rooming house.

A. Well, you'd have to come back - you'd have to come five or six blocks back up towards Main Street and then turn left and go -

Q. I'm saying, come out of the rooming house now, and take us to where the parking lot is?

A. The parking lot?

Q. Yes.

A. Well the parking lot I think you'd go about, maybe a couple of blocks farther. I think you'd go six or seven blocks down, then you go -

Q. Go north on Main Street?

A. Yes, going north, and then turn right and go, maybe seven blocks and then turn left and go about two blocks.

Q. Well, what I'm saying is, if you set an aerial view, you are looking up - down from an airplane, would the gas stations be between, on a line between the rooming house and where you parked the car, roughly?

A. I never have thought about it that way, but roughly, I think, in other words if you went straight from the rooming house as the crow flies, as they say, would you hit the filling stations and then hit the parking lot. I never did think about it that way. I don't think you would be too far off if you did that.

Q. All right. You told us about seeing the police officer making the turn and going south out of town, is that correct?

A. Yes. I made a turn and went south out of town.

Q. All right. Tell us what happened there.

A. After I made the south? Well, this, I drove, this was in the, what you call the black community. After I went a couple of blocks south. I kind of drove, slowed down through there and I don't know how far I drove, quite a ways, and the streets down there didn't seem to be too parallel or something and I got - I kept driving south, but I think I veered off to the left and I finally hit Main Street then I kept on going south and then I got on the outskirts and I think I went about, I don't know how long 15 or 20 minutes, and I heard on the radio that the - Martin Luther King had been shot. And then 15 or 20 minutes later I heard they was looking for the Mustang and at that time after I heard the - they were looking for the Mustang the first road I came across that was going left I made a left turn.

There's a map, it might be a good idea to - is that Memphis?

MR. EVANS: Yes.

A. I think I would probably have been on one of those roads there. It would have probably been this one I guess.

MR. EVANS: Is that 55?

A. Yes. I came through this area here somewhere. I moved off to the left. Now, if I, if I'd moved off the left on this one I'd have been wayover here, but I don't think I was - I just came straight on down through here. I probably hit this road right here and went over here and down here.

MR. LEHNER: And you went to what city, the first city that you passed?

A. Birmingham, first big one. I think I went through a couple of small ones.

MR. EVANS: What was the first city in Mem-, Mississippi that you went through?

A. I don't recall going through any.

Q. What are the first road signs that you saw when you got into Mississippi?

A. I just got - the first one to the left after I heard the Mustang, I turned on the first -

Q. In other words you were still in Tennessee when you heard about the Mustang?

A. I don't believe I was. I believe I was in Mississippi when I heard that. I have some recollections that I had to drive quite a ways before I found a highway going towards Birmingham.

Q. And continue what happened next as you were driving east?

A. I think I may have stopped between, before I got to Birmingham and threw everything out of the trunk of the car and threw it off in a ditch and made some attempt to clean the back end of the car out and wipe it off with a rag?

Q. You emptied out the entire trunk of the car except for the spare tire that had the leak and the jack?

A. Yes. I don't think I threw any of the tools away. I think I threw just the clothing and the equipment away.

Q. The equipment being the camera equipment?

A. Yes. Things like that. I know I threw all that away. But, it was dark and was starting to rain so I could have missed, very well have missed some small items.

Q. What about your own clothes?

A. Well, they, they were, most of them were back in Atlanta.

Q. Continue, what happened next?

A. Well, I went through Birmingham, it was the first large town I went through. I believe I got off on the wrong highway on the way to Atlanta, and I went right straight on through. Right before, before I got to Atlanta I stopped and got some gasoline. I was getting short of gasoline right outside of Atlanta. It was daylight then and I arrived in Atlanta about, well, it was daylight, eight or nine o'clock. I went to this parking lot, I parked the car there and -

Q. How did you decide to park it at that particular location?

A. Well, I was going to park in the first private parking lot I came across. I didn't want to park it on the street because the police could have picked it up there.

Q. Is a private parking lot, meaning a place where you paid to park?

A. No, you don't pay, you just - I was just looking for a convenient place to park where the police wouldn't pick it up after I parked it --

Q. Wouldn't this be a place where the owners of the place could realize that this is a car that doesn't belong there and report it to the police?

A. Well, it - the place just give me the appearance that it would be better to park it there than park it on the street.

Q. Why?

A. Well, I think if you parked on the street I think they have these patrols coming by every so often. I don't think it would stay there very long. Of course, it could but -

Q. You mean because they would be looking out for a white Mustang because of the shooting or for, for some other reason?

A. Well just for general reasons. I think they make a practice, if they see - I think police are assigned a certain area. I think they make a practice of pulling in cars if they stay ~~there~~ over an abnormal length of time. And they make inquiries of who it belongs to.

●

There was no big deal on that, I could have very well, if I found a good side street, I may have parked it there; but anyway I took a cab, I believe, after I parked the car and went to the rooming house and made efforts to clean up.

Q. What did you do at the rooming house?

A. Well I threw some stuff away, some articles and I put everything in the case that I wanted to take with me that was carryable, and I wiped it off and tried to get the finger prints off of it. And I think I mentioned that I left two periodicals there, the Free Press and the Birch-Birch-- Birch Society, and I checked on when the next bus was going out and I took the case up and put it in the bus locker, and I went, got away from the house and that was it -- Caught the buss out at 2:00.

Q. Did you pick up any laundry?

A. Yes.

Q. When did you pick up the laundry?

A. As soon as I got back.

Q. When had you put that laundry in?

A. March the 27th I guess.

Q. Are you sure you didn't put it in on the first of April?

A. I'm a hundred percent sure.

Q. What kind of laundry was that?

A. I don't recall. It wasn't too much - I think it was just -

EVANS: Did they issue tickets?

A. Yes, I think they did.

LEHNER: And what type of laundry was it?

A. I think it was a combination laundry and dry cleaning.

Q. A suit, or more than one suit?

A. I think they had four, five, or six items, but I don't know just what they were.

Q. Shirts?

A. I think so.

Q. Underwear?

A. No. I think they were just shirts, pants and possibly a coat or something.

Q. What's the name of this place?

A. I can't recall.

Q. Had you circled that place on the map?

A. No.

Q. Where did you go thereafter?

A. I took - I know I got a cab and took, took the case to the bus station, checked it in, I think I checked it in the locker and then I stalled around somewhere. I think a tavern or somewhere until the bus left, and it was, the bus left about an hour later and I got on it and went to Cincinnati.

Q. What did you do there?

A. I think I arrived in Cincinnati about 2:00 that night and there was a layover there for about a half hour, and I went to a tavern and stayed there until it closed, and then I went back to the bus station and stayed around there until about a half hour, until the, the other bus went on to Detroit.

Q. You took the bus to Detroit?

A. That's correct.

Q. What happened then?

A. I, see when I arrived in Detroit, I, I think I checked the case into the bus station or the train station, one. The station I was at, was outside of town. I know there was a park in the middle of the street, and I got, went to the barber shop, and I had, I got shaved at the barber shop, and, let's see -- Well, I can't recall what time I, I crossed the border into Windsor that day some-time, but I can't recall what time it was.

Q. How much money did you have on your person at that time?

A. Not very much, 1400, \$1500. Maybe 1600.

Q. Continue, what happened next?

A. I got a -- I got a train to Toronto and I think I arrived in Toronto the night of April the 6th. I'm positive I did and I believe I checked the case in at the Toronto bus station, the train station and found a room. I found a room in Montreal, a couple of miles from the train station. I think that was Ottinger Avenue.

Q. Under what, under what name did you rent that room?

A. I don't think she asked me my name. I think I told her a few days later, a day or so later.

MR. EVANS: What name did you plan to use?

A. I was looking for a name, another name at that time.

Q. Well what name did you plan to use if she had asked you?

A. Well I don't know, she couldn't speak very good english. She could hardly speak english.

Q. Did you know that before you went in?

A. No I didn't.

Q. Well if she had asked you what name had you planned to use?

A. I don't recall, but I'd give her a name it wouldn't have been the Galt name. I don't - I would have probably had something in mind before I went in there.

Q. But you don't recall now what ~~that~~ was, you don't recall now what that might have been?

A. No I don't recall what the, what the alias would have been, but I don't think she asked me, and the next day I got the Bridgeman name, I think it was.

MR. LEHNER: How did you go about that?

A. I went through the newspaper office and I asked the lady there, the receptionist or something. I told her I wanted to look at the back births of the year 1932 I believe it was and she brought some file out and put them on a machine, and she showed me how to work it and I started going through the films.

Q. What year were you born?

A. 29-28.

Q. Why did you pick that year, 1932?

A. Well, I thought that, I thought I looked closer to that age than the other age.

Q. You thought you looked young for your age?

A. Yes. Well I had - that was one reason - yes, and I suppose there may have been other reasons.

Q. What were the other reasons.

A. Well, I can't recall any specific ones right now, but there is certain advantages of being a certain age, sc, ah - do you want to go on from there?

Q. Please.

A. Well, I think I got the Bridgeman name pretty shortly after I arrived. I think I used that name in renting the room off her. Then later on I got a Sneyd name. I may have got it the same day. What I, what I did, I think I got four or five names and started making these phone calls and culling them out. I finally determined - decided on the Bridgeman and Sneyd, Raymond George Sneyd, and then I called Bridgeman and Snyed and I found out that Sneyd never had a passport so I decided to, he was a policeman and I decided to get the passport under his name, and then --

MR. GANNON: Did you know he was a policeman at the time you applied for the passport in his name?

A. Well, no, there was no information on the, on the newspaper, it just give his birth, that's all.

Q. When did you find out he was a policeman?

A. I think after I got arrested in England sometime.

Q. Do you remember any of the other, whatever it was three or four names that you had picked out of the newspapers?

A. No, I don't recall except the Bridgeman and Sneyd. Bridgeman, I think I called him and I think he said he had a passport and I didn't want - I didn't want a passport from someone that had it because they keep pictures on file, so I decided to use the Bridgeman. I'd had some, the last time I had been up there I had some false information about the guarantor and I decided to use the Bridgeman name for the guarantor and I'd adopt some type of a double identity or something and use the Sneyd name for the passport. Of course later on I found out the guarantor wasn't necessary so I got the name under Sneyd. But in the meantime I'd rented a room and I didn't want the people there to think I was laying around and get suspicious and not working. So, I rented another room off a Chinese lady under the Sneyd name and that was about two blocks from there.

Q. What street was that on?

A. Well, it was on Ottinger. I don't know what the other one was on.

MR. GANNON: What part of Toronto were those, what neighborhood, section of Toronto were those, were they close together?

A. About three blocks.

Q. Three blocks.

MR. LEHNER: Why did you choose Toronto?

A. It was no particular reason. I had never been around Toronto very, too much. I had been mostly in Montreal, I think, and Toronto is an English speaking province or it's a city, it's an Ontario province, while Montreal is a French-plus it's a lot farther.

Q. Do you now recall how you got the Galt name?

A. No, now I don't recall how I got the Galt name?

Q. Did you get it out of the phone book?

A. I, I can't recall that.

Q. You told us earlier in these interviews that you got the name out of a Chicago phone directory, do you have recollection about that?

A. No. I said that's a possibility. I don't know, I, the only reason, only, the only time I ever remember looking in a phone book for the Galt name was in Birmingham and I didn't want to have someone's name just like mine. It was one Galt in the Birmingham phone directory, but -

Q. Was it Eric Galt?

A. I don't believe it was, I probably -

Q. Did you check the Toronto and environs phone book to see if there was an Eric Galt?

A. No, I didn't check on that.

Q. You don't know if there is one or not?

A. I seen in the book, I don't know, there might be a, there's an Eric St. something Galt but I don't know, I have no knowledge of it.

Q. You didn't know about it until after you were arrested?

A. No, I had no knowledge of it.

Q. All right, continue, if you would, you said you put- you had one apartment under the name of Bridgeman and one under the name of Sneyd.

A. Well, I went to inquiring about a passport and this

time instead of calling I went directly to a travel agency. I asked the lady about the Guarantor, about how I would go about getting it and she said well you can dispense with that, you can, you can make a sworn statement. I told her I wanted a plane ticket to London, two ways, and I figured that would be less suspicious than, than getting oneway. And she made the application out and in the meantime I was trying to make other - trying out some other methods of getting out of the country and I made a side trip to Montreal and I stayed up there about a week.

MR. GANNON: Did you associate with anybody in Montreal when you were up there for that week?

A. No. I went - well, the first time I was in Montreal I stayed in the Notre Dame East. That's on one side. The next time I wanted to get out of that place so I stayed in Notre Dame West which is about 10 miles further on the other side of town.

Q. But you say you were exploring alternate methods of getting out of the country?

A. That's correct.

Q. What were the methods that you were trying in Montreal?

A. Well, the only method I ever did try, I went to a shipping place, a shipping company and asked, inquired about them about the tickets and things like that and passports. But I couldn't - the tickets were too high - they were more expensive. I think, in fact, the lady told me that they were six, \$600 or somewhere, whereas the plane ticket would be two or three hundred dollars.

Q. It cost more to sail to England than to fly?

A. Yeh, I'm not sure I asked her for a sail to Enqland, I may have asked her to sail to somewhere else, but anyway it was too much money and she was kind of vague on the passport situation. I was thinking about maybe getting on a ship and jump ship or something.

MR. EVANS: How long were you in Montreal this second trip?

A. I rented, I rented a room for a week there but it took about nine days counting the transportation back and forth between Toronto. I was gone about nine days from the Toronto area.

Q. And how did you travel?

A. Bus.

Q. By bus, and you stayed in Montreal how many days?

A. About seven days. I think I went there by train and came back on a bus.

Q. Did you spend seven days trying to find a ship?

A. I made some inquiries but they were just, they didn't, they didn't help out at all.

MR. LEHNER: Did you ever go back to that bar where you met Raoul?

A. No, I stayed, I didn't go around that area, that's - that was, that was in the east side of town, and, see I'd been around a few of those clubs down there -and I'd been in that - I had that robbery business and I kept away from that area, there's always the off chance that someone might see you.

Q. Continue, what happened then?

A. Well when I came back to Toronto, I just stayed close to the room and it wasn't too much longer the passport come through. It was, it was spelled wrong. Instead of Sneyd, instead of having a D. on it, it had, the last letter had a Y. on it.

Q. Had a what?

A. Y. They'd made a —

Q. Do you recall how it was spelled?

A. Well the correct spelling was S-N-E-Y-D, I believe it is. And this was S-N-E-Y-I or Y I believe it was. It was a misspelling of one letter I don't know just what it was.

Q. Okay.

A. A. that's what the last letter was.

Q. It was Sneya?

A. Yes, A.

Q. S-N-E-Y-A?

A. Yeh, that's correct.

Let's see I got the ticket, I went to England, and when I got to England I cashed the round trip ticket in for a oneway to Portugal.

MR. GANNON: How soon after you got to England was this?

A. The same day I got there and started making arrangements to get the ticket to Lisbon.

Q. Had you go into London from the airport?

A. Yes.

Q. And where did you cash the tick-- Where did you cash the ticket in was it a travel agency or an airline ticket office?

A. I believe it was a airline ticket office. I know they had trouble computing it and making the refund.

Q. So what happened happened after you cashed your ticket in?

A. Well, I went to Portugal and made several attempts to get - to catch a ship and I did get one ship, it was going somewhere in Africa but I have -

Q. How soon after you got to London did you leave for Portugal?

A. I beleive the next day. It may have been that night.

MR. LEHNER: Where did you stay in Portugal?

A. I stayed in a hotel, but I don't know. I think it was the Hotel Portugal I believe the name of it was.

Q. In what city?

A. Lisbon.

Q. Where did you stay that first night in London?

A. I don't know if I even stayed anywhere the first night. I think maybe - I think I left out of there, night, late that night on a plane for Portugal.

Q. So you think it was Hotel Portugal in Lisbon and you stayed under the name of, was it Sneya or Sneyd, which name did you use?

A. Ah, Sneyd, Sneyd I believe.

Q. Did you sign it with an A at the end or did you sign it with the D at the end?

A. Well when I came in, they are more strict in Portugal than they are in England with the passports, and I

explained to the guy that I had trouble with the passport and had to get it corrected and he said okay.

Q. So you spelled it with a D at the end?

You spelled it Sneyd the way the true name of the policeman in Toronto?

A. No I spelled it with an A I believe.

Q. You spelled it with an A.

A. Because that - he told me to sign it. He gave me a card to sign, the police did, and he said sign it like it's on the passport, and I did what he said I signed it like it was on the passport.

Q. Although you told him your real name was Sneyd with a D at the end?

A. I, I have some, yes I have some recollection of telling him that it was an error because I was concerned about the, getting some type of a hassel on a typ graphical error and later on I went to the Canadian Embassy and they changed it.

Q. That's in Lisbon?

A. Yes.

Q. What efforts did you make to get out of Portugal when you were in Lisbon?

A. I went, I spent most of the time trying to get out on a ship and I finally found one, but, that was not above my finances.

Q. Was it a passenger ship or was it a freighter, or a tanker?

A. It was a type of - it was sort of a passenger ship but it wasn't an expensive one. There's different types of

grades.

Q. Where was it bound to?

A. Somewhere in South Africa, I don't, I forget where.

Q. That's where you wanted to go?

A. I wanted to go anywhere to get out of

Europe.

Q. And why did you not take that trip?

A. In order to go to these countries to go through them or something you have to have visa, you have to get a stamp on your card there, and the ship was leaving in three days, and I went, I went to the, they got -- You have to get these visas through the police force, they are some type of secret police or something, and they told me that it takes seven days to get it and so I didn't have - the ship was leaving in three days so I had to cancel the reservations. I made several more efforts after that to get on a ship but that, there was nothing, everything else was too expensive.

Q. Did you make any phone calls while you were in Portugal?

A. No, I can't recall making any phone calls.

Q. Are you sure.

A. I'm positive.

Q. What did you do next?

A. Well, I returned to England.

Q. Why?

A. Well, I couldn't get no ship out of there. I did make some type of a contact once to try to get to a country

called Biafra, but they thought I was a United States Citizenship, United States Citizen and I couldn't get, couldn't get in there either. So, consequently, I went -

Q. You didn't tell them you were Canadian?

A. Yes.

Q. Well, why did they think you were American?

A. I don't know why they got that impression but they were suspicious of people from the United States which I
MR. GANNON: Wouldn't the passport have convinced them that you were not an American?

A. Well, yes after I showed them that, but at the start they thought I was connected with the newspapers or something and what I did I went to the Portuguese Foreign office and asked them about getting down there, and he sent me to some other party and the other party wasn't connected with the government but they were concerned about reporters or something, so anyway that never, naturally that didn't work out so I came back to England and I was there about three weeks.

MR. GANNON: James I just have one question about something that puzzles me. When you come back to England you have to use the rest of your airplane ticket, right?

A. That's correct.

Q. And, I was just thinking that, did you think at all of cashing the ticket in in Portugal for the rest of the money that if whatever you had left on the ticket and using that money to stay in Portugal until you could get the right ship?

A. I don't think there was all that money left over and I'm not even sure you could cash it in, in addition I just didn't have that much money - my inquiries around didn't leave the impression that you could, you could, that I could be able to get down there. This, what I'm trying to say, the ship I found was about the cheapest one you could ever get. I think it was a \$100-70-\$80 all the way to South Africa. Now, some countries in Africa -like all over the United States - I mean the world, they won't let you in there without you got a round-trip ticket or considerable funds, they don't want no welfare cases down there.

MR. LEHNER: When you got back to London how much money did you have?

A. I don't know just how much, not too much, I think \$400, I forget.

Q. Did you commit a robbery in London?

A. No, I didn't, but I don't want to get involved in that because there's a, we are getting in this civil liabilities again and things I have told Hue and mislead people - so I'll testify to that under oath if it ever becomes necessary.

Q. Without going into details for now you did not commit any robbery in London?

A. No. But I don't want to get too tied into this like that's the same way with the escape and a couple of other things because -

Q. Speaking of the escape have you made a decision as to whether or not you will tell us the factors of the escape?

A. I'm, I want to try to find out what the attorneys told William Bradford Huie and, there's several areas of this that's, I don't know what my civil, my civil, what the civil liabilities are. I know we have sued Huie, and --

Q. Is there a present suit pending against Huie?

A. Yes.

Q. Based up what?

A. Credibility and libel and things like that.

Q. What is the libel that your suit alleges?

A. Well that -- Well, he's accused me of various robberies in the United States and England and I've denied it, and the Sixth Circuit has that now and they should hand down the decision any day. All the defendants filed motions to dismiss and the Sixth Circuit refused to do it, so usually when they refuse to -- Those preliminary motion to dismiss there's a possibility that they will remand it and if they do well then we will get discover on Huie and the Government and all that. But these robberies and all that has come up, and now I believe all this will be decided in a couple of weeks after that why I think we could be, I mean, you, I think Mr. Kershaw he could do some research to find out what --

MR. KERSHAW: Yes, that would be ---

MR. LEHNER: Do you want to hold off from discussing the escape and the London robbery now?

A. Yes, it might be a good idea, the Canadian robbery too. Like I say, I won't have any problems discussing these and probably denying them but I don't want to --

Q. When you say, the Canadian robbery too, are you

talking about the robbery that you told us about already about the, the house of prostitution?

A. Well that's a supermarket. Now, he accused me of robbing a supermarket. there, so - Now, this may not even be relevant to the liable case, I mean that might be legal.

MR. KERSHAW: Yeh, I think so too.

A. I'd rather wait for a couple of weeks to see how the Sixth Circuit rules and then -

MR. LEHNER: Okay, continue.

When you came back to London what happened then?

A. Well not too much happened there, I was trying to - I figured I could operate better in London in an english speaking surroundings than I could in Portugal. If necessary I might be able to go to work. But really nothing much happened there, all the time I was there and subsequently I was on my way to Belgium and I got arrested.

Q. Why were you going to Belgium?

A. I called up the newspaper and he said possibly, the possibility that if you went to Belgium you could get out of the country afterwards somewhere by joining some foreign army and once you got down there why of course you could take off more or less.

Q. What country were you planning to go from Belgium?

A. It didn't make any difference.

Q. Some African country?

A. Well, preferably an english speaking. I think there were three or four of them.

Q. How did you get apprehended in London?

A. I was - I think when I went, I went to the airport to get on the plane and when I went to the check out counter there was an individual there who I thought was a customs officer and he asked me - he said there was some slight mix up on the passport and he asked me to come in the room with him and once he got me in the room ~~there~~ was another. there was a policeman in there ^{that made two of them,} and they locked me in the room and said Scotland Yard wanted to see me or something and -

Q. And what did they say to you?

A. They didn't say too much of anything. About a half an hour later about 20 of them come in there, and they said something about you are James Earl Ray or something. And 8 or 10 of them grabbed me and they finger printed me, and -

Q. They said you were James Earl Ray?

A. They said are you or something.

Q. What did you say?

A. I told them I think I was -- my name was Sneyd or something.

Q. I think my name is Sneyd?

A. Yes.

Q. What else did you say?

A. I think they, well, they did most of the talking. I didn't say really much of anything except denying the accusation and they-

MR. EVANS: Were you armed?

A. Yes.

Q. What were you armed with?

A. .38

MR. LEHNER: Was it loaded?

A. That's correct.

Q. Had you used this weapon somewhere in England?

A. No, I hadn't.

Q. Well, had you displayed it somewhere in England?

A. No not to my knowledge.

Q. Well did you say, what did you say besides denying that you were involved?

A. Well, there were 8 or 10 of them, they were doing most of the talking, they were fairly excited. Butler he was - he was the head of the squad - I think it was the flying squad they called it and 7 or 8 of them grabbed me and they fingerprinted me and they held me there for a while and they made some calls and then they took me to another station in a car downtown. The airport sits outside of town. They took me to a prison inside of London and put me in a cell with two or three other policeman, and they asked me again about this Sneyd business and the glasses and I didn't say anything.

Q. What glasses?

A. They asked me if I really wore glasses or if I really had -

MR. GANNON: Were you wearing glasses at the time that they arrested you?

A. That's correct, yes.

MR. LEHNER: Why were you wearing glasses?

A. Well, that corresponded with the passport.

MR. LEHNER: Were they plain glasses?

A. They were reading glasses, yes.

Q. Were they glasses that you needed to help your vision?

A. Yes.

Q. When did you get those glasses?

A. I got them in Birmingham in September of '67 I believe it was.

Q. But you wore them because of the passport photograph of you had them? I don't, I don't understand why you say to correspond with the passport?

A. Well, when I got my picture taken I had the glasses on so I just kept them on on account of I had the passport.

Q. Do you know if the real Sneyd wore glasses?

A. No, I don't.

MR. GANNON: From the time you got the glasses until the time you were arrested did you wear them very often?

A. Well off and on if, if I were driving or reading a lot or something I would wear them, but -

Q. Does that, does that mean that ordinarily through you would not wear the glasses?

A. Well, if I was driving or reading something that was important I'd read them, I've had trouble ever since '61 because my eyes - I recently got examined again and the Doctor said up here that I had some type of astigma and he said I should wear them all the time. But I'd rather not unless it was really necessary.

MR. EVANS: Did you have any limitations on your driver's

license in Birmingham?

A. About glasses?

O. Yes.

A. No, they didn't, just, they don't make no real strict test, they are more concerned with the fee I think.

MR. LEHNER: Did you make any phone calls before you were arrested anywhere in Europe?

A. Well, I called this newspaper, I think I mentioned that, "The London Telegraph" and asked them about various methods to get out of, to get out of Europe.

Q. And they suggested that you go to Belgium?

A. Yes.

Q. Besides that call?

A. I can't recall any.

Q. Did you state after you were arrested at one time, "I feel so trapped?"

A. No, that's silly, I never made any statement like that.

Q. When you say silly, why do you say that?

A. Well that's just out of character saying -- I've been in jail, in and out of jail, so I wouldn't say I feel trapped. I just didn't -

Q. Well hadn't you been running for over a year after you escaped from prison?

A. Yes, but, I was never under any much stress except when I was doing something maybe illegal or the police stopped me.

Q. Were you in quite a bit of stress when you were trying to get out of the country in Canada when you got the Sneyd and Bridgeman passports, passport, you got the passport for Sneyd, did you get a Bridgeman passport?

A. No.

Q. Did you get a Bridgeman birth certificate?

A. Yes.

Q. How did you get that?

A. I wrote to the Registrar General and sent two dollars and got it.

Q. And did you have it with you at time that you were apprehended in London?

A. I don't know if I had the Bridgeman or not. I may have. I don't have any recollection. If I did I would have probably had it hid somewhere in the case.

Q. Well you knew that you were being sought for the murder of Dr. Martin Luther King didn't you?

A. Well I knew when they started looking for the Galt name I was 99 percent sure before that and after that why -

Q. When was that that you first knew you were being sought for the killing of Dr. King?

A. Well that was - I'd been stopped up there in Toronto for jaywalking and the police - I used the Galt name and some lonely hearts address. I think just a couple days after that they come out with the Galt name and I think they got a picture and all that stuff.

MR. GANNON: Did the policeman actually write your name down when you gave it to him?

A. He wrote me a ticket.

MR. LEHNER: Were you surprised when they came out with the Galt name looking for you in the Dr. King case?

A. Not, no, not too much surprised, not at that time I wasn't -

Q. Why not?

A. Well, I read the paper and put two and two together and all that stuff.

Q. Well, did you, what two and two did you put together?

A. Well, the Mustang and all that business.

Q. What all, what other business besides a white Mustang?

A. I don't recall it all now but I, I know I was observing, reading the papers and things, reading enough to know whether - while some of the - well I could just tell now that they were most likely looking for me.

Q. Why?

A. Well probably the same thing, the same answer to that I gave you, is when I heard them looking for the Mustang on the radio, I just - I just had to make certain assumptions based on the auto and the rifle and things like, things of that nature.

MR. GANNON: Well if I remember the papers properly what they wrote, I mean they were writing about someone coming down, and, eyewitness accounts like Stevens and some of the other

people in the rooming house and someone dropping a package outside of Canipes and then a Mustang speeding away driving away from the scene in a hurry, you knew that wasn't you, right?

A. Yeh, well, I knew they wasn't looking, I was almost positive they wasn't looking for me after the actually shooting because I'd seen a diagram in the paper of a red haired guy with a high forehead and things like, but I thought they had enough where they could have salted me away for several years if they got, you know, if they laid hands on me.

Q. For what reason?

A. Well, the gun, the gun charge would probably carried five years.

Q. What gun?

A. Well, the rifle, that's what connected to the -- The one I purchased in Birmingham.

Q. The fact that you purchased a rifle how would that be a violation?

A. Well, I could easily figure up 30 years right now where even if I could -

Q. Well let's hear you figure them up.

A. Well the rifle would have been five.

Q. What's the violation for the rifle?

A. Well interstate transportation of a firearms by a fugitive.

Q. How were they going to prove that you transported it?

A. Well, with my record I don't think there would have been too much problem of - if they'd hooked me up to buying it, and I don't think they'd have had too big a problem with a Memphis Jury or any other Jury in convicting me. As a fugitive and all that calls for five. I had 13 in Missouri that's that's 26, and I was 40, 40 at the time and that would have been 66 and I imagine they could have conjured up about 15 other charges against me.

Q. Then why did you think they would come after you since the picture didn't look like you, and the picture was the one that they were looking for, for the one that dropped the dropped the package, and you weren't anywhere near there at the time, you had come afterward from the gas station, the picture didn't look like you, you weren't seen leaving there, why, why were you not surprised when the name Galt came up that they were looking for you?

A. Why was I not surprised? Well, I wouldn't say I was not surprised I wouldn't say I was, or surprised. I don't know, it's just what evidence I had, there was enough evidence there to me to be, to have thought that they would have had some type of accumulation --

MR. KERSHAW: Had there been stuff in the paper about the package in front of Canipes and what was in it and all that ?

Q. Well, I'd read, I'd read several stories on it and --

MR. LEHNER: What stories did you read?

A. I don't recall them now, but they were considerable

stories, I can't remember now all the small details.

MR. KERSHAW: That would give you grounds to think that they had picked up finger prints, right there wouldn't it? And they could - were suppose to be able to analyze those pretty fairly?

A. I don't recall what all I read about it. I know I read enough where I know that I wasn't going to come into the police station and say here I am.

Q. Well you weren't going to do that because you owed time. But if you didn't owe time you would have done it right?

A. No, I wouldn't have done it either.

Q. Why not?

A. I can't see myself going into a police station under any circumstances.

Q. Why?

A. Well, I don't know that's just my experience in law.

Q. I'm getting, I'm saying if you didn't owe time why wouldn't you go to the police station? You say even if you didn't owe time you would not go to the police station.

A. No I wouldn't.

Q. If you're just there in the aftermath of a shooting why not tell them it's not me I didn't have anything to do with it?

A. I don't know it's just my experience that things don't work out that way. You can - you don't go into somebody and tell them you don't do it, you go try to get you a lawyer

and let him go tell them that you didn't do it.

Q. Well, did you try to get a lawyer to tell, to tell them the story so that he would do it?

A. Well, if I had been arrested I would have tried to get one, but now I don't care how weak a case is, now that's foolish to go tell - try to explain to the police because a prosecutor they just take what information you got and they'll build a case against you.

EVANS: What were you doing when you first heard this, I mean what were your reactions, what did you do after you heard that they were looking for Galt?

A I threw all the identification away.

Q. Yeh, and?

A. I wasn't positive.

Q. Was that before you went to Montreal? Did you go to Montreal after that? Did you get panicky and try to get out by ship?

A. Yes, that's, I went to Montreal after I heard that. Yes, I got rid of the identification. Then I think I moved out of that rooming house on Ottinger and moved in permanently with the Chinese lady.

MR. GANNON: Can I interrupt?

MR. EVANS: Yes.

MR. GANNON: I was going to ask you, you first went up to Montreal, Canada, you know you tried to make connections, and you ended up making connections with Raoul, this was back in like July or August of 1967. When you were in Toronto

and then again when you were in London and even in Montreal the second time, why didn't, well, did you try to make connections with somebody since money was a problem, right, at that time? Did you try to make connections, the same, not necessarily with Raoul but with the same kind of connections that you made in Montreal in the summer of 1967?

A. No, those type of connections, I needed more or less money fast. Those type of connections takes so long to develop. I did consider robbing a place several times after I got back there the second time but there was always something that come up that I had to balance off against robbing a place in taking a chance in getting caught versus possibly getting a legitimate passport and getting wherever I wanted to go.

Q. Where were you considering pulling the robbery?

A. Well Canada or England, wherever I was at, Portugal, but I never did, there was always some - something that held me back because I figured that if I got caught pulling a robbery, especially after the Galt news came out, why - My real intentions were getting somewhere and going to work and trying, you know, more or less fade into the scenery.

GANNON: Did you make any applications for jobs while you were up there in Toronto for example?

A. The second time?

Q. Yeh. well like in April of 68?

A. No, I didn't intend to - I didn't intend to stay in Canada because that's too close to the United States. In addition they had - they had information that I had already been there through that locksmith course and everything. I

wouldn't consider staying up there.

Q. Did you consider work, going to work in London?

A. Ah, I did at one time, but I was going, more concerned about getting out of England too, getting somewhere. I wanted to get out in the boons, in the bushes somewhere, where I wouldn't --

MR. EVANS: You knew they were looking for Galt, right?

A. Yes.

Q. And you just said that you knew that they - through the locksmith, locksmith course they would trace you back to Montreal, yet you went back to Montreal.

A. Yes. If I would have stayed up, stayed in Canada I think that they very well, since they knew I had been up there once, that I think they would have made a strong effort to find me in - find me in Canada if I had stayed up there.

MR. GANNON: This thing, did they know that you had been in Canada?

A. I, yes, I they knew I had been in Canada through the locksmith course.

LEHNER: We asked you before about items that you found in the car and you told us about the sandals that you threw out on, in route to Birming - in route to Atlanta from Memphis, what else did you find in the car that might have been left by Raoul besides these sandals?

A. I'm not, I'm not sure I threw the sandals out. I saw the sandals in there one time. I don't recall just when I saw them in there. I was changing the tire or something and I -

I think when I shook the car down in Tijuanna that's probably when I saw them in there. But I didn't, I don't recall seeing anything else in there that, that shouldn't belong in there. I think the only reason I seen these I think they were stuck down inbetween the tire and the - there's a enclave inside the back where the tire fits in and -

Q. So there's, there's nothing else that you could recall that you ever found in the car that might have belonged to Raoul other than the sandals?

A. There was sandals, there was a pair of underwear, and there was a cigarette case left in there one time and -

Q. The cigarette case was in, found in Mexico?

A. That's in Tijuanna.

Q. The sandals in Mexico?

A. I saw them somewhere but I can't place when I saw them in there.

Q. And what about the underwear?

A. I saw them the same time the sandals. I think I, I was cleaning out the car when I saw this stuff. I think - I have some recollection there was something down in between the tire and the enclave where the tire fit in.

Q. When was that that you found the underwear?

A. I don't, I don't know when I saw, - I just assumed I saw the sandals and the other stuff in there when I crossed at Tiajuanna. But I don't ever recall throwing them out unless I threw them out in Alabama, April 4th.

Q. Did you ever hear of anything being found in the

car that may have belonged to Raoul?

A. I haven't heard anything about sandals, but I have heard that they said they found some small clothes in there but I don't, that's just a story, a hearsay story.

Q. Or anything else that you heard, may have, that may have belonged to Raoul that was found in the car?

A. Cigarette butts, I don't know of anything about that. They said there was considerable mud on the front seat, the passenger side, I don't know anything about that.

Q. Any paper or cardboard?

A. I don't recall. I think, well, you might ask my brother about the - they give the floor boards-the seat-the floor pads to him when, after I plead guilty.

Q. They gave what to him?

A. The floor pads out of the car.

Q. You mean the pads on the floor in front of the driver and the passenger?

A. Yes.

Q. Why did they do that?

A. I don't know, it's on the receipt some place.

Q. Is that the only thing from the car that they gave to him?

A. They gave him a spare tire, the lug wrench, this floor pads out of the car, and they give him the radio that they supposedly found in front of the rooming house, and he still has the radio, and I can't think of anything else.

Q. Any paper or cardboard?

A. Well, there's a list of what, what it
and what they haven't. I think I - did I give

KERSHAW: I've got.

A. you got it?

Q. I can send you a copy.

MR. LEHNER: I'm saying have you heard fr
that anything such as paper or cardboard with a
it or anything printed on it was found in the

A. No, I haven't read all these stories
excepts, even these books I haven't - the only
book I read - I think I read Huie's that was t

MR. KERSHAW: He must be talking about th
cover with the phone number on it or something

A. No, I don't - I don't recall any Rob

Q. R-O-S-E-N-O-N?

A. That was a cigarette package, but I
if we should go into that because I have never
chance to talk to Mr. Kershaw just on how far
on these things.

Q. Yeh, that's right.

MR. LEHNER: Are you talking about someth
found in the cigarette package in Mexico?

A. In Tijuana, yes.

Q. Well there's a name in there by the

A. Yes, Rosen. It was Rosen.

Q. Rosen?

A. Yes.

O. What did you do with that?

A. I threw it away I think when I threw, when I threw the other identification away in Toronto. That was later on checked on and the real name was Rosenson.

Q. Rosen - what?

A. The real name is Rosenson, but it was wrote down Rosen.

Q. Is there any reason you don't want to go into that?

A. Yes. I'm - if I go into that I will have to go into all about who all investigated and I'm - I'm more concerned - I think before we should go into any detail we should see how forthcoming the Justice Department, and the Rockefeller Commission, and the Church Committee, and the Abzug Committee is gonna be, and Judge Smith up in Washington, what he's going to do. So I have no objection in going into it. The fact is, I filed some of it in court, but where the complications would come is where I starting going in all these people that has investigated. I'm going to have to talk to some of them to see if they have any objections and -

Q. Well, papers have been filed in court already?

A. But they are vague, yes.

Q. What court is this?

A. Ah, they are in the Sixth Circuit now, and I also sent a copy of them, when the Justice Department started

investigating the case they wanted - they told me they wanted something about the details and the investigation wouldn't been complete unless they let me testify, so I took a copy of the writ, two pages, and I said well investigate this and then I think subsequently I think Mr. Bell the Attorney General he went on TV and said he didn't want to engage in something that might be libelous.

Q. This Sixth Circuit case that is pending, who is the Plaintiff and who is the Defendant?

A. I'm the Plaintiff.

Q. And who's the Defendant?

A. Well actually there's too many defendants on there but the judge dismissed it before he'd take the discovery and consequently I didn't have a chance to dismiss defendants after interrogatories. The defendants are, the main ones, Time, Inc., George McMillan, William Bradford Huie, Gerald Franks, and W. Henry Hill the former Attorney General up there.

Q. Who is representing you in this case?

A. Well, nobody but I'll get an attorney --

Q. You did this proces?

A. Yes. What I intended to do is, these things cost a lot of involvement, work, so I, I intended to file interrogatories and everything, once I got that done I'd have counsel to take it over.

MR. LEHNER: Well, Okay.

Mr. Kershaw what I think from what I gather there are certain things that Mr. Ray wants to discuss with you

before we go into it further -

MR. KERSHAW: Un huh.

MR. LEHNER: -and the time is seven after four so why don't we suspend now unless there is anything further you want to put on the record or that Mr. Ray wants to put on the record at this time?

MR. KERSHAW: No.

MR. LEHNER: Is there anything further Mr. Ray that you want to put on?

A. No.

MR. LEHNER: There is one other thing. We are planning to see certain people and inquire of them of what they have in relation to materials that you have given them and materials that they have gathered in your behalf while either representing you or working with someone who has represented you and, therefore, I'd ask if you would consider giving us a waiver now as to any confidentiality and any attorney-client privilege pertaining to the public defender, you have already given us a waiver as to Mr. Stanton, Jr. who was one of your public defenders at one time. Now, if you would give it to us for the office including Edward Thompson who is presently the Public Defender as well as Renfro Hayes who is an investigator working for you and as I understood worked for Mr. Hanes, your first attorney that would be helpful to us so if you want to discuss that now with Mr. Kershaw and if you would do that we would appreciate you doing it at this time to aid us in speaking to these people in the near future.

MR. RAY: I have no objections if he doesn't?

MR. LEHNER: Okay, we'll go - We'll, Mr. Kershaw do you want to take position now on this, we are still on the record that's --

MR. KERSHAW: Yes, I don't see any reason not to.

MR. RAY: Let me say this. I think we may be getting into civil liabilities areas again because Renfro Hayes sued me for investigative work and he won a judgment for \$9000 and so it --

MR. LEHNER: That has to do with --

MR. KERSHAW: It can be a separate case.

MR. LEHNER: -that has to do with that between you and he, that's Hayes we are talking about, Renfro --

MR. RAY: Renfro Hayes.

MR. LEHNER: -Hayes, yeh, so we wanted his work such as interviewing people like Carter, and Jones, and various people that he worked with as, I understand, as a investigator for Mr. Hanes.

MR. RAY: Yes.

MR. LEHNER: Would you be able to give us that waiver?

MR. RAY: Yes I'll sign it but I think it's a big mistake.

MR. LEHNER: Okay.

Fine, it is now, it's 10 minutes after four p.m. and we will close the session and cut off the tapes if that is agreeable with you Mr. Kershaw?

MR. KERSHAW: Yeh.

(End of Fifth Interview with James Earl Ray).

May 3, 1977

I, James Earl Ray, hereby waive
all privilege, including attorney-client privilege,
~~and~~ between myself and the following:

- 1) Shelby County Public Defenders Office
- 2) Edward Thompson, Shelby County
Public Defender
- 3) Russell X. Thompson.
- 4) Kentro Hays

I also wish that the above four,
Public Defenders Office, Edward Thompson, Russell
X. Thompson and Kentro Hays, fully cooperate
with the House Of Representatives Select
Committee On Assassinations and supply them
with all materials received from me or
on my behalf.

James Earl Ray

James E. Ray
P.O. B. X-77
Petra, TN.
37845

SIXTH INTERVIEW, JAMES EARL RAY, AT THE BRUSHY MOUNTAIN STATE
PENITENTIARY ON SEPTEMBER 29, 1977 BEGINNING AT 10:17 AM AND
ENDING AT 4:30 PM.

LEHNER: Okay, it's now by my watch 10:17 am. Today is
September 29th, 1977, and present here are Alan Hausman of our
staff, myself Robert Lehner, Ed Evans, Louis Hindle, Jack
Kershaw, Mrs. Kershaw and James Earl Ray. And we are here in
the conference room of Brushy Mountain State Prison.

Now, before we start let me go over a couple of things.
One, Mr. Kershaw, in order to recompense you for your out of
of pocket expenses in you coming down from Nashville to here
I would have to swear you in as a witness, and just ask you
did you make that trip and are you the lawyer representing Mr.
Ray in order to have our Committee to recompense you for that
expense, but I wanted this to be in front of Mr. Ray so you
realize that even though it's your attorney the House Committee
on Assassinations isn't going to be paying him, not a fee, nothing
other than out of pocket expenses incurred in the trip in coming
down here with Mrs. Kershaw, Mrs. Kershaw, is operating your
tape recording device to tape the entire conference, we wanted
to do this with your knowledge and your consent. Is that all
right?

RAY: Yes, yes.

LEHNER: Okay, so maybe I could say, Mr. Kershaw, do you
swear that everything you say here will be the truth and nothing
but the truth so help you God?

KERSHAW: I do.

LEHNER: And what is your name, sir?

KERSHAW: Jack Kershaw.

LEHNER: And are you the legal counsel representing James Earl Ray in his legal matters?

KERSHAW: I am.

LEHNER: And did you come down from your home in Nashville to Brushy Mountain to be present during the interview today?

KERSHAW: For that specific purpose.

LEHNER: I thank you sir. End of statement as far as you are concerned.

Next we have some waivers of privilege between Mr. Ray and previous attorneys, and I wanted to show Mr. Ray the one that Mr. Kershaw just handed to us, and this is the second one that we have prepared and given to Mr. Kershaw during his trip to Washington when he was there speaking with the ballistics experts who have been working on this case. And as we mentioned before we intend to interview these various former attorneys or investigators for you, and so if you wanted to we'll take this up at the recess. You'll have a chance again to speak to Mr. Kershaw in private pertaining to these matters and maybe we'll pick it up after a recess as to what you want to say in relation to these attorneys. I think one that is not on the typed list is Arthur Hanes, Jr., I don't know if we have received or haven't received a waiver as to him, but he would be another attorney that should be included in that typed list. So, I wouldn't ask you to make any comment now, just if you, just, we'll hold that in abeyance until after one of the recesses.

RAY: Okay.

LEHNER: Ah, we left off in our last interview where you told us about your being captured in London and by and large what I'd like to do is take you from that time through to the present with your em--- with emphasis upon your representation by your attorneys, notably Mr. Foreman, Mr. Hanes and your dealings with Mr. Huie. I know this has been the subject matter of some litigation in the past, but with your permission I would like to get it from you now, as best you recollect, and to explain to us your, your representation and your contacts with Mr. Huie, if that is agreeable with you?

RAY: Look, well see, now Mr. Kershaw he called me up and said they was going to speak about Percy Foreman, and I think Bradford Huie. Now he didn't say anything about Arthur Hanes, so I didn't go through too many papers, but I, I guess we could go through that. But see, ah, one of my problems in this case is 10 years old and I have trouble remembering everything. So, I've decided not to, you know, before I've just been relying on memory and I've decided from hereafter to try to get all these papers together. In this respect I had my brother, I had some stuff locked up in the lock box on the outside and I've had it, he's brought me almost everything I have on the street in here and that way I can, in other words after I testify I don't mind being cross-examined but don't testify on memory and then have to, because I know in some instances there's going to be alternatives. I can't - I can't be specific on certain things. Let me give you an example. When I was in Canada I had to throw all my identification away one time, and

I had phone numbers and addresses, plus all my bogus identification. See, I, I really don't know now what caused that. I was, I was arrested one time on the street and I may have went back to the room and threw it away, and then they also put out my regular, real name on TV and I may have threw it away that time, and I may have threw it away because I got new Canadian identification, but that's just an example. It's going to be, certain times I'm going to have to use an alternative because I just can't, ah, be specific.

LEHNER: Why don't we, when that comes up, why don't you specify that you're not sure it's either A. or B. and give the alternatives to it.

RAY: Yeah, expecially, yeah, that's what I'm going to do. That's why I'm trying to get all these papers together. Now I've got everything together except the Huie papers, now: I believe you've got those and you are going to get a copy of them.

LEHNER: Right.

RAY: Now on the Huie things, in his book, now, he quotes me a lot of times giving him false information. I did give him false information two or three times, but now I inadvertantly give him false information seven or eight times, but I usually always correct it. Well, a lot of times Huie he wouldn't acknowledge a correction, he'd just go ahead and say I, you know, give him--

KERSHAW: Offhand I can imagine no more worthy recipient of false information than Mr. Huie, but go ahead.

RAY: Well ---

LEHNER: Could you give us an example of what you mean with Huie that there would be like three instances where it was, where you did it purposely and maybe seven or eight times where you did it intentionally or --

RAY: Unintentionally.

KERSHAW: Unintentionally.

LEHNER: Seven, seven or eight times that you did it unintentionally?

RAY: Sometimes it would just be an error and I'd research and find out it was an error. Ah - Well - I think three --- two or three times I give him false information. I don't want to go into details at this time because the next time you're here I will go into it. I think the three times I give him false information is one time on the, ah, a robbery in Canada.

I robbed a house, gambling house, whore house, whatever you want to call it. Which I really did. Well, later on I found out, I give him false information directly, I told the attorney I robbed the market but not to tell Huie and he told Huie, and Huie from then on he had me robbing the market.

LEHNER: Why, why did you tell that to the attorney, that you robbed the market?

RAY: Well, I, he was, the problem was, I was having then whenever I'd tell Huie anything I'd get more witnesses against me. I started out with a hundred, 299 witnesses and every time I'd tell Huie something, why, the Attorney General would send me another four or five, maybe 10 or 15 more people. So, I, I asked Hanes one time just not to tell him everything. I was particularly concerned about telling him everything on the April the 4th, but apparently he was telling him everything so

KERSHAW: You planted the market robbery story?

RAY: Yes.

KERSHAW: To see if Hanes would tell Huie?

RAY: Yeah, there was no -- Yeah, there was no market robbery.

LEHNER: You told Hanes not to tell Huie?

RAY: Yes.

LEHNER: And then how did you find out that Huie was told about it?

RAY: Ah, ah, well he, he wrote me a note and there was something, said something about he'd caught me in a misrepresentation, misrepresentation or something.

LEHNER: How did he know it was a misrepresentation? How did he know that you hadn't robbed a, a grocery store or supermarket?

A. How did he know I hadn't of?

LEHNER: Yeah. How did, why --

RAY: Well I told him first that, about the first establishment.

LEHNER: The gambling place?

RAY: Then I told Hanes that was false, that I'd really robbed the market. So, I said don't say anything to Huie about it. And of course he went and told Huie about it.

LEHNER: Then when Hu--- When Huie wrote you that note, was that a note saying you lied on one of the two occasions, I don't know which or, that you lied about the supermarket part of it and that the true story is the gambling establishment?

RAY: No.

LEHNER: In other words had Huie, had Huie made some kind of, some type of investigation where he determined which one was the truth and which was false?

RAY: No, but he determined, he assumed that everything I told the attorney would be correct, you know, of course it wouldn't be in my interest to lie to the attorney. And now, I'm not sure whether he sent a note back or he sent Art Hanes, Jr. back. A lot of times, usually the only thing Art Hanes, the young Hanes did was, was carry messages, and it could be either one but I know -- Well he, he goes into it in detail in his book. I don't have the book right here but ---

LEHNER: What, what I'm trying to get at, did Huie, however he communicated to you, did he communicate that one of the robbery stories was true and one was false? Did he have a, indicate which one he thought was true and which one he thought was false?

RAY: Well yeah, well apparently Art Hanes, Sr. explained what I'd told him, so he assumed that this market was correct, because I don't know why, but I just guess he just assumed --

LEHNER: He assumed that the second one was correct and that you had lied to him about the gambling establishment?

RAY: That's correct.

LEHNER: I see.

EVANS: Hold it, one thing, is that a gambling establishment or is that a bar, is that a house of prostitution?

RAY: I think it was both, I don't know.

EVANS: It was both?

RAY: I think so.

EVANS: Do you recall just how that was set up?

RAY: How I set it up?

EVANS: How it was set up, I mean, how the robbery was set up and how the inside of the premises were set up?

RAY: I think I drew, I drew a map and everything at one time. I know it was on the second floor. I'm pretty sure it was on the second floor and I have a pretty good recollection it was in the French section of the city and I have, I have a fairly good recollection of where, where it was at.

EVANS: Yes.

LEHNER: Where -- Where did you draw the map?

RAY: Huh.

LEHNER: Where did you draw the map?

RAY: I probably give it to Huie or Bernard Fensterwald or one. I drew so many maps, but I can't, but I assumed I drew one of that too, but I'm not positive.

EVANS: Well could you now draw us a map based on your recollection as to where this location was?

RAY: I don't know if I could give you the exact location, I could give you a fairly accurate, I don't want, I don't think I should draw it now let me see, it's not too far from St. Catherine Street. I'm familiar with that area pretty good but I never did go back in that specific area after this incident, but I'm, but the general area I'm pretty familiar with it. But -

EVANS: Yeah. How did you set that up?

RAY: That, that was early on, I think that was, when I came into Montreal I was fairly, pretty short of money.

EVANS: Right.

RAY: I think I, I think I stayed in a motel or hotel right after I got close to Montreal. I think I, I think I started setting up the first from the motel out side of Montreal somewhere. I don't know just how close it was and I was driving the car and I picked up some girl in a club down there, this was, this was in the Expo season and --

EVANS: Uh huh, you picked her up in a club in Montreal or outside of Montreal?

RAY: In Montreal I think I was, I think I stayed in Montreal. I'm not certain, I'm not certain when I came into Montreal, when I came into Canada I didn't, I didn't have really too much money and I think I stayed - I think I kind of slept overnight in the car for a couple house one night and another night I think I checked in a motel, and I think I check in the day time or something and I slept a few hours and went in that night or something and set this thing up. And the cause for this being short of money was when I left Chicago the car I had had broke down and I didn't have too much money and I had to use \$200 of the money I did have to purchase another car, and I think, I think I probably set it up, I know I set it up one day, and the next day I went ahead and got the money.

EVANS: When did you --- When did you commit the robbery, day or night, got a time, approximately?

RAY: Yes, it was at night time but I don't, just -

EVANS: About what time, do you remember?

RAY: Ah, ah, I would say it was before midnight. Some

time between, between dark and midnight. I couldn't be specific.

EVANS: Well, do you want to sort of just give us a run through of how it happened and what happened when you got there?

RAY: Well the first time, um, well the first time I went up there to the room with her. I was more or less casing the place that time and the next day I went to --

LEHNER: Did you do any gambling?

RAY: No, no I don't - I didn't have no money to gamble.

EVANS: Okay.

RAY: And I think the only reason I new there was gambling there I think she mentioned something about, you want to play cards or something, and the next day I went down to the same establishment, it was on St. Catherine East. I don't know the exact address, and I got, picked up the same person and went back up there, and she, she would take some money in, she took some money in, I think she'd go in the room with you and get your money and then she would go into the, go into an office and give it to a fellow down the hall and the first time, like I say it was more or less just casing the joint, casing the place. And th next night I went up there and gave her the money and then I took her in the office and held this French fellow up, whatever he was. And he had some type of a small room in there or something, a cot, and I had some, I had trouble getting the money off him. He had a certain amount of money in his pocket but it was a small amount and after I got it out I tied him up and got him part the way under the bed and had her lay on the bed and I --

EVANS: Well how did you get the money from him?

RAY: Well he had, I think he had \$5 in his pocket but he had some more hid in a cabinet or something.

LEHNER: Well how did you convince him to tell you where the money was hidden?

RAY: Well easy -- Well I had a weapon, a pistol.

LEHERE: Well where did you get the pistol?

A. I got that in East St. Louis. I never have give you this name, but I'm going to try to give it to you the next time you get here, because I'm trying to -- What I'm trying to do is get all this stuff together and write it out and let you, you know, cross-examine, whatever it is.

EVANS: All right. Well, you know, we are trying to establish your credibility. We want information you can give ^{on} us, something of this type, of course.

RAY: Well the thing is, I want to get it wrote down because when I ever, when I testify or orally without writing it down I leave out details and I know when, If I ever am under some type of cross-examination, and they say, well how come you left out this detail. So I want to be specific when I testify against these things in detail.

EVANS: All right. Getting back to the girl, you arranged -- Did you arrange to meet with her the next night?

RAY: No. She just happen --- She just stayed at that club there, I didn't --

EVANS: Which club was this, do you know the name of the club?

RAY: I would know the general area it was in, yes.

EVANS: Okay, is this any where near the rooming house or the hotel that you eventually stayed in when you did move into Montreal?

RAY: No, I tried to get quite a ways from that area. Now this area were are talking about, would probably be about 1300, 1400 St. Catherine East. The place I evidently moved to was in Notre Dame Street about 4000 East, which would be about 30 blocks farther away.

LEHNER: When you -- When you first gave the story of the, of the gambling establishment robbery to Huie, to - to - to Hanes, was there an agreement that this was to go to Huie or it was not to go to Huie. In other words what was your arrangements with Hanes as to what was to go to Huie and what was not to go to Huie?

RAY: Ah, well, I never did -- I never did have anything down in writing about what I would give Hanes and what I wouldn't. It was -- It was our understanding that we wouldn't give Hanes too --

LEHNER: Huie, you are talking --

RAY: -Huie too much of the details on April the 4th, because I was sort of suspect -- I didn't know anything about Huie, but I, I sort of suspected it being he was in the newspaper business he was interested in publishing details and, you know, the facts of the thing. And this things -- This thing sort of progressed. Let me cite an example of how this was. Well, for instance, the FBI never did know where I was at between the day I escaped from Misssouri up until the, I escaped in

April up until June when I quit working the restaurant because I was going under the name of John Rayns. And when I gave Huie, Hanes the information, he gave it to Huie and back came about 20 or 30 witnesses. And the FBI went up there and questioned all those people. Well I, in my opinion this thing damaged the case, not so much because I wanted to keep something a secret but because, by the fact that the FBI didn't know where I was at two months indicated that they wasn't infallible. But now, once they get this information why, you know, it's ah, they pretend you know that they've, it's some brilliant investigation.

LEHNER: Well, what I'm trying to get at is, you had the, an agreement with Hanes and with Huie that Hanes was going to give Huie certain things and prior to the trial Huie was going to publish certain things. Was this, was this an agreement that you Hanes and Huie had? That you would tell things to Hanes and Hanes would tell certain things to Huie, and Huie would publish certain things prior to the trial? Was that an agreement that you had?

RAY: Well, I had everything in contracts. I've got all these contracts but I'm not sure, what the agreement was. The oral agreement was like I say, I wouldn't tell Huie too much about April the 4th because I think that would have been compromising the case. It was some mention about publishing certain things, certain things before the trial but I was never given any details just what would be published. I didn't even know, know what magazine or anything they'd been published in.

LEHNER: What was your understanding as to what Huie was going to do with the material that he was supplied by Hanes?

RAY: Well, I assumed he was going to write a book with it at one time or another.

LEHNER: And that would be after the trial, the book?

RAY: Yes. I assumed that. Yes.

LEHNER: What did you assume that Huie was going to write and have published prior to the trial?

RAY: Well, that was all sort of vague. I really didn't, I wasn't, Hanes never did confide in me too much in that area. He would, well even the criminal area as far as that goes, he usually just asked me questions and that was it

But I didn't, I didn't, the first thing I knew that something was going to be published was, that was published. Was one of the officers who was guarding me brought a copy of Look magazine in the cell and, and ---

Well, no, see the first time Hanes brought a copy of Look magazine and then the second story the officer brought me a copy of it, and he said something about, he wanted to know if I wanted to buy it, and I said no, and ---

LEHNER: Wasn't there some type of discussion between you and Hanes whereby some of these matters about you was going to be published before the trial to get you some good publicity to counter the bad publicity that was being emanated in the press?

RAY: Hanes had mentioned that but he never did mention

no details. He never did mention the name of the magazine or anything. But I, I had some recollection that something was going to be published but just how and when I didn't know until I, you know, the magazine came out.

LEHNER: How did you get for instance to Huie, the story about the white sheet? How did that get to Huie?

RAY: Well, that was one of the three things that I mentioned that, that, like giving false information. Well, he was pressing me for some details about my actions on that particular day and I told him, I said, well just tell him that I was in the car and somebody with a white sheet jumped in the car and we took off. This was really kind of a put on. On account of he was making statements around town about the Klu Klux Klan. And I said well just tell him anything and he said well all right. And he came back, and he sent Art Hanes back the next day and he said well, he didn't want anything, he wanted the facts or something like that. And that was, that was about it.

LEHNER: Did you write out that story, the white sheet story?

A. No, I don't think -- I didn't, I didn't write out anything false except in -- The only actual false story I ever wrote out for him was the escape and the, and the -- I believe that was all.

If I would tell him something that wasn't accurate, try to put him on, or something, you know, try to tell him something that wasn't really wasn't his concern I would just send it out through Hanes or something.

LEHNER: You mean Hanes, Jr?

RAY: Hanes, Sr.

LEHNER: Senior.

RAY: Really Hanes Jr. didn't have too much to do with the case. He just brings messages in from Hanes, Sr. and Huie. But that would be -- That would be about the --

LEHNER: Well, you said you had three things you purposely misrepresented to Huie. One would be the escape from the Missouri State Prison -

RAY: Yes.

LEHNER: -which you say you put in writing.

RAY: Yes.

LEHNER: Two would be the supermarket robbery.

RAY: Yes.

LEHNER: And three would be the white sheet story?

RAY: Yes.

LEHNER: And you say the white sheet story and, and the supermarket - the supermarket robbery you never wrote out?

RAY: No I never wrote that out. That, that was something to be used in defense. The escape from Missouri as far as I was concerned had nothing to do with, with, you know defense and the crime.

LEHNER: Did you assume that Huie was going to publish that white sheet story?

RAY: Ah, no, I think it was considered a put on. Arthur Hanes, Sr., testified in the Habeas Corpus in Memphis that he considered it sort of a put on. So I guess he told Huie that it was more or less a joke or something. And then Huie told

Art Hanes, Sr. and then the story come back to me.

LEHNER: Well, did you tell Hanes, Hanes Sr. the real story of what happened just before the shooting of where you were?

RAY: No, we didn't go into that. What we did on this investigation was that Hanes -- Actually we never did talk too much, me and Hanes, we'd write out everything. Actually what he did, he hired, he hired an investigator to investigate everything in the Memphis area on that particular day and Hanes would come back to me and cross examine me, was you here and was you here and that. And up until the trial date me and Hanes started having trouble about September or October and I was still cooperating with him to a certain extent, and of course this was more or less a matter of record, the trouble with the letters back and forth. The more -- The defense more or less from Hanes point of view was going to be his, what he found out through witnesses rather than what I testified to. Now he told me, the stuff I had wrote out here would indicate that there was never any intention to put me on trial, on the stand. But it was my intentions if there was a trial even with Hanes or later Foreman, just take the stand and tell whatever I knew about it and then that would be it and there wouldn't be no possibility of the FBI or somebody getting to witnesses or let the prosecution get their story to conform to mine or something like that. And that was more or less the defense I had envisioned on.

LEHNER: Were you speaking to members of your family during

this time, from the time of your apprehension to the time that, for instance, you hired Foreman, were you speaking to members of your family?

RAY: Yes, that's correct.

LEHNER: Which members of your family were you speaking to?

RAY: Ah, I saw two of them. My brother John Ray and Jerry Ray.

LEHNER: Did you talk to them about the facts in the case?

RAY: No. That would have been impossible. I give them some, I gave Jerry some information to check on one time. What we -- What we'd do, we'd have to talk through a plate glass window, and have the small screen about this thick (indicates with hands approximately six inches large). And all this stuff in here was, was microphones in the cell and everything. So, you couldn't, you could talk to any one about the facts of the case or anything that would incriminate you. Well we talked about Huie and things like that. And I gave him the name one time to get a phone number on him. I just wrote down on paper and held it up to the glass and he copied it off.

LEHNER: What kind -- What would that be about? What phone number was that?

RAY: Well that was the Thompson phone number.

LEHNER: Who's Thompson?

RAY: Ah, the Baton Rouge number.

LEHNER: Oh, the Baton Rouge number that turned out to be registered to a fellow by the name of Thompson?

RAY: That's correct.

LEHNER: Who did -- Who did you show that to, which brother?

RAY: Ah, Jerry Ray.

LEHNER: When was that/ ^{about?} Do you remember what month that was in?

RAY: Ah, no, that would have been, see I've got that, I've got that wrote down somewhere, but this is bad about trying to remember all these things and you speculate on a date, ah, I can't remember just what date it was. I'm trying to think whether it was Foreman defending me or Hanes defending me. Well, later on I gave it, I gave -- I never did give it to Hanes. I did give it to Foreman but I can't, I can't, I'm not going to get pinned down when I gave it because I got it wrote down and when I do testify about it why I will have it.

LEHNER: But you never spoke to Jerry Ray or your brother Jack Ray pertaining to what your defense was going to be or matters of that, of that nature?

RAY: No, No, nothing like that.

LEHNER: Did they do any investigating for you?

RAY: Well Jerry Ray -- See I, when I had this phone number on the street, I remembered the name, but I for fot the number. Of course it really wasn't, if I wanted to give it to Foreman I could have just gave him the name. But I wanted to get the number. So I got the number and later on I gave it to Foreman. But he came up, he's denided it, he's got two other numbers somewheres. But anyway, that's only thing I ever talked to Jerry Ray about. The only thing I ever talked to John Ray

about, he came up there one time, John came up I think, ah, two or three days before the guilty plea and he said the FBI was trying to put my father in the penitentiary for escaping from Iowa or something. And then one other time Jerry come up there, I think this was in early March, he had just been to see William Bradford Huie. He said Huie offered him a certain amount of money if I wouldn't take the witness stand, and he said, I know I forget the amount of money, it's either 12,000 or 7,000 and he said I needed another attorney or something, and I told him it was too late to get any attorney because it was, I think it was November the 2d or 3d then, and trial was suppose to start November 10th, so apparently he, then he went on an fot Foreman on his own. But that's the only, them's the only two areas, three areas that I can think of right now where I ever spoke to them about any aspects of the case.

LEHNER: Um, who else did you speak to other than your attorneys and your two brothers from the time of your apprehension until, to the time of the guilty plea, let's say?

RAY: In the cell block? Ah, well, see my two brothers, the Rev. James Bevel, and another black preacher called Rufferford. I talked to those and I talked to them about 10 or 15 minutes and they wanted to be co-counsel or something and ---

LEHNER: What did you say to that?

RAY: I told them it was up to Foreman. I don't think Bevel had a license, I don't think he can practice. But I wrote him a letter and told him I appreciate any help he could

give me, but I, now, I really wasn't too, I don't know what his interests were or anything like that. I think the letter is part of the record now.

LEHNER: Well as far as your, where you were at the time of the assassination did you have anybody working on that aspect of the case for you?

RAY: Well when Percy Foreman come in the case, ah, I worked, I'm - I'm - I'd rather read this to you but I'm just going to let you ask the questions so, if there's anything else -- Well, later on we can go into it, if it's all right. When Percy Foreman came in the case -- I have to explain the background in order to show ^{you} how, how they investigated the case. When he came in the case he had the contracts when he first come to see me, and we discussed it, and decided to get Hanes out and him in. And he made certain agreements where there wouldn't be no book writings and he'd hire a Tennessee attorney an all that type of think. Well now, now that was November 10th or 11th, 10th. Now, I think the 11th he came up there and I signed over the Mustang and the rifle and all that stuff to him and I told him the rifle probably wasn't mine, but he wanted that for a retainer fee, plus I promised him a \$150,000 or something. Well, now that ended it until I think December 18th, and I think on December the 18th he came and saw me and he -- I asked him at that time was he interested in me telling the facts of the case as I knew them, and that type of thing. And he said, no. He said, its his method whenever he worked on a case to not to listen to anything the Defendant had to

say until he looked at the prosecution's side of the case, and he later testified to this too. And so, I never did go into any details of the case with him until about, I'd say about February the 3d, probably February the 4th of 1969.

LEHNER: Well, other than your attorneys did you have anybody working -- Well let me just rephrase that. Did you have anybody, at any time, between your arrest and your guilty plea working on the, your defense as to where you were at the time of the crime?

RAY: Ah, no. Hanes was working on it, but he was working on it based on what he found out other places. I can't think of anyone that -- Apparently Hanes had a pretty good defense laid out. I have seen the record, but when Foreman came into the case, see he had, he had the Public Defender come in and start working on the case. But see, it's difficult for me just to explain this just in isolated incidents, because I didn't want the Public Defender on the case to start with, and he got in on some kind of a sham. But he didn't, the Public Defender didn't start investigating the case until, he talked to the first witness February 3d or 4th. And now Foreman he's testified now in these papers here that I agreed to plead guilty orally in January 26th or 27th. So, this really don't make sense when you try, you know, for me to try to explain something to you without going through the whole thing, because it's just, there's been so much lying and everything in the record that you have to, you know, review the whole record before you can ever, get a, get a handle on it.

LEHNER: Well, what I'm trying to understand is was there anybody interviewing witnesses as to your defense, as to where you were at the time of the crime, did you have anybody doing that?

RAY: The Public Defender came up there, Foreman got sick and he was appointed I think January 29th - 19th. And he came up there, I told him I didn't want to talk to him about the defense or anything else because I thought the Judge was going to try to get the Public Defender in the case and Foreman out. So the Public Defender went on out, now, now he testified that he started interviewing witnesses about where I was at on February the 3d or 4th. Now who all he interviewed, according to the Public Defender he was interview witnesses when he read the paper that I was going to plead guilty, so apparently, apparently there was no investigation ever, was ever made until he was still investigating the case, in other words when Foreman made the deal to enter the guilty plea.

LEHNER: When Hanes represented you was anybody, was anybody investigating where you were at the time of the crime on the defense side, anybody?

RAY: See, I doubt that very much. See, I wrote to -- when I got -- started having trouble with Hanes in Spetember or October 1960 - 60 - '68, I wrote a letter to William Bradford Huie, I think it's in his book. I wrote a letter to Huie and asked him to give my brother, I think it was \$1250 to hire an investigator because I wanted to look into some of this aspects of the case mayself without, you know, independent of Huie.

And I think Huie wanted to go for it, but Hanes wouldn't go for it, or something because he wanted the money or something. So, as far as the investigation goes where I was at during, during the time of the crime and all that Hanes, Hanes was making that investigation on his own

LEHNER: What was he doing in that respect?

RAY: Hanes?

LEHNER: Yes.

RAY: Ah, he never would tell me about it. The only thing, the only reason, the first time I knew anything about it that he was doing this on his own with a private investigator was, the private investigator got arrested for contempt of court or something and I read in the paper, and I asked Hanes about it, and he said well he's my investigator.

LEHNER: Is that Renfro Hayes you are talking about?

RAY: Yes, that's the first one.

LEHNER: Did you have any contact with Renfro Hayes?

RAY: No. I never spoke to him.

LEHNER: Did you ever send any notes to him or he send any notes to you?

RAY: No. I didn't even know he was on the case until I read in the paper where he had been arrested.

LEHNER: You had, afterwards you had written some note to him, didn't you afterwards when he was suing to be paid?

RAY: Yes. I wrote him one letter I think after I got to prison or something and that was it.

LEHNER: And that was pertaining to his seeking to get

paid for his services?

RAY: Well, yeah. He won a \$9,000 judgment off me in court.

LEHNER: You were intending to testify at the trial when Hanes was representing you. You were intending to take the stand, is that true?

RAY: Yeah, I think most all of the evidence would indicate that. I know Huie's book, he's got Hanes on page 179 telling me I couldn't testify and Foreman on pages 195 saying that I couldn't testify with him defending me and -- Now, some interrogatories in a civil case that's where I fired, I sued Hanes and Foreman. Now Huie says I wrote him a letter and said I wouldn't take the witness stand, that's the civil case number 69199. But I never wrote him no letter saying I wouldn't take the witness stand. In fact, I, I wanted to take the witness stand.

LEHNER: You, you were intending at your trial to take the witness stand when you, when Hanes was representing you --

RAY: Yes, see --

LEHNER: Is that True?

RAY: Yes. The argument was -- Yes, the argument was that I had a criminal record and I'd hurt myself. But everyone in Memphis knew that I had a criminal record so it was no --

LEHNER: So you were, you were intending to let the prosecution put on their case?

RAY: Yes.

LEHNER: Let Hanes try to do whatever he can in cross-examination --

RAY: That's correct.

LEHNER: --to destroy the people's case? And then you were intending to take the stand in your own defense, is that correct?

RAY: That's correct, yes.

LEHNER: Did you tell Hanes that this was your plan?

RAY: Yes.

LEHNER: What did He say about it?

RAY: He said once about, you know, why give testimony away when you can sell it.

He made that remark once and then I got to arguing with him about it and then he seemed to modify his views. And, but he never did, he never did come out and say I would testify. But now I didn't think he would let me testify when he -- You know, when my brother went to see Huie and come back with the story that, you know, it would ruin his book if I testified from the witness stand. But now on the other hand a couple days before I dismissed Hanes, Hanes told me to get everything in my head to what I did on the day of the crime and everything, and just think about it in case I had to testify about it in court. So, I don't know if Hanes was just trying to con me into thinking I was going to testify or what, but--

LEHNER: Let me backtrack just a bit, when did you first retain Hanes?

RAY: Ah, it's wrote down here, I think I wrote to him sometime in June 1968.

LEHNER: You were in London at the time?

RAY: That's correct. Yes.

LEHNER: And did you speak to your attorney Mr. Michael Eugene about your U.S. representation?

RAY: I spoke to him about Hanes and F. Lee Bailey, yes.

LEHNER: Did you give any other names besides Hanes and F. Lee Bailey?

RAY: That's the only two attorneys, I knew their names plus their home address, yes.

LEHNER: Did you mention any other U.S. attorneys?

RAY: No, that's it.

LEHNER: What about Melvin Belli, did you mention him?

RAY: I never heard of him or Percy Foreman either one at that time.

LEHNER: So while you were in London you had never heard of either Melvin Belli or Percy Foreman?

RAY: I had a vague idea but I don't, I didn't -- Belli, I'm positive I never heard of him. I may have vaguely heard of Foreman. I think I had some kind of recollection of hearing about Foreman, probably the Moslem case, but I didn't know enough about him where I could write to him or I didn't know where his home town or anything like that was at. My brother, he wrote telling me something about him too.

LEHNER: And what was the reason you wanted F. Lee Bailey or Arthur Hanes?

RAY: I didn't particularly want either one of them, I just, I really, I didn't want no attorney at all at that time. I wanted, I think when I wrote to Hanes, I - I - I indicated that I wanted an attorney when I got to Memphis because I

didn't want to, you know, get a series of oral statements against me, and a lot of times when you are in jail without a lawyer why, you know, they'll say well you said this and that. And Hanes was, he tried to fly back on the plane, things like that where he could keep these oral statements out of the record and the fact is I wrote my brother and told him to give Hanes enough money to, you know, come to Memphis when I arrived there and things like that.

LEHNER: Well, how did you come upon the two names F. Lee Bailey and Arthur Hanes?

RAY: Well, I guess, I guess I -- I'm not sure how I came on either one of their names but it stuck in my mind somewhere that I knew what town they were in and I knew their names and I probably seen Hanes' name when I was in Birmingham. I lived there about two months. I probably seen him on TV or something.

LEHNER: And relation to what?

RAY: I couldn't say about that. I think he was politics or something. He's probably, you know how they talk on TV.

LEHNER: When were you in Birmingham when you, when you saw him on TV?

RAY: I don't know if I did or not. I don't know, I have no -- I have no idea how I come across Hanes' name or Bailey's either one as far as that goes. I probably heard of Bailey's on the on some -- Didn't he repre-- He represented some case in Boston, a train robbery or something, a bank robbery or something.

LEHNER: And you heard of Hanes you say when you were in Birmingham some time?

RAY: I could have. I have no --

LEHNER: What year were you in Birmingham?

RAY: I was there in '67, I believe it was, September, August or September I guess.

LEHNER: And did you know about Hanes' previous trials?

RAY: I didn't have any idea. I've read about them since, and I've read about the big case where I was suppose to heard about him or something, but I think I was at the penitentiary at that time. So, I know now I couldn't of remember him from being in the penitentiary because there was no TV's in the penitentiary.

LEHNER: Well, you read newspapers in Missouri State didn't you?

RAY: Very seldom.

Ah, Missouri Penitentiary was somewhat like being on Devil's Island, you didn't keep up with all the latest news and everything. There was no T.-- / ^{I know I've} read where these TV's, where I use to watch TV and get all carried away but there was no TV's or radios in there or anything. And I spent a lot of time in solitary confinement, 18 months and you wasn't even aloud a newspaper in solitary confinement. So --

LEHNER: Was that because of the attempted escape, that solitary?

RAY: Yes. For the three of them.

LEHNER: You say while you were in Missouri State there was no radios and no TV?

RAY: They had an ear phone with channel 6 news, mutual news

on -- I heard two news casters for six years. I think one, his name is Edwards and one was named Fulton Lewis. I can remember two names but that was, that was the extent of the news in Missouri.

LEHNER: Then you had no radio while you were there?

RAY: In 1966 they started selling radios in the commissary, these small transitors and I got one of them in 1966, and I still have it.

LEHNER: You still have that same radio?

RAY: Yes.

LEHNER: How did that come about that you still have that?

RAY: I think the FBI representative, they got the number off of it and traced me down through that radio. Well, of course, the truth is that I told them it was my radio and it was my number on there. But the number is on plastic and I sandpapered it off so it's impossible to, to get the number off of it. So, I think after I plead guilty the prosecution they give various evidence, I guess it would be harmful to their case, to my brother, my brother still has the radio. You can have it if you want it.

LEHNER: Jerry has the radio?

RAY: He has the radio, yes. I told him to keep it.

LEHNER: Was this the radio that was found in front of Canipe's?

RAY: I think it was. I'm not positive, but --

LEHNER: This is the radio that you brought in to that rooming house on Main Street?

RAY: That's correct, yes.

LEHNER: Well, as far as F. Lee Bailey and Hanes did you give their names to Michael Eugene or did you contact them yourself?

RAY: I believe I gave them to Michael Eugene and he took them to the American Embassy because I know he come back and he was against, he said the Embassy was against hiring Hanes, so, therefore, must have been, so he probably got the addresses from the Embassy. Because I couldn't know the street address and things like that.

LEHNER: You mean the Emba--- The American Embassy was telling Mr. Eugene who you should hire for your defense attorney?

RAY: Yes. I think they wanted to get one. And he came back and he said that they recommended, this was after Bailey turned it down, and he said the Embassy recommended against getting Hanes and they thought I should let them appoint someone or something. And I think -- Well, you can talk to Eugene about that, but ---

LEHNER: The Embassy told you, Mr. Eugene that since Bailey is not available that you should not get Hanes and that they would recommend someone to you?

RAY: I don't think -- I think at that -- By that time Bailey had been unavailable. I don't know if Eugene talked to -- told them about Bailey or not, but he did tell me that they recommended against Hanes and --

LEHNER: Did you get a letter from Bailey?

RAY: No.

LEHNER: How did you get to learn that Bailey was unavailable?

RAY: Ah, Eugene told me he was.

LEHNER: Did he tell you what Bailey had stated?

RAY: I think there was a conflict of interest. I believe he was, at one time he had represented Dr. King and he said that -- I don't know. There was some conflict of interest, I don't know just specifically what it was.

LEHNER: Did Bailey state to Mr. Eugene that he would not be able to represent you unless you were able to undertake that you were innocent of the charges since he was friendly with Dr. King?

RAY: No. He never did say that. I was never told that. I read, I read that subsequently in magazines and things, but he never, there was never any representation made to me along those lines. It was just something about a conflict of interest.

LEHNER: Nothing about Bailey asking you to undertake that you were innocent?

RAY: No, nothing like that, no.

LEHNER: Well, how did you hear about whether Hanes would represent you or not, was that through Mr. Eugene or otherwise?

RAY: Ah, yes, I think Hanes wrote me a letter. I think Eugene first come back and said something about money or something, and then in the meantime Hanes had contacted Huie and he wrote back and told me he would take the case and I think I wrote to Hanes first, I got the address from Eugene. I wrote him and asked him if he would meet me in Memphis. I don't think I asked Hanes specifically to represent me, just to meet me in Memphis and then he wrote me back I guess after he saw Huie and said he would

take the case and later I gave him the letters back and that was it.

LEHNER: The reason you wanted Hanes is that you say, you seem to indicate, that you recollect in 1967 when you were in Birmingham that you knew Hanes was in politics?

RAY: I might have saw him on TV or something like that. I just don't -- I don't recall exactly how come I knew he was in that specific town but it must have happened sometime in Birmingham, I could have read something about it in the paper.

LEHNER: Well didn't you have to know more than he was in politics, you had to know that he was a lawyer first?

RAY: Well, it might not have even been politics it might have been he was a lawyer or something cause I had it in my head that he was a lawyer for some reason.

LEHNER: Didn't you have to also know when you were in London that not only was he a lawyer but he was a criminal lawyer?

RAY: Well, I don't know if the criminal lawyer would have been specific.

I was more or less interested in someone to keep an oral statement against me. That's what my concern was. The fact is, I think I sent affidavit to J. Edgar Hoover, Ramsey Clark, and two or three others saying I wouldn't make no oral statements when I was on the plane and when I got to Memphis and that was my ---

LEHNER: Well, when you asked for F. Lee Bailey and Arthur Hanes to Mr. Eugene weren't you indicating that those were people that you wanted to defend you at your trial?

RAY: No. Not necessarily. I wanted to, I would have preferred to have talked to them before they defended me to see what their idea was on the -- Of course there was a matter of fees and everything.

LEHNER: Oh, sure. You mean that you would have to talk to them and they --

RAY: Yes.

LEHNER: --would have to be agreeable to you and you would have to be agreeable to them, sure.

RAY: Yes.

LEHNER: I understand that, but when you mention those names wasn't it because you envisioned either of them representing you at the trial?

RAY: No. Not necessarily, not at that time. No.

LEHNER: Well, you knew that F. Lee Bailey was a famed criminal lawyer, did you not?

RAY: Yeah, but you can't just make, go into, you just can't write the lawyer and say well, I want you to defend me. You'd have to reach some kind of an agreement when I went ---

LEHNER: Now look what I'm getting at, James, is this, that when you asked for F. Lee Bailey as one of your defense lawyers, it wasn't just that you heard that F. Lee Bailey was good at corporation law or tax law you know that he was a famed criminal lawyer.

RAY: Yeah, I heard that he was a, I assumed he was a criminal lawyer but I just can't get all these details in my mind where I found his name at and all that stuff.

LEHNER: All right, but when you asked for Mr. Hanes as an alternative lawyer you knew that he was a famed criminal lawyer too, isn't that true?

RAY: I probably assumed he was a lawyer, I didn't know specifically if he was a criminal lawyer. It -- I just can't pin down where, where I got these names at. I got so many of these aliases and things they come and go.

LEHNER: You were fighting extradition in London were you not?

RAY: That's correct.

LEHNER: And what was the reason you fought extradition?

RAY: Well, of course, the main reason was to keep from being extradicted. I wasn't, ah, you talking about the legal reasons or the instinctive reasons?

LEHNER: Give them all if you can.

RAY: Well, I don't know about, about the extradition. I really didn't know too much about extradition law at the time, the fact is, I didn't know anything about it. If there was anyway I could get out of going to trial and staying out of jail I would do it. So, naturally I would fight extradition. It wouldn't have any bearing whether I was guilty or innocent or what.

LEHNER: And you were going under what name during the extradition hearing?

RAY: Ah, Sneyd I believe, Raymond Sneyd.

LEHNER: Why was it that you weren't giving your right name at the time?

RAY: Ah, I had a passport under, I was arrested under the name Sneyd. I think that's what they checked me in the jail.

Usually when you check in a prisoner usually you always use the name you give them. It wasn't no specific reason why I was using that name.

LEHNER: When you were communicating with Hanes what name were you using?

RAY: I don't know, I -- I -- I think I told him, I think I was using the, probably the Ray name, but we have a contract here, we had Ray and Sneyd on it. So, I may have discussed this with Hanes a little bit too but there wasn't no significance in it, it was just the idea that I was arrested under that one name and I was relying on --

LEHNER: Isn't it true when, when you communicate with Hanes that you were using the name Sneyd also?

RAY: Yes. I may have, I think I -- I've read these contracts last night and I see both names on them, Sneyd and Ray, so --

LEHNER: I'm not getting into contracts, I'm getting into whether ---

RAY: Well, I'm trying to use them to recollect what I put on the letters. I, I may have well of used Sneyd on the letters

LEHNER: Why were you using Sneyd instead of Ray when you were trying to retain your own defense attorney?

RAY: Well, I suspect, it probably had something to do with the extradition hearing. I wasn't conceding anything at the extradition hearing and I don't -- I don't know -- I'm not sure when I conceded the Ray, my name was actually Ray, I don't know if I ever conceded it at all.

LEHNER: Why, why were you not conceding that you were James Earl Ray?

RAY: Well, I think if I was fighting extradition I would make them prove everything, that would be my thought on something like that.

LEHNER: Why were you fight extradition?

RAY: To keep from coming to the United States.

LEHNER: Why did you want not to come to the United States?

RAY: Well, there'd be a trial, I'd be charged with -- Assuming the, at the most murder and at the least escape from Missouri Penitentiary, and 20 or 30 other charges probably, I assumed at the time, although I know now that under the extradition hearing you are sort of limited.

LEHNER: Why did you not appeal the unfavorable ruling you got at the extradition hearing?

RAY: It was two reasons for that. One was Hanes recommended that I come on back and stand trial. And the other reason was that I was fighting the case under , and the english courts they have some commission, over there they have to approve all these and they wouldn't approve the appeal, and consequently I couldn't hire a lawyer to fight the appeal. So I just --

LEHNER: Who has to approve the appeal for, for, so that you would then be able to get a free lawyer?

RAY: Well the lawyer rep-- The lawyer that represented me, Michael Eugene, said there was a commission. I think it

was three or four people sits on a, sits on a commission, and in order for you to make any appeal or anything or even to defend you at trial this commission has got to approve, they have got to approve the funds to pay the lawyer with, and they wouldn't approve them on me, so even if Hanes had told me to go to trial I don't know if I could have appealed it or not because I don't know anything about english law.

LEHNER: Okay.

Why don't we take a little break, give our stenographer a chance to rest his hands and we will all take a stretch, okay.

(A recess was taken at 11:16).

LEHNER: Okay, lets just, before we -- We were just chitcatting during the recess as to, huh, the waiver, the question of waiver of attorneys and that you were going to further talk to Mr. Kershaw about it over the lunch period, and then also I think you just stated that you had some matters you wanted to bring up to us that maybe you will start the post-lunch session with those matters.

Let me just state for the record that my watch has now 11:23 and the same people are here in the room that were here during the first session this morning.

Is there something that you were saying that I just cut you off on, or is that something that we can take up after lunch, I'm not sure?

RAY: Well, no. I just told you I wanted to go over some

LEHNER: Okay. Why don't we do that as first thing after lunch that will be the itinerary.

RAY: As most everything I write down I try to corroborate it. There is no use to me testifying to something if there's no facts supporting me, so that's --

LEHNER: Okay. We were, ah, before the -- Just at the break we were talking about your being in London, your representation by Mr. Eugene, your representation, your request for representation by Mr. Hanes, Mr. Bailey, um, and the fact that you waived your appeal on the extradition. I think you stated that-- You were stating that there was difficult in, there would be difficult in getting a free attorney for the appeal process?

RAY: Yes.

LEHNER: But you also told us, I think, that on the advice of Mr. Hanes you did not appeal the unfavorable extradition ruling.

RAY: I think if there were two things happened, if Hanes was, suggested that I fought it then I would have tried to make some, some, well the fact is, if he wanted me to fight, well he probably would got an English attorney to fight it. But on the other hand the English government would of financed the appeal then I would of went on and appealed it. But neither one of those things came about so I just went ahead and waived it.

LEHNER: What was Hanes' reason for not appealing the extradition ruling?

RAY: Well, I guess he had some contracts with Huie by that time. I couldn't say. I don't --

LEHNER: Did he give you some reason?

RAY: Ah, he said come back and get it cleared up or something like that.

LEHNER: Well does this refresh your recollection, did he tell you something to the effect that it would look better to an American jury that you were ready willing and able to come on back and face the charges, and it would be unfavorable if it looked like you, like you were trying to avoid the charges to the jury?

RAY: I don't think the jury would have any -- That wouldn't even been -- The jury wouldn't know anything about that. I don't think the prosecution would bring that up.

LEHNER: No. No, I don't mean in the trial, but in the publicity part of it?

RAY: No. I think he said, well we done fought extradition part of the way anyway. So, I think he said something about it might look better if we came back and faced the charges, but I don't think you can make statements about a jury would think I looked better if we came back.

LEHNER: It would be better publicity in general if you did not appeal it?

RAY: Yes. I think that.

LEHNER: And you went along with his suggestion on that score?

RAY: Well, I went along with his suggestions on account of the, the, like I say if I could of gotten either one of them to go with the appeal I would have went with it. But --

LEHNER: If you could have gotten free, free appeal you

would have taken it nevertheless?

RAY: I would have taken it, yes.

HAUSMAN: Um, who told you that you wouldn't be able to get the free appeal from the English?

RAY: Ah, Michael Eugene.

HAUSMAN: At that time what was your financial situation?

RAY: Well, I had about 120 or 30 dollars.

HAUSMAN: Did he explain to you what it would ment if you were a pauper in their terms, that they would have provided free advice?

RAY: Um, well he didn't explain too much about the pauper. I think when I first went to court, I think the court asked me if I was a pauper or something, and I said yes. And from then on it was assumed that I was a pauper. And apparently, I don't know if Eugene talked to Hanes about it or not. I assumed he did talk to Hanes about it and probably Hanes, I'm just assuming now that Hanes advised him to let, let it go.

HAUSMAN: They didn't -- Eugene didn't discuss it with you personally?

RAY: No, he discussed the appeal with me personally, yes. He just said the commission, I think he called it Commission. He just said the commission wouldn't, wouldn't approve the funds to appeal the case with.

HAUSMAN: Well, did he -- Did he explain why he didn't think they would approve it if you only had a \$100 in assets at that time?

RAY: Well, I don't know why he didn't think they would

approve it, I don't know how the commissions work over there. I guess they approve it, I guess it's sort of an arbitrary thing. They can either approve it or disapprove it. I guess if they thought it was a, the public interest to approve it they would of approved it. But if they thought it was the public interest not to approve they wouldn't of approved it.

LEHNER: How did you and Mr. Hanes arrive at the financing of your events?

RAY: Hanes?

LEHNER: Yes.

RAY: When he first came over there, the first or second time, he had me sign a, I got it here -- He had me sign a power of attorney giving him certain -- Do you have all these contracts? Giving me certain, giving him certain rights to sign papers with and everything. And he suggested, he didn't mention at that time when he first give me this power of attorney he didn't suggest that, he didn't go into any details, there was no mention of William Bradford Huie or anything like that. He just asked me to sign it and he made some kind of oblique reference to selling the story or something like that. There was nothing specific either in the contract or in the, or in what he told me.

LEHNER: What was your understanding as to how it was going to be financed?

RAY: I wasn't positive at that time. I didn't know anything about how it would be financed. I know he just had me sign that paper and I signed it Ray and Sneyd and he never, we never -- I never did get a chance to talk to him too much.

There was a, there was two policemen in the room with me and he didn't, he was just, it was more or less just a pep talk rather than any details. The only thing he did, he signed contracts and he had Eugene sign as a witness and I think that was the second time and that was it.

LEHNER: Did you tell --- Did you tell Eugene that money would be raised for you?

RAY: Ah, no, I never did mention any money to Eugene. I read that, but that's just something that come out in the newspapers and the rest of them picks it up and --

LEHNER: So you had no idea how you were going to be able to pay Hanes for the defense?

RAY: No, I wrote and told my brother John Ray to get, try to get Hanes enough money to, a \$1000 or something to come up there and be in Memphis. It was never no mention of big money or anything like that. It was very small amount.

LEHNER: Now, did you speak to Hanes in London?

RAY: Yes.

LEHNER: How many times?

RAY: I believe twice.

LEHNER: Was it agreed in London that you, that he was going to take the case and defend you at trial?

RAY: He talked like it, yeah. He wrote me a letter, he wrote me a letter and /I don't know just when I got the letter but he was very specific about defending me after he got the letter and I guess that's after he talked to Huie.

LEHNER: Well, when did you agree that he would be your

defense lawyer at the trial?

RAY: Ah, he just thought, he just seemed to took over after he come to London. I guess that's after he made the agreement with Huie and he just took it for granite that he was going to be the attorney then and he --

LEHNER: Well, you are telling me that he took for granite, when did you decide that he would be your attorney for the trial?

RAY: Well, I had a vague idea of it in London. Of course, I wasn't specific on it. I think when we finally, we finally come to firm agreements after I got back to Memphis.

LEHNER: So in London it was your impression that you were going to be represented by him at your trial and then when you got back to Memphis then it was firmly decided by you that he would represent you at the trial?

RAY: Yeah, I would say --

LEHNER: Is that correct?

RAY: Yeah, I would say based on his demeanor, demeanor in London that he was representing me. Of course it wasn't nothing positive there. And after we got back to Memphis and he talked to me and we discussed the finances then it was pretty well settled that he would defend me.

LEHNER: Now, in London you were pretty sure that he was going to defend you?

RAY: Yes, I was, yeah.

LEHNER: Now, at that time did you know that he was a criminal lawyer?

RAY: Ah, I don't believe I did. That's just something

I assumed I suppose.

LEHNER: When did you learn about his previous cases?

RAY: I probably read about them in the newspapers.

LEHNER: When?

RAY: I, I couldn't say that either.

LEHNER: In London or back in the states?

RAY: No, I was not -- In London when I first went there I was not reading the newspapers then later on I got in them. I only recall reading one story about him, and he came up there and had his picture going into the hotel or something. But I don't think London papers carried anything about his, I think it did carry something about he was the former mayor of Birmingham, but I think that was the extent of it.

LEHNER: When did you read that he, about his previous criminal cases?

RAY: I think I read about that in Memphis then I read considerable about it later on. I read about the woman with the Italian name, Lou - Louisa, or whatever it was, I read about that.

LEHNER: Why, why did you decide in London that he would represent you even though you didn't even know he was a criminal lawyer?

RAY: I really didn't decide that, these are something that -- when he wrote me a letter saying he'd defend me I, I assumed he was a, he must be a criminal lawyer if he wrote me a letter saying he would defend me.

LEHNER: Well why did you decide to allow him to defend you in a capital case when you didn't even know he was a criminal

lawyer other than the fact he decided that he would represent you?

RAY: Yeah. There was really no firm commitment on, that he would defend me until we got back to Memphis and started talking about these contracts and we had, he almost didn't represent me after we got back to Memphis because we had, we had a conflict over whether he would try to raise money through some type of public fund or whether we would go in the contracts with Huie. The fact is, I held off about 10 days before I ever signed on the contracts with Huie.

LEHNER: Well who's idea was it to go for the public fund and who's idea was it not to go with the public fund?

RAY: It was my idea to go with the public fund because I heard two or three people wrote to me about it and I thought may be -- It was my suggestion that we get enough money to have a trial and once the trial was over then I'd just let the book writers and lawyers go their way and I'd go mine and they could just do what they wanted to, that is whether I was convicted or whether I was acquitted.

LEHNER: Why did he not want a public fund?

RAY: Well I think Huie probably promised him more money or something. There was considerable money, \$2,000,000 or something was throwed out one time and I assumed he figured he got more money from Huie than he could get from the public fund.

KERSHAW: Let me make an inquiry here if I may.

Did, was Mr. Stoner seeing you at that time?

Did he suggest that he could raise a public fund?

RAY: No, Stoner wrote me a -- Stoner -- No, some committee wrote me a letter in England saying they might raise it from a public fund but I never had no contact with Stoner in England, but -

KERSHAW: How about after you got to Memphis, did Stoner -

RAY: No, he never said anything -- Yeah, but he never said anything about a public fund.

KERSHAW: Did Stoner visit you in the Memphis jail?

RAY: One time, yes.

KERSHAW: One time?

RAY: Yes.

KERSHAW: As you attorney or visitor?

RAY: No, that was about a libel thing. It was pretrial publicity and I was trying to find out ways to get the -- especially Time, Inc. but there was never anything about a public fund or anything.

KERSHAW: What, did he get permission from Judge Battle to visit you in regard to a civil suit then?

RAY: Ah, yes. It was against Life Magazine, yes.

KERSHAW: And he only visited you one time?

RAY: That's correct.

KERSHAW: Was that before you hired Hanes or after you hired Hanes?

RAY: No, that was after.

KERSHAW: That's all.

LEHNER: Did you sign any contracts in London?

RAY: I think I signed a power of attorney.

LEHNER: To Hanes?

RAY: Yes.

LEHNER: And then how long after you got to Memphis was it that you signed the, the next contract?

RAY: I think when I got back to Memphis I saw Hanes the next day. I think I'd gotten back the 19th of July and I saw him the 20th. And that was our discussion on the 20th, just what, how we are going to finance the case, and I suggested the public fund maybe and he was strong on the contracts and he -- excuse me -- he left me the impression it would either be the contracts if he couldn't raise the money for the trial and he left the -- so I didn't commit myself one way or the other. So, he left the contracts there and told me to think them over. Then about a week later or something I thought them over and figured that would be about the only available, you know, way of raising money. And I think on -- I think I signed the first contract on August the 1st, 1968.

LEHNER: But you discussed the public fund as opposed to the contract the day after you came back to Memphis?

RAY: Yes, that was our first discussion. Yes.

LEHNER: And the only question was whether you were going to go public fund or the contract?

RAY: The contracts, yeah. He had all the contracts with him at that time.

LEHNER: When did you first read in the papers about his criminal cases?

RAY: I couldn't say. It was probably in Memphis newspapers, but whenever they was I couldn't be, I couldn't be specific.

LEHNER: Well how long after you came back to Memphis was it?

RAY: I really couldn't say about it because I wasn't really too interested in that. It was --

LEHNER: You weren't interested?

RAY: I know usually in newspapers when you get a lawyer they run down all his back cases so I probably --

LEHNER: You are saying that you were not interested in his past cases?

RAY: Well, not at that time. I was -- First things first, I wasn't -- It wouldn't make any difference to me who he defended or who he hadn't defended. I was more or less, whether he was competent and he appeared competent.

LEHNER: You're saying at the time you signed the original power of attorney in London, and the time of, day after you got back to Memphis when you just -- when the only decision left was whether or not to go the contract route or the fund raising route, you still didn't even know if he was a criminal lawyer?

RAY: I - I - No I couldn't prove it. I couldn't even prove it today except what I've -

LEHNER: Well you still didn't even hear that he was a criminal lawyer?

RAY: No, I didn't. I didn't - I just, that's just an assumption I would make.

LEHNER: And all you knew about him was that he was a politician and a former mayor of Birmingham, and that he was a lawyer?

RAY: I think I knew about as much about Hanes when I

hired him as I knew about Percy Foreman when I got him. I'm just, a vague recollection of him and that was it.

LEHNER: Well, didn't you know when you hired Percy Foreman that he was a famed criminal lawyer from Texas, and he had a reputation for acquitting vast amounts of murder defendants?

RAY: No. I had no direct knowledge. I had a vague recollection of when my brother first wrote to me in England that he -- Probably the Moslem case. Bailey is the only one I ever knew about because Bailey, they talked about him in prison. But I never heard any talk about Hanes or Foreman or any of them people.

LEHNER: Are you sure?

RAY: It's a possibility that Jerry, Jerry, now he may have told me something about Foreman being, having a reputation, or John, but I have no independent recollection. But actually Foreman the only reputation he had was the, outside of Texas was the Moslem case, and that would have probably been the only one that I would have vaguely remembered him by?

LEHNER: Are you sure about this now, that the time you were in London and the time that you, the day after you came back to Memphis and you are discussing contracts as opposed to fund raising that you didn't even know whether or not Hanes was a criminal lawyer? Is that true?

RAY: That's just something that I would assume, but I really wouldn't know.

LEHNER: Why did you assume it?

RAY: Well, he was just a lawyer. I don't know. It's just something, I think it's just something you know.

LEHNER: Okay. Let's move on -- Go ahead.

EVANS: Let's get into the public fund. You said when you were in London that you heard from two or three people relative to their wanting to support you and raise funds?

RAY: Yes.

EVANS: Do you recall who those people were or what groups they were?

RAY: Ah, all of these letters -- I never got one letter where I was in London, they use to divert the letters to Michael Eugene. Now, he came up there with one letter where the public fund was from some, it wasn't Stoner but it was some organization that he was connected with it. It was called the Patriotic Fund. And that's the only -- I think Eugene mentioned other people or something where interested in helping me, other lawyers, but you'd have to -- you'd probably have to get to Eugene to get those.

EVANS: Okay. But that's the only one that you can remember?

RAY: That's the only one I can recall. Yes.

EVANS: Okay. When you returned to Memphis when you were brought back -- When you were brought to Memphis, when did you first see Stoner?

RAY: Ah, it was quite a while later on I think it would be about September.

EVANS: And this was after you had already made the decision to sign the contract with Huie?

RAY: Yes.

EVANS: All right. Did Stoner discuss with you public funds?

How did he get there, how did he get there? Did- You say he was representing you on the Life, on a suit you had wanted to pursue against Life Magazine?

RAY: I wanted to try to do, to do, file some type of suit to, you know, get - stop the pretrial publicity. I wouldn't try to win a libel suit. I figured if you filed suit you would force the judge to take some type of action, because the judge wouldn't move against any big organization he just move against local attorneys. I figured if we, you sue one of, sue one of, one of them it would force the judge into some type of action. I wrote to- Now Hanes didn't want to do that so the only attorney I knew was Stoner because he sent that letter -- he didn't send it to me but the letter said that he represented them, and I remember his address so I wrote --

EVANS: This is the letter you are speaking of?

RAY: The public fund, yes.

EVANS: The public fund, right.

RAY: The public - See Michael Eugene give me this letter in court. I read it over his shoulder in one of the hearings. And he said that, you know, it went down there and said Stoner was the lawyer and the fund had an address and I think it was Savannah, Georgia. So, when I got back to Memphis and I was trying to get this pretrial publicity stopped and I decided to write to Stoner, because I had never heard of Stoner before except this Patriotic Fund and I wrote to him about the Life thing and he come back up there, and I talked to him about - well, they have - they have a record of how long I talked to him in jail.

They kept those records. I think I talked to him about 20 minutes and I asked him - I didn't talk to him about the criminal case at all and I asked him about the Life thing, and he said he might file it from Atlanta. And he had me sign a saying paper/that he could represent me in a suit against Life magazine and that was the extent of the conversation.

EVANS: Was there ever any conversation between you and Hanes as to whether J. B. Stoner should take part in your defense?

RAY: Ah, I talked to Hanes once I think about possibly getting him, getting money off him through a fund or something. But Hanes said he was against it and he told me Stoner had bad publicity on account of his race, the race issue. And then I wrote Huie saying - then later on after I found out about this I wrote Huie saying that Hanes was probably right and I should, that Stoner was involved in these race politics, you know it'd reflect on me and the defense. And that was -- there was no more, there was no further contact with Stoner on that.

EVANS: All right. Did you know, or to your knowledge, did Stoner ever represent anybody in your family, any member of your family in any criminal case or any matter prior to this?

RAY: No. No one in my family or me ever heard of Stoner, although he did represent someone in my family for a shooting after the, after the conviction.

LEHNER: That would be Jerry?

RAY: Well see, after I - After I entered the guilty plea the FBI was harassing Jerry. I think they were trying to frame him for a bunch of robberies. So he came to - he told me about several times they kept questioning him about various robberies

and his girl friend. And I told him, well, I said -- I said you should go down there to Stoner or somewhere because he'll give you a job. I think Stoner offered him a job. I said because that way you'll have a witness if they try to say you robbed something and you were somewhere else. So I think he went down there and stayed about a year and a half. And during the time he was down there somebody tried to burglarize his place and he shot the guy and he got acquitted. I think the guy was Amer-, member of the American Nazi Party or something. That was - That was the extent of that.

HAUSMAN: And you said they were harrassing Jerry after your guilty plea?

RAY: The FBI was, yes. I think he lost his job one time on account of it. I think -- Well, later on my brother got arrested for robbery with the FBI so I just -- It was really my advice when he went to Stoner.

HAUSMAN: All right. Was Jerry or any other member of your family ever tell you or did you hear that they were being harassed before your guilty plea by the FBI or anybody else?

RAY: Well, during that time my sister, I think the FBI burglarized her house, and John Ray they finally give him 18 years for aiding and abetting a bank robbery.

LEHNER: That's after the guilty plea?

RAY: Yeah, but -- Well, this harrassment didn't stop it's still going on now I guess.

HAUSMAN: Well, I'm talking about before you went to your guilty plea, did it ever come to your attention that the

FBI was harrassing members of your family?

RAY: Well they went and told John Ray if I didn't enter a guilty plea that they might arrest my father. He'd escaped from Iowa four years before and send him back up there to do a five year sentence. But I don't know if, I don't know if there's too much overt, overt threats at that time. But it was more or less when they questioned John or Jerry, or something they would tell them something about, I think what they were going to do.

HAUSMAN: Do to them or do to you?

RAY: Well, do to my father or do to -- I think they told John on time not to come see me. I just don't know what it was all about. You'd probably have to question them about it.

LEHNER: But this didn't play any part in your, in your, in you accepting the guilty plea did it?

RAY: I think some of it might have.

LEHNER: What might have?

RAY: Well, you really can't just pick out one instance and say how come you entered the guilty plea, there's a lot of things.

LEHNER: What might of -- What might of entered into it pertaining to family?

RAY: Well, I think the threat against my father may have had a little bit to do with it. But none of these things taken alone would have -- It's like -- It's like the appeal in England, just one instance, one thing wouldn't make me enter a guilty plea, it's a series of things.

LEHNER: Well, that would be the only thing then that came to your attention prior to the guilty plea pertaining to possible harrassment of family was that of your father, is that right?

RAY: Yeah, I think, well Foreman, Percy Foreman said Jerry, they might arrest him on the conspiracy thing because they might alleged that he bought the rifle. I think -- I think they -- I think that the person that sold the rifle said, described Jerry instead of me. And I did, when I purchased the rifle I did mention my brother-in-law. I didn't mention my brother but they had twisted around saying my brother. So, I think those would probably be the only two instances of any type of harrassment against family members would be Jerry and my father would be it.

LEHNER: And Jerry, you got that from Foreman you say?

RAY: Yeah, he mentioned that, that it would be, if he didn't get the case cleared up with me, a guilty plea, they might bring, Jerry might be arrested for some type of a conspiracy

LEHNER: You mean Jerry would be arrested after the trial?

RAY: No, before the guilty plea.

LEHNER: Well, you were about to go to trial they hadn't arrested him at the time that Hanes was representing you, you are just about to go to trial then you fired Hanes just a couple of days before the trial, right?

RAY: Yes.

LEHNER: Jerry hadn't been arrested then. You mean that Hanes indicated that Jerry was going to be arrested before the trial if you went to trial in, in, in say March?

RAY: I don't know what --

LEHNER: Did Foreman indicate to you that Jerry would be arrested before the trial? You were just about--

RAY: Yeah, they might--

LEHNER: --to go to trial and they hadn't arrested him all the way to then?

LEHNER: Well this was in February he told me. Of course, Foreman could of been lying. Now, the FBI may not of had no intention of arresting him at all. I'm just telling you, you know, what he told me. The only ah, ah --

LEHNER: Did he tell you that an FBI agent told him that?

RAY: No. He just said, he was just talking and he don't really come out and say anything definite. He talks in circles, and he said that, he was telling me about - well, the FBI might arrest your brother if we don't get this case cleared up, or something of that sort.

LEHNER: So you were concerned a little about your brother when you took the guilty plea?

RAY: Well, yeah, that was one of the -- like I say that's not the major thing but that's just one thing that, you know, fit into the --

LEHNER: If that's the case - when during the guilty plea - when they, when both Canale and Foreman indicated that there was no conspiracy why didn't you disagree with that and take issue with it since you were trying to, ah, um, protect Jerry to an extent by faking it?

RAY: Well let me say this. Now I wouldn't -- I wouldn't go

like that. But on this thing you are talking about how come I objected about the conspiracy and things -

LEHNER: Yeah, in view of the fact that you're also, you are concerned about Jerry being implicated?

RAY: Yeah, well now I'm -- On March the 9th is when we finally finalized the guilty plea, me and Percy Foreman, March the 9th, 1969. We signed, we signed two contracts and we made all these oral agreements and past agreements and all that. He would get a \$150,000 and he'd go down and we'd enter a guilty plea, and I'd get \$500 back and he, he'd give me \$500 and Jerry would get the \$500 and we'd get another attorney and I'd try to get the case open on exculpatory evidence. Now there was no -- the only impression he gave me, he was just going to plead me guilty and that was it. At the time that we entered the guilty plea, now he started talking about he was, he was really took up with what I thought the prosecutor was suppose to, you know, present their arguments. I assumed the prosecutor would try to make a good state of the case but Foreman he started talking about he agreed with Canale and he agreed with, that's the Attorney General, and he agreed J. Edgar Hoover, and he agreed with Ramsey Clark and that was just too -- I didn't want to plead guilty anyway. I thought he was going too far, I just couldn't go that far with him.

LEHNER: And so you said you did not agree with his statement and Canale's statement and Hoover's statement pertaining to no conspiracy?

RAY: That's correct.

LEHNER: What if Judge battle was then going to say to you,

Well, Mr. Ray, what do you mean by that, you don't agree with them that there was no conspiracy, what was the conspiracy, what would you have answered to Judge Battle at that time?

RAY: If he had put me on the witness stand?

LEHNER: You're not on the witness stand you are there before him and you say you don't agree about the no conspiracy statements of the two counsel, and what if Judge Battle was to say, Okay, Mr. Ray what do you mean by that, what conspiracy was there?

RAY: Well, I would just - I would of explained, it was my intention to explain two things to him. First thing I would have went through all those contracts we had with Foreman, and Foreman had told him previously we wasn't going to get involved in any contracts. But what, I would of, I would have responded to whatever the Judge asked me. If he'd asked me what do you know about this, well I probably would just told him what I knew about it and that would have been it.

LEHNER: Well, what if he said this, Mr. Ray you just said you disagree with Mr. Foreman and Mr. Canale pertaining to no conspiracy, what conspiracy was there that you are referring to Mr. Ray,

RAY: See, I don't really know how far the judge would of went, I mean --

LEHNER: Say the judge said just what I said. Say I'm Judge, I'm Judge Battle, Mr. Ray you are disagreeing about the no conspiracy statements just made here, what was the conspiracy that you were referring to?

RAY: Well, I would just run down on my testimoney what I would knew and what I've since testified to. I couldn't --

LEHNER: What would you have said?

RAY: Well, we've had -- Well, well say he asked me -- Well, the first place I don't use the word conspiracy anyway because I'm never involved with more than one person. But I would just try, I would just explained it to him what I've previously told Foreman in private and --

LEHNER: Namely what?

RAY: Well, I would, I didn't think I would just give him the whole story everything I did from the time I escaped from Missouri until I got arrested. I'd probably told him one thing and that would lead to another question.

LEHNER: Well, what would you have told him?

RAY: I would probably--

LEHNER: Say, say as I, as I just did to you, I said to you -- say I'm Judge Battle, what do you mean by disagreeing with this no conspiracy statement? What was the conspiracy that was involved Mr. Ray?

RAY: Well I think I very well of told him that I hadn't shot Martin Luther King and he -- And I think that's why he would of never asked me that question because then that would of lead to another question and --

LEHNER: You would have said you did not shoot Martin Luther King?

RAY: I think if he, if he would start talking about the conspiracy I wouldn't -- I probably wouldn't of told him that first. I would of probably told him about the, my other associations, but I think that --

LEHNER: What do you mean by that?

RAY: Well, the other associations that I have on the street.

KERSHAW: Raoul?

RAY: Well, those questions, and that, I remember that and -

LEHNER: Well see, see if you can put yourself back in that spot you, you were, you took issue with Canale and Foreman's statements that there was no conspiracy, Judge Battle says to you, Mr. Ray what did you mean by objecting to those statements, what was the conspiracy, what would you have then said to the Judge?

RAY: I don't think -- I don't think he would of had to ask me something specific. If he'd just asked a general question I'd just said that, I would just said there was, I thought there was and that would have been it.

LEHNER: You would have said there was?

KERSHAW: Say Judge Battle -

RAY: Huh?

KERSHAW: You play Judge Battle and ask him, ask him something specific.

LEHNER: Okay. What do you mean by disagreeing with the no conspiracy statements? What would you say to that?

RAY: Well --

LEHNER: What, what was the conspiracy?

RAY: Well, I would of said based on my associations they -- it probably would have been a conspiracy.

LEHNER: What do you mean by that?

RAY: Well, I, I don't know. Those would have been -- I think if you asked a question like that it would took about two

or three days of testimony to get around to it. I don't think you could really start -- that's the hard thing about starting in the middle of anything and going from, you know, starting in the middle and going both directions at once.

KERSHAW: Excuse me. Excuse me just a minute. Let me play Judge Battle. Were you in Memphis alone?

RAY: No.

KERSHAW: Were you with other people?

RAY: That's correct.

KERSHAW: Who were they?

RAY: Well, that's the Raoul and various --

KERSHAW: And whenever Raoul, was Raoul with anybody else?

Did Raoul refer to being with anybody else?

RAY: I don't know.

KERSHAW: Did he refer to meeting with anybody else?

RAY: Yes.

KERSHAW: About what?

RAY: Well, guns and that type of --

KERSHAW: What do you mean, what about guns?

RAY: Well, this whole, it's difficult just to pick up

and --

KERSHAW: Yeah, did Raoul have any plans to sell guns to somebody?

RAY: Yes. I was under the impression he was.

KERSHAW: And had he employed you in this deal?

RAY: That's correct.

KERSHAW: Ah, did you shoot King?

RAY: No.

KERSHAW: Did --

RAY: You see, now look, let's stop --

KERSHAW: Did you meet other people, did you meet other people in the rooming house, Mrs. Brewer's Rooming House?

RAY: No, I didn't. - No, I didn't meet anyone else in the rooming house.

KERSHAW: Did Raoul come and visit you in the rooming house?

RAY: That's correct.

KERSHAW: Well, then you did meet Raoul in the rooming house?

RAY: Yes.

KERSHAW: Did you leave the rooming house anytime that afternoon?

RAY: Yes.

KERSHAW: Did you leave Raoul in the rooming house?

RAY: I left the rooming house four or five times at least.

KERSHAW: All right, and so far as you knew every time that you, you left the rooming house why Raoul remained in the rooming house?

RAY: That's correct.

KERSHAW: Okay. And when you came back to the rooming house what happened? --

Wait till that thing rehitches. Okay you can go ahead it don't make any difference we got another one going.

When you came back to the rooming house did you, the last time what happened?

RAY: Well the last time I came back there I got the car,
but --

KERSHAW: I mean when you drove back, did you drive back to the rooming house with the car were you, what, what happened that made you not go back into the rooming house?

RAY: Well, that was the police in the area. Well, see the thing is on this Judge Battle thing, it's, that would have been, that would been a difficult question. I see, I can understand why the Judge would never ask me those questions. Because these agreements were made the night before and the agreement on the, whether I did or did not do the shooting that was put down on kind of an ambiguous fashion in the, in the voir dire and it's just difficult^{, you know,} to pick up in the middle of something and go, go from a conspiracy on into that. But I think if the Judge had of put me on the witness stand or something we would of got to it. But these kind of things, these things here are, they are sort of perverted, the whole thing. Because you can't just, you got some kind of an agreement and then you go down there and try to get out of it some way. It's difficult to do.

KERSHAW: Did you agree to plead guilty, ah, to murder in the first degree as explained to you by your lawyer or did you agree to plead guilty to pulling the trigger and shooting the gun?

RAY: Well, as I say that's ambiguous language in there. I just don't know what he's got wrote down there, I believe it's first degree.

KERSHAW: Here's what Judge Battle -- Here's what Judge Battle said, is this what you agreed to in the voir dire? Judge: "Are

you pleading guilty to murder in the first degree in this case because you killed Dr. Martin Luther King under such circumstances that it would make you legally guilty of murder in the first degree under the law explained to you by your lawyer?"

Do you remember what you answered?

RAY: I guess it was yes.

KERSHAW: Well, your answer here is recorded, if it's correct, as being "Yes, Legally, yes."

Now when you made the agreement the night before is that what you agreed to?

RAY: I don't think -- No, I don't think that was read off to me the night before. I think we talked about contracts the night before.

KERSHAW: Who is we?

RAY: Foreman.

LEHNER: You -- I'm sorry.

KERSHAW: You mean that you didn't -

RAY: I don't -

KERSHAW: Did you understand that you were pleading guilty to what you considered to be, what you have described to me as a technical plea of guilty?

RAY: Well, I assume that's what it was.

KERSHAW: What do you conceive to be a technical plea of guilty as being opposed to a non-technical plea of guilty?

RAY: Well, I think a technical plea of guilty is where you are involved in it whether you did it or not, but whether you actually committed the crime. But, these things really, I don't really consider them any significance. I think anybody can

read these records and see that there's fraud in the guilty plea. I think the only significance is whether I'm guilty of the crime or not. Because any idiot can read these records and see that there's been perjury and everything else committee in there.

LEHNER: What you are saying in essence now, are you not, Mr. Ray, that you would have withdrawn your guilty plea and gone to trial if the Judge had asked you a question, what do you mean by disagreeing with the no conspiracy statements?

RAY: Yes. I think the first thing I would -- I know the first thing out when he asked me that, I, I usually don't always answer questions direct anyway. I know the first thing I went into was those contracts because that concerned me more than the other business, because I thought that was fraud there and then we would of probably got into conspiracy and things like that when he started being more specific on the questions.

LEHNER: What, what I'm trying to understand is, that you're saying that you would have withdrawn your guilty plea and go to trial if the Judge just asked you that one question, what do you mean by disagreeing with those no conspiracy statements, and yet because the Judge doesn't ask you that question you go through with a guilty plea and accept a 99 year sentence? Can you explain that to us?

RAY: Why I accepted a 99 year sentence?

LEHNER: You say that if the Judge asked you the question, what do you mean by disagreeing with Mr. Canale and Mr. Foreman about there not being a conspiracy, if he would have asked you

that question you would have gone into the whole Raoul account that you have just given to Mr. Kershaw here and you would then withdrawn your guilty plea because what you would be telling the Judge is that you were not guilty and you would have had to go to trial? And yet because he didn't ask you that question you went ahead and accepted a 99 year sentence and a guilty plea? Can you explain how that decision was made, and it was dependent upon whether the judge asked you that one question or not?

RAY: Well, I think if he would have asked me I would have told him that I thought - I thought there was a conspiracy. But, see you have to look at the whole transcript there. When I raised those questions the judge didn't have, have a chance to ask me any questions. Percy Foreman cut in and said, he took over there, he said, in effect he told me to shut up. He said that the, that I didn't have to agree with anything and so and so, and all that. But I think that's in the record. But I think the judge, I think I would have agreed to, I would have probably told the judge that I thought there was a conspiracy and then he'd had to ask me the next question. But I don't think you or I, either one can anticipate what the, what the next question is going to be or what my answer was going to be.

LEHNER: What I'm getting at, in reading over the transcript of the guilty plea it's very clear that you were not someone who was mute standing there scared. You, when you heard the District Attorney General make a statement, when you heard Mr. Foreman make a statement you didn't just stand there mute you took issue with it, and you told the judge you disagreed. Nobody asked you

about that, you volunteered, and at that statement that you disagreed with both counsel. Now, that indicates, I would think, that you were aware of everything that was happening and you decided to take issue when you saw it appropriate to take issue. My question is, since you were alert, since you were aware of what was going on, since you decided that you could speak whenever you wished to, nobody told you to shut up, why didn't you then volunteer "Hey, I'm not guilty, there was a conspiracy."? Why was it dependent upon Judge Battle asking you that question for that to come out and for you to withdraw your guilty plea? Why didn't you withdraw it right then?

RAY: Well, I wasn't really interested in withdrawing the guilty plea because I was in -- I thought it was an untenable position there. I think the contracts speak for themselves on the, when I signed the day before the guilty plea they specified that if you don't plead guilty certain things are going to come about if you say something in the courtroom. I really wasn't trying to get out of the guilty plea I was trying to get rid of Foreman and I didn't want him to, you know, to over step his bounds on the agreement we had the night before that.

LEHNER: What was your purpose in pleading guilty?

RAY: My main purpose in entering the guilty plea to get -- to get rid of Foreman, I would say was the, would be the main reason to get rid of him.

LEHNER: It was your intention at the time you took the guilty plea that you were going to try to withdraw it?

RAY: Well, I have, I found a letter here in my, my brother

brought down, I think this here would, I gave him this the same day I entered the guilty plea and I think that --

LEHNER: Could we see that?

KERSHAW: Show, show him that.

RAY: Huh.

LEHNER: Could we see it?

RAY: I just found this letter, he gave it to me, I'll try to explain it. It wasn't, I wasn't introduced in Habeas Corpus Hearing in 1974 because I don't think, I told my brother to give all this stuff to Jim Lesar, but I think he missed this one. Well, this -- Well anyway on the day of the guilty plea, March the 10th of 1969 one of the Deputy Sheriffs or something, or the Sheriff told me that, he told me indirectly that after I entered the guilty plea that he would let me see my brother in the bull pen. In other words inside the cell with me, whereas, before he was standing outside. So when my brother came in there I gave him this letter. I wanted him to get another attorney to reopen the case. And, I'll just go ahead and read the letter if you want me, you want me to read the letter?

LEHNER: Please.

RAY: Ah, now I'll have to explain a little background on the letter. When Hanes was defending me it was Hanes theory that either communist or the CIA does everything, and being it wasn't the CIA it must of been the communist. So he'd asked me several questions about communist several times and I got thinking maybe he was correct. Well, anyway, here's the letter I wrote to Jerry. This would be a couple of hours after the guilty plea on,

it's dated March 10th, 1968. It says:

"Dear Jerry, here's what I would like for you to do if I don't get to see you for a while."

Now this was right after the guilty plea so I didn't know where I was going, whether I was going to Nashville or Petros. I'll go ahead and read to you. It says:

"After you find out where I am going, go to New Orleans and see that guy."

Now the guy I'm talking about is just the guy that is supposed to be the expert on the communism. I think Jack knows him. What did say his name was, Jack?

KERSHAW: Mary, what's the name of our big red headed friend and his wife who ran the Independent American Newspaper?

MRS. KERSHAW: Ah, Cort -

RAY: Cortney wasn't it?

MRS. KERSHAW: Cortney, yeah. Cortney.

KERSHAW: Cortney.

RAY: Cortney. I said -- Well I said -- I'm going to -- I said:

"...after you find out where I'm going, go to New Orleans and see that guy", that's Cortney. I said, "... I would make an appointment first besides getting all those numbers. Ask him if he knows a reliable attorney, but you will have to wait and see where I'm going before you ask him his advice on the attorney, as I want one from the town closest to me. Then send Stoner \$100 and tell him to file the libel suit against Life and to see me if he can. If I was you I would take a train down

there as it's a long drive, that's about all. James Earl Ray" This is the -- so, I think that would indicate that I wasn't really, ah, freely entered the guilty plea.

LEHNER: When was that written now?

RAY: Well this was written about two or three hours after I, after I entered the guilty plea. Now, I don't know I read somewhere where you can, this Howard Hughes will is where you can run some kind of a test to find out if the ink is a certain amount of years old.

LEHNER: Could I see what you wrote? What was your intent in writing this letter?

RAY: Well get another attorney and, you know, attempt to reopen the case after I got rid of Foreman.

LEHNER: When did you first decide to enter the guilty plea?

RAY: Ah, I don't think, there was no firm decision made until about March 9th, the day before the plea. That's when we signed the contracts.

LEHNER: What contracts did you sign?

RAY: There were two contracts specifying that he would get a hundred and fifty thousand dollars from Huie and I would get \$500 to give to Jerry.

LEHNER: Well didn't you sign some type of stipulations for the prosecution as to the, as to your guilt?

RAY: We started arguing about these stipulations I'd say sometime in late February.

LEHNER: And when did you sign that stipulation?

RAY: The first one?

LEHNER: Yes.

RAY: Ah, the first stipulation, I think there were 56 stipulations. Well what I did was sign those stipulations.

LEHNER: When.

RAY: They were, they were negotiating stipulations, and I signed them, I think every page, and I think he signed them and then the stipulations that I disagreed with he made a check mark with a pencil.

LEHNER: What did you, when did you sign the first stipulations:

RAY: When we started negotiating that would probably be late February and then he would come back and say well, I think the first stipulations he agreed to take out, he had something in there about Wallace, George Wallace. And he said that, I think, I think William Bradford Huie wanted that stipulation in. I think he agreed to take it out and that was one of the first ones and then later on other stipulations come out. I think altogether we went back three or four times, three or four different sets of different stipulations. Now all the time I was still trying to get him to enter a guilt-- you know, go to trial during this period. I think, now the last stipulations I think we signed just a couple days before the guilty plea and I think they were the voir dire. Now later on when I sued Foreman in civil court, now he came up with - what he apparently must done, he must of wrote, he must of erased these checked marks off because when he filed the, when I sued him in Federal Court he come up with the first 56 stipulations and then the Criminal Court I wrote and got them stipulations and they had one over there with 55 stipulations, and apparently there was a couple more

sets. So, I don't know where they are at. Look here on the, on this letter, do you think you could take this letter and send it back to me or a duplicate copy. It's the only copy I have, I don't know, it's been in a car trunk and shawls -- So, I don't know --

EVANS: Maybe we can get it done here?

LEHNER: Maybe we could have it copied right here and give it to you?

RAY: Give me the copy?

LEHNER: Yes -- Give you the original right here if you want?

RAY: Well, I think I'd rather have you have the original in case it got lost.

LEHNER: Okay, fine, okay.

RAY: If it's necessary to authenticate it or something.

LEHNER: Well, you signed the first set of stipulations you think sometime in February? When in February?

RAY: It probably ^{been} / in the latter part of February.

LEHNER: And how many paragraphs were in that stipulation?

RAY: The first one, 50, I believe there were 56.

LEHNER: Now you signed every page and signed in the end?

RAY: I think I just initialed there or something.

LEHNER: Initialed every page and then signed at the end?

RAY: Yes.

LEHNER: And how many of them did you disagree with?

RAY: There were numerous ones on there.

LEHNER: Which ones did you disagree with?

RAY: I couldn't specify any special ones, ah, I would say

the majority of them, some of them were outright, some of them I could prove false and some of them I couldn't.

LEHNER: Well you signed it despite the fact you disagreed with some of them?

RAY: Ah, they were signed when, I signed them, he wanted me to sign them to my best recollection so he could take them back to the prosecuting attorney and show him that I signed them and indicate which ones that I disagreed with.

LEHNER: And then what happened after you did that?

RAY: Well he'd bring back another copy and, and it would be arguing about that and that type of --

LEHNER: And then what did you do with your next copy?

RAY: Well, there be more check marks on them and he'd come back and we'd argue about them and then we'd argue about going to trial and that type of conversation.

LEHNER: Well did you sign any further ones after signing the first stipulation? Did you sign any further -

RAY: I believe I initialed all of them every time he'd bring some up there indicating, I think what his story was that he wanted the Attorney General to know that I was seeing the stipulations and were --

LEHNER: I give you this, these pages, let's count how many pages we have here. It's 1, 2, 3, 4, 5, 6 and I ask you to take a look at this.

KERSHAW: Let me look at it.

(Interview is interrupted by Warden Lane)

EVANS: What, do you want to go off tape now, Jack?

RAY: No, that's --

EVANS: Okay, Bob Lehner has just left the room to confer with the Warden. We are going off tape, it's now 12:19.

Okay, it's now 12:19 and a half and we are back on tape. Mr. Lehner has just returned to the room.

LEHNER: Yes, I just stepped out, Warden Lane had asked to see me for a second.

KERSHAW: About something important like lunch maybe, Bob?

LEHNER: Mr. Ray do you recognize those papers?

RAY: Yes.

LEHNER: Are those your initials on the bottom of each page and at the end of the entire --

RAY: Yes, that's it, I'm pretty sure it is.

LEHNER: Now what is this exhibit?

RAY: Exhibit? It looks like 117.

LEHNER: Yeah, now what, what does that represent? What is on this exhibit?

RAY: Proposed Stipulations as to Material Facts.

LEHNER: And when did you see this?

RAY: That would probably be late, late February. Well, this, I believe this is the second set. I think I saw this one maybe a little bit later.

LEHNER: Now what -- Which one of those paragraphs did you tell Mr. Foreman that you disagreed with?

RAY: Probably most of them I would say.

LEHNER: Why don't you go down each one and tell us which number?

RAY: All right.

LEHNER: Give us the number.

RAY: Let's see, I'd say the first one would be 17 and probably 19 because I couldn't be sure of it, 24, probably 30, 31, 34, the reason I mention 34, ah, around February 5th or 6th or something Foreman asked me to write out complete details of, of where I was at from the time I escaped until the time I was arrested, which I did. And I think he mentioned something about the State didn't have no evidence that I was ever in the rooming house and just leave that, leave that off of what I wrote out. And I believe I did. I think that's the only thing that I ever left out of anything I told Foreman and of course that was on his request.

LEHNER: You wanted 34 out even though as you are telling us it's true, right?

RAY: Yes. Because there was never any -- The was no, there wasn't no settlement on entering a guilty plea at this time. In fact I wasn't even interested in a plea at this time.

LEHNER: What was the reason that you wanted 34 out?

RAY: Well he don't he, previously he had suggested that around, I think, I'd say around February the 4th that he asked me to write everything out from the time I escaped until my arrest in London. And he suggested to just leave the rooming house business out because he said there was no evidence that -- I was ever in the rooming house, which I guess there wasn't. So --

LEHNER: Who said that, who said there was no evidence?

RAY: Foreman.

LEHNER: So you then told him that you wanted 34 out?

RAY: Yes, I think I did. Yes, I think that's one of them I left out.

LEHNER: Even though you are telling us though that 34 is true?

RAY: Yes, that's correct, yes.

LEHNER: And you wanted it out because Foreman had told you that there was no evidence that the prosecution had --

RAY: Yes, at that time.

LEHNER: I mean is that the reason you wanted it out?

RAY: Yes.

LEHNER: You didn't want to supply them with something that they didn't have?

RAY: Yes, that's correct.

LEHNER: Okay, go ahead.

RAY: And the other ones, the other ones I mentioned to you are false anyway.

LEHNER: Which ones are false, the other ones you mentioned?

RAY: Probably 36, I probably told them that was false.

37, I probably told him that was false.

LEHNER: Is 36 false?

RAY: Yes, 36 and 37.

LEHNER: Why is 36 false?

RAY: It's my recollection that when I parked the car I didn't move it. After I parked it I left it there and there was never any driving back and forth. It's my recollection I parked it almost in front of the restaurant, that John Jower's place because I know I went in there two or three times, I'm pretty sure I did, It's just from recollection.

LEHNER: Which other ones?

RAY: 39, I would of, I would have told -- I would have left that one, yeah, I would have left that one in. 40, that's correct. And I think I, I don't know right now but I know I told him to leave more than just what I've told you right now. There was -- There was not only some of these things were false but it was more or less and evasive tactic because I was trying to work into the guilty plea.

LEHNER: Okay. Any others after 38 that you told him to take out?

RAY: Well, I, I, I know I would - I know I told him to take those out but I can't, some of these others like I say if they were just evasive tactics and I can't -

LEHNER: Well, continue reading and see if there is anything you think you told him to take out?

KERSHAW: Just take your time.

RAY: I think 56. I think what I would of told him to take out would be things that would, would compromise me if I'd ever went to trial. And I think, 56, I know -- I know the main things on here is the, is the shooting, but I was, that seemed to be the main thing that would concern the averaged person. But I was also, I was more concerned about these, ah, these things that they were trying to distort for some reason, especially 30 and 31.

LEHNER: All right. Now, you just mention -

RAY: 31.

LEHNER: Did you mention 56 just now or not?

RAY: 31, huh? Yes.

LEHNER: 56, you would have told him to take out?

RAY: Yes.

LEHNER: Okay, any other?

That's the last one.

All right, why don't we just go over the ones

that you mentioned, if I can? Start with 17, 17 you say you is, was, you would have told him to take out because it was false?

RAY: Ah, well it was half false, yes.

LEHNER: Which part is true and which part is false?

RAY: Well, I have to give you the whole rundown of the whole thing if you wanted to-

LEHNER: Well if you could?

RAY: I just can't go in the middle of these things and explain them, because it don't sound right.

LEHNER: Well, if you could, whatever, whatever you could do to explain it now.

RAY: Well on the Charles Stine, I mentioned first I met Maritta Stine there, no, Mary Martin. She worked in a bar. She had a boy friend in the penitentiary and she just talked about how to get him out all the time. So, I think she mentioned politics once and I said something about I would take her to register and she went - I think I knew this registering place because I bought some tires there for the car. And I guess they register Wallace plus I guess anyone can register there. Anyway, I took her down there and she registered, and the next day her and Stein they went, I went to New Orleans with them,

or a couple days later anyway or something. Then later on she came back and she wanted to know more about getting her boy friend out. I think he was doing five years for selling marijuana. Now, I think I advised her then to register with a major political party and I think she registered Republican, I know she showed me a piece paper, but thing thing her, the reason I objected to it, it was trying to, you know, indicate that I was hooked up with some political organization which it was false, and -

LEHNER: Okay.

RAY: Later on I found out that William Bradford Huie and Wallace was having some kind of a sham battle and Huie wanted it in the -

LEHNER: So what you are saying is false here is that you didn't take them to Wallace headquarters for the purpose of registration for Wallace?

RAY: I didn't know who they registered for. I took them down there, and I didn't go in the, go down there myself. I went to the-

LEHNER: Okay. The next one that you said you asked to take out was 19 and that, what was the purpose that you wanted 19 out?

RAY: Well, I just didn't know if that won would be correct or not.

LEHNER: What part didn't you know was correct or not?

RAY: Well, I mean I wouldn't want to omit something and not know specifically whether it was right or not. I didn't know if I left any -- Let, I'm really not accused of doing anything here except having a zipper bag. I'm not accused of,

you know, planting the bag there or anything like that, it just -

HAUSMAN: 19?

RAY: 20.

LEHNER: I thought we were on 19?

HAUSMAN: 19.

RAY: Eric Galt used a lot -- Well, I don't know if that's --
See I don't know if that's correct or not.

LEHNER: Well, why don't you -- Which one did you ask
to have out, 19 or 20?

RAY: Well, I would have, I would have probably asked 19
out.

LEHNER: Why 19?

RAY: Well, I don't like to walk in any mine fields, I
really don't know what, I don't know if I ever used the laundry
or not.

LEHNER: Oh, you didn't recall the name of "Abbalon".

RAY: No, no.

LEHNER: Okay. Now the next one you told us is 24.

RAY: 20.

LEHNER: What's that?

RAY: Did I mention 20?

LEHNER: No, do you want to mention 20 now?

RAY: Yes, I'm pretty sure I would have took that one
out.

LEHNER: Why is that?

RAY: Well it's just kind of ambiguous. It really doesn't
accuse me of anything, but there is a zipper bag or something.

It doesn't accuse, in other words it doesn't accuse me of putting, you know, planting it in front of Canipe's. But it doesn't say, there's an inference there.

LEHNER: Well 24 is the next one that you wanted out.

RAY: Yeah.

LEHNER: Why would you want that out?

RAY: I'm not positive that maybe true but I'm not positive. I know I did execute a change of address there one time. I'm not sure I executed it, executed it for Georgia although I might have because I, I think I had information I was going there beforehand. But I did execute a change of address one time from, in Los Angeles from one address to another so I just, I wouldn't, I wouldn't be positive about that.

LEHNER: You had information that you were going where beforehand?

RAY: Ah, Ah, Georgia.

LEHNER: When did you have that information?

RAY: From, I think it was a letter. But --

LEHNER: A letter, when? When did you get this letter?

RAY: Well, I don't know. I got it wrote down, but I'm not going into these dates now, I think it was pretty close to the time I left there.

LEHNER: Didn't you tell us when we talked about this in our previous interviews that you went to New Orleans and that New Orleans is when you heard that he had left already, Raoul had left, and he wanted to meet you in Birmingham?

RAY: Yeah, that's correct.

LEHNER: And you met him in Birmingham at noon and you were a little late and hour late or so and that he didn't even want to let you have anything to eat, and he said he had to go directly to Atlanta?

RAY: Yes, that's correct...

LEHNER: And that's the first time you were going to, you knew you were going to Georgia, isn't that what you told them?

RAY: I don't know if I told you that or not. I, the thing is, I'm testifying on 10 years and that's why I'm not getting any more of that deals.

LEHNER: Well, let me ask you, is that, is that recollection - that is my recollection of what you said.

RAY: Now, see, I could look back in my, I can look back in letters I wrote seven or eight years ago and find out just what happened but when I start, now that's why I'm talking about, getting into these tricky questions. Now I have a recollection of filing a change of address, but I don't know if I filed one or two.

LEHNER: Well what I'm getting at now, is that previously you told us that the first time you knew you were going to Atlanta or going to Georgia was when you were in Birmingham and you met Raoul at 12 noon, he said, look we got to rush you can't even have anything to eat, now as you sit there is there something that you recollect where you did know you were going to Atlanta prior to seeing the Raoul in Birmingham?

KERSHAW: Could we halt a moment?

LEHNER: Sure.

KERSHAW: Okay.

LEHNER: Okay. As you -- I'll rephrase that question.

As you sit there now is there some indication that you did, you recall something, something to the effect that you did know you were going to Georgia before you met Raoul in Birmingham?

RAY: Ah, You know -- Ah, no, if it's just up to my recollection I would say that I didn't. I didn't -- that I did not execute this change of address, if it was up to my recollection. Because I have some recollection of doing that after I got to Atlanta. But, I don't always trust my recollection any more now, I know -- ah, not on everything. Now, I don't -- I really -- I don't -- I recall specifically executing one change of address but, ah, if I had to bet money on it oneway on the other, I would say I never changed no address to Atlanta. But I do have some recollection of knowing that I was going there before, before I left California. But, and I have some, like I say, I think my, the best of my recollection, and this is just memory, and I wouldn't testify to it under oath, but I, I didn't execute no change of address from St. Francis to Atlanta.

LEHNER: All right. The next one you have is number 20, ah, number 30. Why would you want 30 out?

RAY: Ah, well of course I'd left, I had left Atlanta three or four days before that.

LEHNER: And the next one you have is 31, why do you want 31 out?

RAY: Well, I was somewhere in Alabama, 30-, April 1st.

LEHNER: 34 you wanted out, what's the reason for wanting 34 out?

KERSHAW: He already explained that.

RAY: Yes I explained that about Foreman.

LEHNER: That you explained was true but you didn't want to give it to them because you didn't know that the prosecution had it.

RAY: Yes.

LEHNER: The next one is 36, you told us about that, that you thought that was incorrect that you, that you thought you had marked, you had parked north of Canipe's, is that correct?

KERSHAW: He said -

RAY: I'm, I'm almost -- I'm almost certain now because I know I, now I know at one time I left the restaurant or tavern and went right straight into the car, I didn't have to, I mean I'd testify to that under oath.

LEHNER: Now 37 you wanted out, why was that?

RAY: Well, that was false.

LEHNER: 38 you wanted out, why was that?

RAY: That was false.

LEHNER: And 56 you wanted out, why was that?

RAY: That was false. No, now that wasn't exactly false, it was, let's see, well I don't know this was, this was something, I wouldn't know if it was false, true or false.

LEHNER: But in -- after all of the going back and forth with Percy Foreman you did finally sign this stipulation with one item crossed out, namely the bottom portion of 17, is that true?

KERSHAW: Okay.

LEHNER: Okay. As you -- I'll rephrase that question. As you sit there now is there some indication that you did, you recall something, something to the effect that you did know you were going to Georgia before you met Raoul in Birmingham?

RAY: Ah, You know -- Ah, no, if it's just up to my recollection I would say that I didn't. I didn't -- that I did not execute this change of address, if it was up to my recollection. Because I have some recollection of doing that after I got to Atlanta. But, I don't always trust my recollection any more now, I know -- ah, not on everything. Now, I don't -- I really -- I don't -- I recall specifically executing one change of address but, ah, if I had to bet money on it oneway on the other, I would say I never changed no address to Atlanta. But I do have some recollection of knowing that I was going there before, before I left California. But, and I have some, like I say, I think my, the best of my recollection, and this is just memory, and I wouldn't testify to it under oath, but I, I didn't execute no change of address from St. Francis to Atlanta.

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RAY: Well, I was somewhere in Alabama, 30-, April 1st.

LEHNER: 34 you wanted out, what's the reason for wanting 34 out?

KERSHAW: He already explained that.

RAY: Yes I explained that about Foreman.

LEHNER: That you explained was true but you didn't want to give it to them because you didn't know that the prosecution had it.

RAY: Yes.

LEHNER: The next one is 36, you told us about that, that you thought that was incorrect that you, that you thought you had marked, you had parked north of Canipe's, is that correct?

KERSHAW: He said -

RAY: I'm, I'm almost -- I'm almost certain now because I know I, now I know at one time I left the restaurant or tavern and went right straight into the car, I didn't have to, I mean I'd testify to that under oath.

LEHNER: Now 37 you wanted out, why was that?

RAY: Well, that was false.

LEHNER: 38 you wanted out, why was that?

RAY: That was false.

LEHNER: And 56 you wanted out, why was that?

RAY: That was false. No, now that wasn't exactly false, it was, let's see, well I don't know this was, this was something, I wouldn't know if it was false, true or false.

LEHNER: But in -- after all of the going back and forth with Percy Foreman you did finally sign this stipulation with one item crossed out, namely the bottom portion of 17, is that true?

RAY: This is the second, this is the, this is the stipulations he brought me up there the second time. The first time he come out there, when he came there wasn't nothing, there wasn't anything marked out.

LEHNER: Now the bottom portion of 17 is marked out on your copy?

RAY: Yes.

LEHNER: Now when did that get marked out?

RAY: When he took them back to the Attorney General I suppose.

LEHNER: And you had finally agreed to this stipulation with that portion crossed out, is that right?

RAY: Well, he, when he brought me back, when he brought them back up there the second time he told me that the Attorney General had agreed to take the Wallace thing out on account of William Bradford Huie had got put in there or something, or had put in. And then he started arguing about others and, and I think there was a second set, a third, that would have been the third set.

LEHNER: When did you finally agree to this stipulation with that George Wallace portion stricken out?

RAY: Ah, well I agreed to this before it was stricken out, I agreed to, in other words I put my initials on all of these before, before he ever took them back to the Attorney General's office.

LEHNER: Well when did you finally agree to this version, the version that you have in front of you with the George

Wallace portion struck, stricken out?

RAY: When did I agree to that?

LEHNER: Yeah.

RAY: Well, well what I'm trying to say is, these, these were agreed beforehand. I, I, initialed these and he made marks on the ones that he wanted to, that I was disagreeing with and took them to the Attorney General.

So, when he -- So after he put the marks on I guess he took them to the Attorney General and then sometime he rubbed the ^{off} marks/and he came back and he had the, the 17 stipulation altered. Then we, see these were post stipulations. These weren't, these weren't in the final form.

LEHNER: When did you see this stipulation with the George Wallace portion stricken out?

RAY: Well, probably when he came back the, probably the third time.

LEHNER: And was that, did you then agree to the stipulation with that George Wallace -

RAY: No.

LEHNER: -portion stricken out?

RAY: No, I didn't agree to the stip-- No, we started negotiating on the other 55.

LEHNER: Then what happened?

RAY: Ah, well, it was the same thing again. I'd object to certain ones and he'd make a mark on them and go down to the Attorney General's office.

^{what}
LEHNER: Well/was the final thing that happened with this

stipulation?

RAY: Well, I think there was at least four stipulations that we argued about. I think the last one we finally settled on was the voir dire. But, now there's three of them in the court records. There's this one and the original, plus the voir dire.

LEHNER: When did you finally agree on it, the stipulation, the final, the final formal stipulation? When did you agree to that?

RAY: Well that would have probably been March the, maybe the 9th, I think it might have been the 9th, the same day of the contracts because he had some document up there the same day he had the contracts.

LEHNER: And was it in the form that it is, that you have now?

RAY: No, it's not even in this form, no.

LEHNER: What form was it in when you agreed to it?

RAY: I think it was -- See, I was under the impression that the judge was going to read these questions off to me at the trial and I would agree to them. And the final ones that I think I did agree to is the ones the judge read off to me at the trial.

KERSHAW: Let me ask you something, if I may here. Did you consider the voir dire the same thing as these stipulations?

RAY: That was my impression that these were, would be --

LEHNER: But you say --

KERSHAW: Did you ever -- Did you ever finally approve of any stipulations or was it that the voir dire that you finally approved?

RAY: See, these things here were never entered in the court record. I wrote, I wrote to the court a year later trying to get these from Blackwell, and these, these were just something that Canal- that Foreman and probably Canale had in their private office.

LEHNER: Well, I thought you said that the day of the contract, which is the 9th, you agreed to the last, the fourth, the fourth version and last version of this stipulation, is that what you just told us?

RAY: Yeah, the voir dire, yes.

LEHNER: Didn't you do that on the 9th, the day of the contract signing?

RAY: Yeah. That's correct, yes.

LEHNER: And you agreed to this stipulation at that time?

RAY: This one here?

LEHNER: Yes.

RAY: No, this was never made a part of the court record.

LEHNER: What -- No, I'm saying on the 9th, the 9th when you signed, when you signed the contract, did you finally agree to the final fourth version of the stipulation?

RAY: Yeah, the voir dire, whatever it is. Yes, I agreed to that. Yes.

KERSHAW: Where is the voir dire?

LEHNER: Was that -- Was that the same thing as this?

RAY: No this--

RAY: No, this was never entered in the court record.

LEHNER: What was the voir dire that you agreed to?

RAY: Well it was more ambiguous than this. It was, it was -- I don't have a copy of it. You may have it, but it was a lot of legal double talk and things like that. And --

LEHNER: So it's your, it's your testimony or your statement rather here, this/^{is}not under oath. It's your statement here that you signed, or rather initialed each one of these pages and the last page even though you disagreed with a lot of the, the, the paragraphs. And you just listed to us those paragraphs starting with 17 and you gave us the numbers that we've just discussed.

RAY: Well, I testified in court that -- Yes, that's what I've testified to, but I've also testified to that based on the position that they had me in that I would have probably, if Foreman had really put the pressure on me, and I had no choice I probably would have had to agreed to all of them. But the only thing I'm saying is that I didn't agree to them and that was -- I think the only reason that came about was the Attorney General wanted the guilty plea so bad.

LEHNER: Well, you know you told us before and in answer to Mr. Kershaw's question that it was more or less a technical plea of guilt. I would like you to read with me number 29. Now this is one that you told us that you did not object to.

"That on March 30th, 1968, Defendant returned above rifle and exchanged it for a .30-06 Springfield caliber Remington rifle, which Defendant subsequently used to

shoot Dr. Martin Luther King and dropped in front of Canipe's shortly after 6 p.m., April 4th, 1968."

Now, isn't that more than just a technical acknowledgment of guilt?

RAY: Did I -- Didn't I object to that a while ago?

LEHNER: No.

RAY: Well, I would have. Maybe my glasses are getting bad.

LEHNER: Well have you ever testified anywhere including the habeas corpus that you ever objected to number 29?

RAY: Ah, yes. I think I -- Yeah, I know I did.

LEHNER: You know that in the habeas corpus you testified that you objected to number 29?

RAY: Unless I overlooked it. I mean, they give you these papers and they are usually in a hurry for you to read them.

LEHNER: Well did you have much time to prepare for the, for the habeas corpus testimony?

RAY: No, even the attorneys didn't. They were sleeping and --

LEHNER: When was your habeas corpus testimony?

RAY: Ah, '74.

LEHNER: You had thought about this case from 19 -- at least about the guilty plea from, from it's inception in '69 until '74, you had plenty of time to think about this, right?

RAY: I thought about it? I'd be in a lunatic asylum if I thought about this case 24 hours a day.

LEHNER: I'm saying -- I'm sure you didn't think of it 24 hours a day. But I'm, but isn't it certain that you had enough time to think about it, enough time to go over all these matters?

RAY: Usually, usually -- Usually in a lot of these documents a, I have, there's probably a bushel basket of these documents, and I don't, I'm really not even interested any more. The only reason I'm interested in them is when, like when you are coming down here why I'll review them and try to catch up on them. But I have no interest in trying to remember all these things. I think what you'd have to do on these is look at the records. There's on set of these in the Federal court in Memphis. There's another in the Criminal court, and I think Judge Battle has another one.

LEHNER: Well, I have now 20 minutes to one, maybe this is an appropriate time for us to take out lunch break, and --

KERSHAW: All right, and before you do -

LEHNER: Before, why don't you ask, put some things on the record.

KERSHAW: Yes. Could I have this copy?

LEHNER: Sure. What we will do is make a xerox of that as well as the letter that James gave us.

KERSHAW: Well could you read back to me the ones that Mr. Ray said that he was --

LEHNER: Said that he disagreed with Mr. Foreman about?

KERSHAW: Yes.

LEHNER: 17, 19, 20, 24, 30, 31 -

KERSHAW: Wait a minute, 30, 31.

LEHNER: 34.

RAY: 29.

KERSHAW: 29, he decided he would later on -

LEHNER: Well I'm giving you the list that he gave me then we will get into what was said afterwards.

KERSHAW: All right.

LEHNER: I'll start again, 17, 19, 20, 24, 30, 31, 34, 36, 37, 38, 56, and then after that I asked him pertaining to 39.

KERSHAW: 29.

LEHNER: 29, I'm sorry.

KERSHAW: All right, okay.

LEHNER: Okay, it's now 12:42 and we will recess now for lunch.

(Recess was taken at 12:42, p.m. for lunch.)

LEHNER: It's now 1:31, um, and we are resuming our post-lunch interview with James Earl Ray. The same people are here that were here during this morning's session.

We mentioned this morning that after lunch, if you wished, you could put some things on the record that you have in mind, if you wish to do now, why don't you do it.

RAY: All right. I got -- I wanted to go over first was my association with Foreman, Percy Foreman, Bradford Huie, Huie and those, but we went over most of those. But I'll see what I

got here. Well, I done went over the disagreement with Hanes on the, wherether I should take the stand or not. I think I mentioned on what pages of Huie's book and all that, and we went in to it. I wrote a certified letter once to Judge Battle complaining about Huie's pretrial publicity, I think that's in the habeas corpus record. I testified about Jerry came, coming to jail in early November of 1968. He brought Percy Foreman there on November 10th, 1968, Foreman had ^{the} contracts and -- Now Foreman told me, I don't know if this was so or not, but he said Huie and Hanes were personal friends or something and they were just interested in the money and he said he could break the contracts, that is, Foreman could. He said there wouldn't be any contracts until after the trial was over and I mentioned he never did as me anything about the case until he went over the prosecution's part of it.

LEHNER: I'm sorry.

RAY: He said he never, it's his technique to never ask you about the case, any details of it until he checks the prosecution's

LEHNER: That's Foreman?

RAY: Yes. He also -- Now, now there's been a lot of talk about, like Foreman and Huie and all that. I think Foreman originally he, most of these, most of the association with another writer named, ah, George McMillian. I know he, one time they was suppose to give me \$5000 and I would confirm some psychiatric business that McMillian was going to use to write a book with. And later on, ah, now this was around December 18th. Later on in February the 18th, 1969, I think Foreman, I think Foreman took McMillian to my relatives. But I'm going

to give you these, I don't know if you want them or not, I'll give you these letters from McMillian and they more or less detail McMillian's dealing with FBI and Forman, and also me. And, I've got duplicate copies of them so I'll just give you these three letters. One's dated to me October 2d, 1971, one April 12th, 1971, and one to my brother John Ray September 14th, 1971, and this letter he says the FBI gave him, gave McMillian the FBI's file in the case. And, now Forman became ill in December and he didn't do anything until January 17th. I think he became ill after the last time he seen me December 18th, and the next, then that's when they appointed the public defender, that was Hugh Stanton, Jr. - Sr., and I never did talk to him and I indicated that I didn't want him representing me.

LEHNER: You never spoke to Hugh Stanton, Sr.?

RAY: No. He came in the block once and I told him I didn't want to see him. Ah, the reason for this was first I paid Foreman, and then Hugh Stanton, Sr., he'd represented the State's chief witness, Charles Stephens, and that would have been conflict right there.

LEHNER: In what kind of a case?

RAY: Well he was testifying against me, Stephens was, as a material witness and Stanton did, Hugh Stanton, Sr., did represent him, and then he got through representing me and they put him on my case, so, it seemed to me --

LEHNER: He represented him in his material witness status-

RAY: Yes.

LEHNER: -or represented him in some other case?

RAY: Material witness. They had him locked up and later Stephens fired Stanton and when he fired Stanton why they put Stanton on my case. Now in January 29, 1969 he give me a \$5000 check, Huie did. But I gave that to Foreman and he was suppose to get John J. Hooker, Sr. to, as co-counsel.

LEHNER: You wanted Mr. Hooker?

RAY: I didn't know him. I, I agreed to it, but later on he switched over and nothing, nothing ever came of it.

LEHNER: When you say switched over you mean Mr. Hooker switch over?

RAY: Well, initially I agreed to have Hooker come in as co-counsel. Then when he tried to get the guilty plea he switched over and he was going to get Ben Hooks. Well, Hooks, Ben Hooks I think he was, he was on the FCCC. And I, I didn't object to him on the grounds of, I think he's black on that, I objected, I objected to him on grounds that there would have probably been a conflict of interest because I think Hooks was a former judge in Memphis and at the time he was and officer in this SCLC, and - But I don't think Foreman was really sincere in getting him, it was just more or less a sham.

LEHNER: You say Hooks was involved with the SCLC, Southern Christian Leadership Conference?

RAY: Yeah, I heard about it, yeah, I think -- But I knew about, I knew he was a judge but I'm not positive about the SCLC.

LEHNER: What about the other association you said he was

associated with some other group?

RAY: I believe he went on the FCC.

LEHNER: Is this the NAACP, the National Association for the Advancement of Colored People?

KERSHAW: Yeah, he is now.

RAY: I don't know what he's doing now, he was on the Federal Communications, wasn't he?

EVANS: He means the FCC.

LEHNER: The Federal Communications you say?

EVANS: He was a judge in Memphis.

RAY: Well, I, I have --

I doubt very much if Foreman ever even talked to him. I think it was just something that he threw in there.

KERSHAW: Do you think he was threatening you with, that if I had to go to trial that he was going to associate Ben Hooks?

RAY: Well he switched from Hooker to Hooks so I figured there was something. But that's nothing significant. The only things that significant is that -- Now on February the 18th I gave, there was another \$5000 check and that was made out to me but he forged my name on it and cashed it at the Planters Bank. He never had any power of attorney or anything.

LEHNER: He forged your name?

RAY: Yes. Now, on February 3d, well, on January 29th I signed this amendatory agreement getting Hanes out and the contract's in limbo.

Now February the 3d I signed the contracts giving Foreman everything in exchange for him defending me. And in between

February 3d and, and February 7th he filed 3 motions to raise money for the trials, to sell my pictures and sell the trial transcript every day to the news media and to get William Bradford Huie into see me. Now in respect to this he's also testified in the civil case, this, this one Western District of Tennessee, I think it's 19669. He testified that I orally agreed to plead guilty between the 25th and the 29th of January, 1960, 60, 69. Then after that he filed all these motions to raise money. Now also during this time he brought a clipping up to me written by Gonzallex, I think he brought it to me about February the 4th. And Gonzallex was a newspaper reporter from Texas and it had a real detailed writing of the case, and Foreman had me mark out certain things at that time where it was true or false, this was around February the 4th and also about February the 3d or the 4th, he never asked me anything about the crime, and I asked him if he wanted me to tell him about it or anything else. Now he never did ask me if I killed Martin Luther King or anything, but I volunteered the information that I hadn't. Then, so about February the 4th he wanted all this stuff written out on paper, I think it was yellow paper just like that, so he started writing it all out and he got a cramp in his hand and about a fourth the way through it, and he told me to finish it up. So, I writ, I wrote the whole thing up. He told me the only thing to leave out was my being in the rooming house on Main Street where the shot was suppose to be fired, I can't think of the address, 421 Main or whatever it was. And then I did that and I gave him, I give him the paper. Now these papers I believe

William Bradford Huie has them or his lawyer J. Stein or probably Brown, Ned Brown his Agent. Now Brown's in Beverly Hills, California, J. Stein I don't know where his address is. But what makes me think that Huie has these papers is that he's never, while he never enter-, enter- any type of record in a civil criminal case, in one page of his book he referred, he quoted from these papers I give Foreman, that's the papers detailing the crime, detailing my actions. Now I think, now this would be on page 40, 84 of Huie's book "He Slew the Dreamer."

Now I give Foreman these in February and Huie confirms that I give Foreman this testimony in February. Now it was also during this period that he brought me these various pictures up. I believe I've looked at one of these pictures for the Committee, and this character had taken , of course, there was other pictures too. And at one time, it may have been this period, Foreman told me that Huie could get information from the FBI in one day where it would take Foreman three days, I think that's where these pictures came from and they were described as anti-communist Cubans, or associated with anti-communists or something.

Now, the first time a guilty pleas was referred to was February the 13th. There was never no mention of guilty plea until February the 13th.

LEHNER: How do you know that date Mr. Ray?

RAY: He brought, he brought a document up there, and I've got it wrote down here. But I can remember that date anyway. Because it wasn't really, he just said I had a 99 chance for conviction, or electric chair, or a hundred percent for con-

viction, but there is also a clause in there that cleared Look Magazine and Huie of any responsibility for the, the necessity of me entering the guilty plea. Ah, we argued quite a bit on February the 14th about whether we should plead guilty or not, that was the next day after he give me that paper. And on the 13th I made various notes, and why I shouldn't plead guilty and all that, and I think the paper would indicate that I probably didn't want to enter a guilty plea. Well, I threw these notes in a waste paper can but one of the guards got them out.

LEHNER: What notes was that?

RAY: Listen, I got them in front of me here. I got a notation up here, "I said don't talk loud the mic-, microphone is on," and I said "I seen Huie on TV and is Huie going to run the article the 18th?", and just general conversation. I also mentioned to him that Huie had been in front of a Grand Jury. Huie had went in front of the Grand Jury I think February the 7th, 1969. And --

LEHNER: When did you write this note out?

RAY: I wrote it on February the 13th.

LEHNER: Could I see , you have it in front of you?

RAY: Yeah, you can have a copy of it if you want.

LEHNER: Okay.

RAY: The guards' name is on the side, the ones that got it out of the garbage can.

LEHNER: Why don't you read it off and explain to us what each one of these things mean on here?

RAY: All right. Well the top of page, it's difficult to

see that, but at the time Foreman was talking sort of loud and I said, I told him, on top I said "Mic-, microphone probably on" or something like that, that's at the top of the page.

LEHNER: What was the purpose in writing this?

RAY: Well these, I wrote these as things to, I couldn't remember everything I wanted to talk to him about so I made notes, and when he come up I talked to him.

LEHNER: And then you threw these notes away?

RAY: Yes.

LEHNER: And then what happened to the notes?

RAY: Ah, the guards got it out of the garbage can.

LEHNER: Was this an exhibit in one of the post- conviction hearings?

RAY: Yes, these two -- Yes, these two officers got it out of the garbage can and turned it over to the Attorney General and then we got it on discovery from the Attorney General's office, the Memphis Attorney General.

LEHNER: And during the habeas corpus was --

RAY: Yes.

LEHNER: -this one of the exhibits?

RAY: Yes.

LEHNER: And so you put on the mic don't -- What was that?

RAY: Well that means talk low because the microphone was on. That's at the top of the page.

LEHNER: And this was something that you were going to tell Foreman or you did tell Foreman?

RAY: Yeah, I talked to him but these were just topics that

that I wrote down and intended to discuss with him when he visited me on the 13th.

LEHNER: And you did discuss it with him-

RAY: Yes.

LEHNER: -and then you threw it away?

RAY: Yes.

LEHNER: I see, okay. Go ahead, why don't you explain each one of them.

RAY: All right. The top, I mentioned to him not to talk too loud because he was deaf, anyway, and the microphone was on. Um, I got "pictures" next, I guess that pictures of me, I don't understand that so much. And then I got "we'll rent box", we was going to rent a box because all out mail was being intercepted.

LEHNER: Was there anything after the pictures, what does it say then?

RAY: Ah, after the pictures, no, I had, there's something crossed out, I can't read it and then there's "We'll rent box" that's the post office box.

LEHNER: That's, which box is that referring to?

RAY: A post office box, we was going to rent a post office box because our mail was being intercepted by the -- they was reading it before we could read it, but we never did get around to that. Ah, at that time I was on restriction, I got a note here now saying, "Still can't see papers, Huie on TV", now the reference to the "I can't see papers" I was on restriction and Huie was on TV. Huie had went on TV February the 7th and said there was a conspiracy in the case and he said there were four men and

they were from New Orleans. And, now in reference to this Huie also went on -- That was in, that was in February the 7th, 1969. Now he also went on TV in California and said the same thing, but let me see what --

KERSHAW: What TV station?

RAY: In California? Well that's what I'm trying to find now. It's W. -- Ah, I can't seem to find it now.

LEHNER: What papers were you not able to see when you said "Still can't see papers?"

RAY: That's newspapers. I'd had some trouble up there on shake downs and they were shaking down every 30 or 40 minutes and I objected to it so they put us on certain restrictions.

Ah, let's see.

Ah, well I'll go ahead and finish this paper I'm reading off. There's an officer named DeFour wrote right across the side of the thing.

LEHNER: You wrote that?

RAY: Yes.

LEHNER: What was the purpose?

RAY: Ah, he was -- he was one of the first, he was the first one at the scene of, after the shooting, he was the first one on the scene. And he saw more probably than anyone else but he wasn't on the witness list so I think that's the reason I wrote it down.

LEHNER: How do you know he was the first one on the scene?

RAY: He told me he was.

LEHNER: He was one of those who were guarding you?

RAY: Yes. And he, it was also in the newspapers.

LEHNER: Was Barry one of those that was guarding you then?

RAY: Yes.

LEHNER: What did Barry tell you?

RAY: He told me that he was the first one at the rooming house when, I think he was the first one at the rooming house when King was shot, and he also told me that, now he didn't, now that's what he told me, that he was the first one at the rooming house. He was joking, he said "If I'd seen you coming down the stairs I'd have got the reward or something and made Lieutenant. But according to testimony now they said other people was there first. But, now a lawyer told me that Barry waived me out of the area when I was driving around that area, so there's two -

LEHNER: What did Barry say about that?

RAY: Ah -

LEHNER: Did you ask Barry if he was the one?

RAY: No I didn't find out till later, Livingston told me about it.

LEHNER: After you were in Nashville?

RAY: Ah, yes.

LEHNER: You found out about it when you were in Nashville so you couldn't ask Barry about it?

RAY: Ah, no, I didn't ask Barry. The only thing, none of those, none of these officers talked to me directly. They'd talk to me indirectly.

LEHNER: How was that?

RAY: Well there's two of them in the cell and sometimes they'd

say something and it'd be my interest and I'd make a note of it or something.

LEHNER: Were they talking for you to hear or was it inadvertent that you heard it?

RAY: Yeah, I think they was talking from, for me to hear because several - Well, I know one time two of them said something about the case wasn't like it came out in the newspapers. I think one example of something that would probably be in my benefit of what they said was, well two of them was guarding Stephen and they made several references about what kind of deals they was making between them. I think probably the most significant thing is that they told me though was that, again this is indirectly, that all police officers within four miles of the shooting when Martin Luther King was shot had to make sworn statements of just what they was doing that time and what they observed.

LEHNER: Within how many miles?

RAY: Four miles.

LEHNER: And this was something you overheard?

RAY: Yes.

LEHNER: Do you know who said that?

RAY: Well it was -- The fact is I heard two police officers say that. Well they, like I say they wasn't talking to me they was talking to, it might have been talking to, you know, indirectly.

LEHNER: Were these Sheriff's Deputies that you are talking about?

RAY: There was a bunch of them up there. Now I don't

know if the ones I'm specifically referring to were Sheriff Deputies or police, but they'd have one police and one sheriff deputy in there.

LEHNER: Now, the ones that, the two that said that about police officers within four miles of the shooting had to write statements, do you remember which one of the two, or either of the two's name?

RAY: No, I don't recall which two it was. It was, I'm almost certain it was though because later on after I plead guilty I told Morris, I said, he's the Sheriff. I said, well if I could of got those statements maybe I wouldn't had to plead guilty, and he said, well that's the way it goes.

And -

LEHNER: What did they say about Stephens? What did you over-hear them say about Stephens?

RAY: Ah, well most all the police men up there guarding me were either at one time they either guarded Stephens or they was on the scene. I don't know if it was a coincidence or not, on the scene when Martin Luther King was shot. And, I just pick up conversation between these things. Specifically with reference to Stephens, ah, there were some mention of contracts with lawyers, and they mentioned they use to have to take him around to taverns and get him alcohol and things like that.

LEHNER: Let me just see if I understand the Barry situation, Livingston first told you when you were in Nashville Prison that Barry was the one, was the one who waved you off, is that right?

RAY: Yes, that's correct.

LEHNER: How did Livingston say he got to know about Barry waving you off?

RAY: Ah, I guess he talked to him as far as I know. He just described him as a crew cut guy, Barry is, so I --

LEHNER: Oh, he didn't give the name Barry he just described some one who you took to be Barry?

RAY: He used the name Barry too, yes, he used it. Of course there maybe more than one Barry up there. But, see none of these, none of these individuals was on the witness list of 399 witnesses, they was, they wasn't, no policemen was on there especially, you know, that were in that area.

LEHNER: Do you still have those list of witnesses?

RAY: No I don't have them I've give him, Jim Lesar has got all these papers, I don't have any, I never, I don't have no file.

EVANS: See, Jimmy, - Barry was one of the guards that was guarding you at the Memphis Prison?

RAY: That's correct.

EVANS: And did you here him say that he waved you off, did you hear him in a conversation with someone else that sort of confirmed what Livingston had said to you?

RAY: No.

EVANS: You never heard him mention it?

RAY: . Barry said he was the first one at the rooming house.

EVANS: Uh huh.

RAY: Now of course theres been testimony that someone else was there. But, if he was the first one there he would of

probably been there within 10 or 15 seconds after the shooting because he was just about a hundred feet from the building when the shot went off, he was in a squad car right down the street. But the thing is, I don't know, he couldn't be two places at one time, he couldn't come to the rooming house, of course, he may of been joking me there. I'm inclined to think that he was in this squad car and went down the street.

EVANS: Went down the street where?

RAY: To block the road off.

LEHNER: What block would that be?

Where would that be in relation to any of the physical points of that we could try?

RAY: Well I seen these diagrams but I couldn't tell you. I think it would be, it would probably be a block down the street from the fire house going south.

LEHNER: Block past the fire house?

RAY: That's correct.

LEHNER: Is that where the police car was?

RAY: Did I see one there?

LEHNER: Yeah, the one that you saw when you made that u-turn, was that a block south of the fire house on Main street?

RAY: I'm really not positive, I thought it was either a block or it might have been closer, but it could of been closer I'm not positive.

LEHNER: How far were you from that police car when you made that u-turn?

RAY: I'm not positive.

LEHNER: Were you in the same intersection/^{as the police car}when you made that u-turn or was the police car a block away from you?

RAY: I thought it was a block away. But according to Livingston and Barry he said to, he told me to get my ass out of the area or something. I don't have any recollection of that, but of course, usually if the police is after me I don't have too much recollection anyway. So --

LEHNER: What time was that when you got turned away, that, that you turned away at any rate?

RAY: I couldn't say.

LEHNER: Well what time would you put it on/^{,at,}trying to think back?

EVANS: Where were you coming from?

RAY: From the service station.

EVANS: Did anything occur while you were at the service station that made you think there was something amiss somewhere else?

RAY: I didn't hear any sirens or anything if that's what you are --

EVANS: Uh huh. How long were you at the service station?

RAY: I believe I was at two of them, I think probably both of them at, 10 minutes at the most at both of them.

EVANS: Between both of them?

RAY: Yes.

EVANS: What time did you leave the rooming house?

RAY: I would guess 5:30.

EVANS: So you are saying that you would have been back and you would have been waved off before six o'clock?

RAY: No it would probably been after six because there is a lot of traffic around there. I went to a tavern, I went to the tavern after I left the rooming house.

EVANS: Right.

RAY: I think they have a statement on that. Ah, now I came back and picked up the Mustang, and if I left the rooming house around 5:30, it's somewhere around six but I couldn't be specific because -

LEHNER: Somewhere around six that what happened?

RAY: Pardon.

LEHNER: You say somewhere around six, what happened?

RAY: I think it was around 6 when I came back in the area.

LEHNER: Oh, so you think it was about six o'clock when you saw the police car?

I think,

RAY: /well if that's when the shooting took place then there was people running around. I think it would have been six o'clock.

LEHNER: Well, I can tell you, you know, in all fairness I can tell you that the shooting has been reported to be at 6:01, that's the report as to when the shooting occurred. And I'm trying to understand from you when you think you were waved, when you think you saw the police car which caused you to make that u turn on Main Street?

RAY: Well I'm just assuming it was Barry or someone else, and it was after six because he, if the shooting took place at 6:01 then naturally he wouldn't be up there until 6,

probably 6:02. Because from what I've heard of these police officer I don't know if you've deposed any of them or not, but as soon as all this happened they, they didn't waste much time in moving around and blocking streets off and things like that. Now they never, they never told me about blocking streets off, ah, Barry didn't tell me that. He told me he came in the rooming house. Now, I told you this before, but then Livingston said he blocked the street off, now whether that's correct or not I don't know.

LEHNER: Did, when, when you were at the, either of the gas stations did you see any ambulance?

RAY: No.

LEHNER: And where were these gas stations in relations to where you, where the rooming house was? How did you get to those gas stations?

RAY: Well, I would just have to guess. I would say going north, I'd go down about three blocks maybe 4, and turn right and go down possibly four or five more. And I think they were, they may have been three filling - service stations there altogether, I'm not positive, I know there were two there, but I can't be - I had some recollection that they were majors, sold, you know brand name products. But I read in the paper after you was here the last time, it gave the number, name, but I can't remember just what the name of it was. But I don't have no independent recollection if that's, if that was the place or not.

LEHNER: You read in a paper, newspaper or something, after we saw you last?

RAY: Yeah. The last time I testified I mentioned it and somehow it got in the newspaper.

LEHNER: What did it say in the newspaper?

RAY: It said there was someone there, but, he'd seen me walking down the street, he'd seen my car, but this individual I don't even know, I don't even know if he's really the one that- He's the service station attendant, but the one I'm talking about I saw, I saw in the service station where this particular individual is talking about he seen me walking down the street, but I've never testified that I was walking down the street.

LEHNER: The newspaper account said that somebody saw you walking down the street?

RAY: Yes.

LEHNER: In the area of a gas station?

RAY: Yeah right before, round about the time of the shooting, yes.

LEHNER: What newspaper was this?

RAY: I imagine the Tennessee papers.

LEHNER: Do we have a copy of that?

KERSHAW: Look and see. I think it would be the Tennessean, I think.

MRS. KERSHAW: I remember reading it.

LEHNER: And it was that some, somebody said that they saw you -

MRS. KERSHAW: I thought it was Willie Green that was supposed to have said he saw him?

LEHNER: Somebody that saw you, Mr. Ray, in the area of one

of the gas stations walking at the time of the shooting?

RAY: Yes.

LEHNER: Is this Willie Green that Mrs. Kershaw suggested?

RAY: I think so, but I don't have no recollection of walking on that side. Only place, street I ever walked on was Main Street. And I probably walked on that street when I was coming up here trying to find the building, but that would of been -

LEHNER: That's Main Street you are talking about? You are talking about walking in the area of Main Street? Trying to find what building?

RAY: When I first came there it's a possibility but I don't have no recollection. I could of walked past there when I was trying to find the rooming house in the first instance, but after that I never did get off of Main Street, I stayed on Main Street.

LEHNER: By the way what, what were you looking for when you were looking for the rooming house? Did you have some note that you were looking at some, some -

RAY: Yes, I had a note.

LEHNER: What, what was on the note?

RAY: Ah, it was Jim's Grill or restaurant or something.

LEHNER: Was there an address?

RAY: I don't know if it's a grill - Huh?

LEHNER: Was there an address on it too, yes.

RAY: Yes.

LEHNER: What was the address?

RAY: I don't recall now. I guess it was 4, 411 or something.

But there's two, there's two Jim's Taverns and Grills in that area. There's one farther north, and I got in the one farther north the first time.

LEHNER: But on the piece of paper that Raoul gave you it said Jim's Grill or Jim's Tavern?

RAY: Ah, yeah, I think it had the address and name, yes.

LEHNER: And when you went to the one north you just happened to walk into that place, right?

RAY: That's correct.

LEHNER: And you didn't, you stayed there for a short time and then you left, is that right?

RAY: I asked, I inquired about the address. Now the places I went in, now I don't know if that's a Jim's Tavern or Jim's Grill, now I'm just saying that because other people told me it was. I didn't, I don't have a recollection of going in there with that name on it. The only thing I have a recollection of going in the tavern and inquiring about a certain address.

LEHNER: Why did you go into that first tavern if you didn't see any name Jim's on it?

RAY: Just, just to inquire about the address I had on the paper.

LEHNER: And did you ask in there whether or not there was a rooming house above?

RAY: Ah, down there, no I just asked about, I just asked about the address and the guy told me it was further down the street.

LEHNER: Ah, so it wasn't because you got that confused with

Jim's Grill?

RAY: I don't have any recollection of that. The only thing I know about that is that someone has told me I might have got it confused, the address, but I don't have any independent recollection of it.

LEHNER: Because you say the first time you know that the first place may have been Jim's was that someone told you later on that that was it?

RAY: That's correct, yes.

They say I might of went in there by mistake. I think Renfro Hayes said something about it.

LEHNER: In that first Jim's did you see some one in that first Jim's that you saw in the second Jim's?

RAY: Yes.

LEHNER: Was it one person or two people?

RAY: Two.

LEHNER: Was this something that got you concerned, one of the reasons why you left Memphis, that you thought this person was following you?

RAY: I thought the possiblity he was following me, yes.

LEHNER: Do you think, do you think maybe that was somebody who was associated with Raoul?

RAY: I associated people more with the police than I do, I'm not really concerned about crooks.

LEHNER: Well you indicated to us that you had, that Raoul maybe associated with the, with authority?

RAY: Well that's on, that's on hindsight more or less, I mean I'm, you know, I'm testifying of what I thought at that

specific time. I told this to Huie but I forgot about it for three or four years and then I happened to snap, I was thinking about it. But, I think at the time I would have been more concerned about the police than I would any, someone operating illegal or something like that, that's just something that, you know, stuck in my mind.

LEHNER: Well how would the police know that you were going to that Jim's, to be there, the first Jim's Restaurant when you got there?

RAY: Well I wouldn't have any idea. The only thing that bothered me was, I wasn't concerned about seeing him the first time, I was concerned about seeing him the second time because he was dressed, he appeared to be, I think one of them was dressed like a sailor, a merchant marine, I was concerned about he looked more like -- Well, some people you just get uneasy feeling about because they don't look like they belong in the neighborhood or something, and that was kind of a skidrow place anyway.

LEHNER: Well, what I'm trying to figure out is, it was just coincidence that you went to that first place, it wasn't that on the note it said Jim's Grill or Jim's Tavern and you saw some other Jim's, you just coincidentally went to that place to ask for, for whatever the number was and Jim's Grill, right?

RAY: That's my recollection, yes.

LEHNER: Now if that's the case why would any police who would probably be following you, why would they be in there? How would they know that you were going to inadvertently go in there?

RAY: I, I couldn't say. Unless they was following me when I got out of the car or something like that.

LEHNER: Following you when you got out of the car and yet they were in there when you walked in?

RAY: I don't know if they were in there when I walked in or not, I just saw them in there. I don't know if I seen them when I first went in there.

LEHNER: How long were you in there the first, the first Jim's?

RAY: I think I ordered a beer. I, I couldn't of been in there more than five minutes.

LEHNER: And it's one person or two people?

RAY: Two people.

LEHNER: And the same two people you saw later in Jim's Grill?

RAY: Yes. Yes, downstairs.

HAUSMAN: You said that some people make you suspicious because they don't belong in the neighborhood.

RAY: Yeah.

HAUSMAN: I mean, this was really a waterfront skidrow type neighborhood?

RAY: Yeah.

HAUSMAN: How were you dressed at this time?

RAY: I think I had a suit on, and, meduim color suit and -

HAUSMAN: Gray suit? Blue suit?

RAY: Ah -

HAUSMAN: Dark, black suit?

RAY: I think it was just probably me, I usually just

wear something that's not attractive or anything like that. And-

LEHNER: Do you recall what color it was?

RAY: No I can't even recall what color it was.

LEHNER: Was this the same suit that you were wearing when you went back to Atlanta?

RAY: Ah, yes.

LEHNER: What happened to that suit?

RAY: I guess, the prosecution they gave a lot of that stuff back to us after the guilty plea and I think that's probably some of it.

LEHNER: You still had that suit when you were captured in London?

RAY: Yes.

LEHNER: Were you wearing that suit at the time you were captured?

RAY: I don't know if I was wearing it or not, I had more than one change of clothes but I don't know just what -

LEHNER: Well, what color was that suit that you --

RAY: Everything I had was brown, blue or gray. So, I don't know just what one that one would have been, it probably been, it would have been one or the other. Now, I had a sport coat which was brown, so I either had brown clothes on or medium blue.

HAUSMAN: How many suits did you have when you were traveling around the country at this time?

RAY: Well I think I had two suits and a sport coat. I think I had a gray one, a medium blue one, and then a brown sport coat.

LEHNER: How many of these things did you take up to the rooming house?

RAY: Oh, now I didn't take anything to the rooming house.

LEHNER: Just what you were wearing as far as clothes?

RAY: I intended to one time, but there's no locks on the doors or anything.

LEHNER: What did you take up to the rooming house?

RAY: Ah, I took an overnight case and toilet articles, and, well I've seen the list, I took everything on there, on the list except the beer. I can't, I'm positive I didn't take it up there.

LEHNER: You took the toilet articles?

RAY: Yes.

LEHNER: The, what else?

RAY: Well, whatever is in the case I don't recall what's in there now. Whatever is on the list I took up there.

LEHNER: Newspaper?

RAY: I don't re -- I may have took it, I don't recollect taking a newspaper. I may have, yes.

LEHNER: Did you look at a newspaper up in the room?

RAY: No.

LEHNER: Did Raoul look at a newspaper up in the room?

RAY: No. It was no -- I was in the room a very short time. It was just brief conversations and that was it, it was no reading newspapers or listing to radios or anything.

LEHNER: Well --

HAUSMAN: Did you take a hammer up to the room?

RAY: If it was in the -- I took everything in the case.
If there was a hammer in there then I probably took it up there.

LEHNER: Why did you take the hammer?

RAY: Well it -- I just took the case in there, there was no specific reason why it was done.

LEHNER: What was in the case?

RAY: Well I was concerned about the toilet, the shaving, razor and things like that.

LEHNER: Well why did you have a hammer?

RAY: I think I was talking a locksmith course is the reason I purchased it originally.

LEHNER: So you took what was in the case, which was your toilet articles, a hammer was found -

RAY: Yes.

LEHNER: What else did you take?

RAY: I don't have no independent recollection.

LEHNER: Did you take a cover too, a, a bedspread cover?

RAY: I think did. I think I took a bedspread cover was the only clothing I took up there. This was on account of, you know, the type of establishment it was.

LEHNER: What type of a bag did you take up?

RAY: It was just an overnight case, small blue one.

LEHNER: Did you take up a razor?

RAY: Yes.

LEHNER: Where had you gotten that razor?

RAY: That might have been the one that I bought at the drug store the day before that I'm certain. But I think it was because I bought some razor and I think blades at the

Rexall Drug Store the day before that. I think I left mine in Atlanta.

HAUSMAN: Did you take any map, excuse me, any maps?

RAY: No. No.

HAUSMAN: Well that was one of the things, two of the things that were found in your suit case.

RAY: Well I don't have no recollection of that. The only thing on there that I don't think I took up there was beer because I don't drink beer and I never, I never do buy it. Now, however, my finger prints were on it. But if I had to testify under oath I'd say the beer wasn't mine.

HAUSMAN: Well why don't we go down the list of --

EVANS: Just when you were in Jim's Grill a few minutes ago, and you bought a beer.

RAY: Yes.

The fact is I bought about three beers that day. Usually when I go in a tavern or something and I want to stall around I don't like to go in and not buy anything. I usually drink maybe a quarter of a bottle or something.

EVANS: Right. But when you were in Jim's bar you bought a beer yet you just went in to check the address?

RAY: Yes. I usually do that if I go in there and rest a couple minutes or something, I'll buy a beer and maybe drink a third of it or something like that.

EVANS: And you say you bought three beers?

RAY: During that, yes I had --

EVANS: During that time?

RAY: Yes.

EVANS: Okay, where did you both the other two beers at?

RAY: Ah, I bought one underneath of Jower's, underneath the place. Then another time I left the rooming house and went to a tavern and I bought another beer there.

EVANS: Which tavern was that?

RAY: It would be on the main street going north on the left hand side of the street, some tavern along in that area.

EVANS: Well where is that in relation with York, is it near York's, where - the place where you bought the binoculars, or is it closer to the original place, the original Jim's bar, the one you went into first?

RAY: I think the last beer I bought would, was close to a -- was across from a movie because I did intend to go to a movie, and it was probably across, pretty close to this movie house because --

EVANS: Uh huh. Well where was the movie house in relation to Jim's Bar, not Jim's Grill but Jim's Bar, the first place that you went in?

RAY: I don't remember, I can't connect them up too close, the first place, but the second Jim's Grill underneath that rooming house, I think the movies was about seven or eight blocks down the street.

EVANS: Okay. Earlier this morning you told us you were in Jim's Grill three times.

RAY: Down stairs.

EVANS: Yeah.

RAY: Yes.

EVANS: And you just said you bought one beer in there.

RAY: Yes.

EVANS: What did you do the other two times you were in there?

RAY: Ah, I may have bought a coke in there, or I could of bought another beer or maybe I was just in there a short time. I think I went in there one time and we left right quick.

There was no --

EVANS: We, we?

RAY: Yes.

EVANS: Who?

RAY: Me and the other Raoul?

EVANS: Right.

RAY: I think that was the, that, that may have been the first time. I can't get all these synchronized together.

I know I went in there one time, the first time I was in there, ah, the waitress ^{was,} I forget now whether she was white or black but I know they changed the waitress when I came in there the second time and I think one other time I went in there -- when I came out of the rooming house one time I stopped over in there.

EVANS: Right. But the time you came out, the first time you came out of the rooming house?

RAY: See the first time I came out I went to the, I went to buy binoculars. I don't believe I went in there the first time but it would probably be one of the times I was just walking around the neighborhood.

LEHNER: Was that before you checked in?

RAY: When I put the binoculars in?

EVANS: No, when you were walking around the neighborhood.

RAY: Now let's see, I went -- I went back and got the car and came back and checked in. So, when I was walking around the neighborhood one time I went to the Chickasaw Restaurant, the police told me the name of it. I can't get, you know, I can't get all these places in order just where I went, you know, from one place to the next. I know I went in there and I know there's statements on file to verify that I went in there but I can't get them all --

EVANS: Okay this suspicious guy that you saw in Jim's Bar -

RAY: Yes.

EVANS: - you saw him again in Jim's Grill?

RAY: That's correct, yes.

EVANS: All right. When did you see him in there, the first time you went into Jim's Grill?

RAY: Ah, no I saw him in there, ah, lets see when did I, I saw I saw him in the, now let's see, what -- What I'm trying to do is found out what reason I was in the tavern, the first tavern. And, let's see, if I went in there then, I think it must of been the first time, the first time I was in the area.

EVANS: The first time you were in the area you were in Jim's Grill?

RAY: That's correct, yes.

EVANS: That's after you left Jim's Bar you went to Jim's Grill?

RAY: Yes.

EVANS: And you think the person that you saw in Jim's Bar followed you to Jim's Grill?

RAY: Well I don't know if he followed me or if he --

LEHNER: But he was in there when you got in there?

RAY: Yes, he was in there. Yes I remember, yes I know I saw him in there one time.

LEHNER: And you saw Raoul in there?

RAY: Yes. But I don't know if it was that same time or that same instance or not because I was in there three times now, but see, see what I've testified to on these ^{on these} things, that the first time I saw Raoul in there the first time I came up.

RAY:
EVANS: Right. /But I don't think, I'm inclined to think that's wrong because I was basing that on, I was basing that on the fact that I had the car out there and I came in and met him. But then I got to thinking it over and see I didn't, I didn't bring the car up there the first time I came up there and just looked in the first time and I went back and got the car. I think that's when I met him there the second time when I got the car and came back up there. I think the first time when I went in there is, I seen the character in this Jim's Bar. Then when I, then when I went up to Jim's Grill to find this address then I seen them again and became sort of suspicious.

LEHNER: Was he in there before you got there to Jim's Grill?

RAY: I kind of, I believe he was but I can't, I'm not one hundred percent but I believe in the second grill underneath the rooming house I believe he was there when I got there. But --

LEHNER: How did you get from Jim's Bar to Jim's Grill?

RAY: I walked there I guess.

LEHNER: What's your account for how he got there before you?

RAY: Well unless he went out before I did.

LEHNER: How did he know you were going to go there?

RAY: Well I don't know if he, I don't know if it's just a coincidence or he knew I was going.

A lot of times you go from one bar to another and you will meet someone up there.

LEHNER: How did he know that you were going to go to Jim's Grill so that he would be there?

RAY: Well it may have been a coincidence, he just may of walked up there. But, I suppose the coincidence made me a little suspicious or something of that nature.

EVANS: Was Raoul in there when you saw this guy in there?

RAY: No, I don't believe he was.

EVANS: All right, when did you first --

RAY: The fact is I'm positive.

EVANS: When did you see Raoul?

RAY: Well that's what makes me think that I seen Raoul the second time and seen this guy the first time because I have no recollection at all of seeing both in there at the same time.

EVANS: All right, so you, you didn't see Raoul in there but you saw this guy in there?

RAY: Yes.

LEHNER: Then what did you do?

RAY: Ah, well I think that's when I left there and went

down and got the Mustang.

EVANS: All right you bought the Mustang back, where did you park it?

RAY: Ah, I parked it in front of Jim's Grill.

EVANS: All right, you know there's a guy in there that you saw in there, right, you parked the car right directly in front of Jim's Grill?

RAY: Yes.

EVANS: All right then what did you do?

RAY: Then that's, I think that's when I met Raoul after I parked the car at that time.

EVANS: Where did you meet Raoul at?

RAY: Inside there.

EVANS: Was this guy still there?

RAY: No. Now when I went in there the second time there wasn't nobody in there except this guy that calls himself Raoul. I do remember that clearly because the first time I was in there, there was quite a few people in there.

EVANS: Okay. So this time what did you buy when you were in there?

RAY: I don't know if I bought anything, I think I may of bought something.

EVANS: Well either between that time or the last time, you either bought a beer the first time --

RAY: Yes.

EVANS: -and a coke this time or what, which did you buy?

RAY: I think I probably bought a beer the first time but -

EVANS: So the first time you went in there and you saw this guy in there you were having a beer?

RAY: Yes, I think so.

EVANS: All right. Then you left and went and got your car?

RAY: Yes.

EVANS: And you came back and you went back in and you saw -

RAY: The second time.

EVANS: Who did you see in there the second time?

RAY: The Raoul I saw the second time.

LEHNER: But the guy was not in there any more?

RAY: No. I didn't -- The second time there was just one person in there, me, there was three people in there, me and the one called Raoul, and the one called - the waitress that was it.

LEHNER: What color was the waitress?

RAY: Well I don't know if she was black or white. But the second time they changed, on the first or second time. I think, I think -- I think the first time she was black and the second time it was a white waitress.

LEHNER: Did you see the guy again after seeing him that first time in Jim's Grill?

RAY: Well just those two separate incidents.

LEHNER: Jim's Bar and then in Jim's Grill?

RAY: Yes.

LEHNER: That's the only time you saw the guy?

RAY: Yes, that's it.

LEHNER: Was it one guy or two guys?

RAY: Two guys.

LEHNER: Both times two guys?

RAY: Yes.

LEHNER: And the last time you saw them was in Jim's Grill the first time you went there?

RAY: Yes.

LEHNER: So there's no reason for you to be suspicious of them the time you came back to the, and you saw the police car, right? That wasn't one of the reason you left town was it? They weren't even there when you returned the second time when you met Raoul?

RAY: No. These things build up you know. It's not, it's just like the guilty plea and everything else, it's never one thing that causes you any anxieties/^{it's}an accumulation of things.

LEHNER: Yeah, but what you are telling us is, the two people you see in Jim's Bar get to Jim's Grill before you do, which means that they can't be following you.

RAY: Well I'm not a hundred percent certain they get there, but as far as that goes they might of asked the bartender what I was looking for. So, they may have been following me from the beginning. I'm just --

LEHNER: When you told the bar -- When you told the bartender what you are looking for that's when you left Jim's Bar, right? He told you where to go?

RAY: I don't think I left right there. No, I probably

ordered a beer, if I did I probably set there and rested two or three minutes because I'd walked about a mile and a half.

LEHNER: So you think they might of then asked the bartender what you said?

RAY: Well, I'm just speculating here, what would they do?

LEHNER: Was that what you speculated then way back, way back when you saw the police car?

RAY: No, I was just suspicious when I saw somebody in the same bar twice and they looked out of place. It was nothing -- It may have been a total coincidence. I'm, I don't really get that paranoid about it. But it's just something you wonder, you know, it turns over in your mind and you wonder how come someones here that you just seen before.

HAUSMAN: You said they looked out of place?

RAY: Well I thought they looked more classier, if that's the right word, then the averaged person in that area.

HAUSMAN: But before you told me - you told us you were wearing, you were wearing a suit, right?

RAY: Yes.

LEHNER: Were you wearing a white shirt?

RAY: Un huh.

HAUSMAN: Was else were you wearing besides a suit?

RAY: Probably a white shirt and a necktie

HAUSMAN: And a tie. So didn't you look more out of place than anybody else around in this seedy neighborhood?

RAY: Yes, but I'm not looking at myself of course.

HAUSMAN: But, might they think that you look suspicious?

RAY: They very well could have.

LEHNER: What kind of tie was it that you were wearing?

RAY: I really don't recall.

LEHNER: Was it dark or light?

RAY: I don't know. The Memphis Police got all this, everthing I had, I don't know what's, it's been so long. I know I wear blue - blue, brown and gray and that's it. And usually a tie, I'd probably wear one similar to what you have on.

LEHNER: I have on a blue tie with some shield type things.

RAY: Not just a like now.

LEHNER: Did you always wear white shirts?

RAY: Ah, well at the time they were more or less the style, they didn't wear all the different colors at that time, so, you just go in and buy a shirt, you buy a white shirt.

LEHNER: What was -- Did Raoul seem out of place in Jim's Grill?

RAY: If I were to saw him?

HAUSMAN: Yeah, what --

RAY: Well I thought he, well I thought he would have been similar to the other fellows. He would have probably been a - Well you have different classes of crooks just like you have different classes of lawyers. So he would have probably been - He would have probably been -- Well, you know, like when you go in a tavern and you see one bookie, he's usually dressed up better than the other ones, so that's the way I described these people I saw.

LEHNER: Well how was Raoul dressed compared to these two guys that you say looked out of place?

RAY: Ah, I don't recall too much about his dress but he never did wear a necktie usually, he'd just wear a buttoned up shirt, jacket, not a jacket but a suit coat.

HAUSMAN: Did he wear a white shirt or was he, did he have colored shirts?

RAY: I never saw him wear a white shirt, no.

LEHNER: You never saw him what?

RAY: Wear a white shirt.

LEHNER: What was he wearing that day, see if you can think back?

RAY: Just a pair of pants, and a shirt, and the only thing I can recollect clear, there was no neck- he never wore a necktie?

LEHNER: What color shirt was he wearing?

RAY: Just a dark one.

LEHNER: And was he wearing a jacket over his shirt?

RAY: Yes.

HAUSMAN: Did he wear an open collar or a buttoned up collar?

RAY: It's a buttoned up collar.

HAUSMAN: All, all the way to the top?

RAY: Yes.

LEHNER: The top button would be buttoned but he would not wear a tie ever?

RAY: Yes.

LEHNER: Was that his regular dress?

RAY: Yes.

LEHNER: He'd wear a jacket, a pair of pants and a dark shirt buttoned to the top.

RAY: Yes.

LEHNER: Do you recall what color jacket or what color pants he was wearing?

RAY: No. Usually dark, blue or brown, or something to that --

LEHNER: How did he wear his hair?

RAY: Kind of back a little bit, dark, similar to the picture I picked out except that his forehead wasn't that high.

LEHNER: When you say back a little bit, what are you referring to?

RAY: Combed back.

LEHNER: Combed straight back without a part?

RAY: Yes.

LEHNER: And what color was the hair?

RAY: Ah, it had a red tint to it, dyed.

LEHNER: It was dark?

RAY: Yes.

LEHNER: It was dyed or not dyed?

RAY: I've seen people dye their hair, black haired people dye their hair red and a lot of times you dye it blonde it will have a red tint to it.

LEHNER: So this -- It looked to you like he was black haired but he had a red tint to it?

RAY: Yes. ..

HAUSMAN: Was it wavy or greased back?

RAY: No just kind of wavy.

LEHNER: Dry looking or wet looking?

RAY: Ah, I never looked, I never looked at people that, especially if it's a man that close, but I think it was dry.

LEHNER: What were these two guys dressed in, the two guys that you say were in both bars?

RAY: One was dressed like a Navy, seaman or something. The other one he was dressed up, he had dark clothes on too, I guess everybody was wearing dark clothes around there. He had dark clothes on.

HAUSMAN: You say dressed up, was he wearing a Pea coat or -

RAY: One of them was, yes. He looked like a -- Well one of them looked like a regular merchant seaman, the other one looked like he may be some type of an officer or something.

HAUSMAN: You mean a uniform?

RAY: No. But, you know, he was -- Just give you that appearance, some people gives you certain appearances some don't.

LEHNER: Well we'll take a short break now. It's 2:29 we will give our stenographer a chance to relax and we will pick up in a few minutes.

RAY: I'll see if I can find that TV station.

(A recess was taken at 2:30 p.m.)

(Interview begins again after recess at 2:36 pm).

LEHNER: Okay we are back recording, it's 2:36 and everybody is here that was here before the break.

Um, we were just ^{discussing} what the two fellows, in the two bars were, looked like, what they were wearing. You were telling us one looked like an officer, like a Naval officer type?

RAY: Well he just dressed, he just had a more of a better appearance than the other one, that's all I can say about him.

LEHNER: You were the best dressed person in either of those two bars, were you the only one with a tie is that right?

RAY: I suppose so, yes. I'm not a 100 percent certain I had a tie on. I just assumed I had one on because sometimes-- I usually wear one, so - You want me to go over the rest of this paper now?

LEHNER: Okay, I think it was one thing, it was one thing that Alan Hausman was, was going, started to go into and may be we could just finish that before we go into what your paper was, that is what was your's and what was not your's that was taken into the room. Maybe we could go over that list.

RAY: All right.

HAUSMAN: You started talking about what was found in that blue zipper bag that was found outside of Canipe's, and I thought maybe we could just go down the list of what the police say was found in that bag and you could say what was your's and what, you know, why it was in that bag-

RAY: All right.

HAUSMAN: -if anything.
Band-aid sheer strips?
RAY: I guess so, I can't -
HAUSMAN: Ah, a brown bag with two unopen cans of beer?
RAY: Well the beer wasn't mine. I don't, I don't have
a recollection of having no beer.
HAUSMAN: A belt?
RAY: Yes.
HAUSMAN: A tube of Brill Cream hair dressing?
RAY: Yes.
HAUSMAN: Bufferin?
RAY: Yes.
HAUSMAN: A button, gray, brown or maroon?
RAY: Probably so, yes.
HAUSMAN: Would that be from one of your suits?
RAY: I couldn't say.
HAUSMAN: The button. Palmolive Rapid Shave?
RAY: Yes.
HAUSMAN: Right Guard deodorant?
RAY: Probably so, yes.
HAUSMAN: Six pack of Schlitz?
RAY: No.
HAUSMAN: Hair Brush?
RAY: Yes.
HAUSMAN: Hammer?
RAY: Yes.
HAUSMAN: Handkerchief?

RAY: Yes.

HAUSMAN: A key to the bag?

RAY: I guess, there's a key but I don't think it's to the bag. But I probably had a key.

HAUSMAN: A travel kit?

RAY: Yes.

HAUSMAN: Mennen Lotion?

RAY: Yes.

HAUSMAN: Two aps?

RAY: I don't recall the maps, no. I think --

HAUSMAN: O e was of the United States and one was of Georgia and Alabama?

RAY: It's possible I had them but I wouldn't say yes or no. But I usually keep a lot of maps though, so I probably had them, they probably were mine.

HAUSMAN: You usually keep maps in the car or you stick them in some type bag or -

RAY: I usually keep them in the room wherever I'm staying at. I don't recall carrying them around, but I may have had them in there, I, I couldn't say. Georgia and Alabama?

HAUSMAN: Yeah, Georgia and Alabama.

RAY: Well they was, they were probably mine, yes.

HAUSMAN: Ah, Commercial Appeal Newspaper?

RAY: Ah, I probably was, I don't have no independent recollection, but it was probably mine.

LEHNER: That was, that was of the day April 4th, 1968.

RAY: Well I probably purchased it. Because I usually

buy a newspaper.

LEHNER: Where do you recall you would of purchased that, that paper that day, April 4th?

RAY: I don't have no idea, probably the motel.

HAUSMAN: You mean the motel you checked out of?

RAY: Yes.

LEHNER: The New Rebel?

HAUSMAN: The New Rebel?

RAY: Yes.

HAUSMAN: Toilet paper?

RAY: No, I don't have no recollection of that.

HAUSMAN: You didn't carry it around for these type of establishments?

RAY: No.

HAUSMAN: Bobby pins?

RAY: Bobby pins? What would I want to be carrying them around for, but they may have been mine.

HAUSMAN: A pair of pliers?

RAY: Yes.

HAUSMAN: Did you normally carry a hammer and pliers around with your toiletries?

RAY: Probably -- Tools of the trade.

HAUSMAN: Kiwi shoe polish?

RAY: Yes, probably, yes.

HAUSMAN: Safty razor?

RAY: Yes.

HAUSMAN: Gray paper sack?

RAY: Yes, I guess.

HAUSMAN: Head and Shoulders shampoo?

RAY: Yes.

HAUSMAN: Then we have three different types of soap:

Cameo, Cashmere and Dial?

RAY: Yes, I guess.

HAUSMAN: Ah, some pairs of socks?

RAY: Yes.

HAUSMAN: Tooth brush?

RAY: Yes.

HAUSMAN: Colgate toothpaste?

RAY: Yes.

HAUSMAN: Toothpick?

RAY: I don't recall that.

HAUSMAN: Do you usually have a toothpick or -

RAY: No.

HAUSMAN: A white and yellow towel?

RAY: Probably so, yes.

HAUSMAN: Several pairs of undershorts, multi colored?

RAY: No, I don't recall those.

HAUSMAN: Do you normall wear white shorts or colored shorts?

RAY: I wouldn't pay no attention to it, the only thing is, I, I usually wouldn't bring any, it wasn't my intention to bring any clothing in the, in the rooming house because it gets stolen too easy. But they could of been mine but I don't have no recollection of bringing, I guess the laundry number would verify it.

HAUSMAN: But if you were bring up toiletries maybe you know, to bring underclothing wouldn't be unusual.

RAY: Well it's a possibility, yeah.

HAUSMAN: Ah, vitamins?

RAY: Vitamins? No, I don't have no recollection of vitamins.

HAUSMAN: Did you normally take vitamins?

RAY: No.

HAUSMAN: Any type of pills at that time or anything.

RAY: No, asprin was all I took.

HAUSMAN: And the bag itself? Cartridge case?

RAY: No, I think, I don't think I would have that in there, no.

HAUSMAN: Cartridges?

RAY: No.

HAUSMAN: No ammunition of any type?

RAY: No.

LEHNER: Where, where did you keep the ammunition?

RAY: When did I kept it? I never did keep any.

LEHNER: Well, didn't you have any ammunition that you bought at the Aero Marine?

RAY: Yeah, but I got, I got rid of all it.

LEHNER: Where?

RAY: In mo - In the New Rebel Motel.

LEHNER: How did you get rid of the ammunition?

RAY: When I got rid of the rifle.

LEHNER: When you gave the rifle to Raoul at the New Rebel,

did he look at it?

RAY: No, it was raining that night.

LEHNER: Did you open it up or did you give it to him in the box?

RAY: I don't have no independent recollection of giving him ammunition. I think what happened was, was ah, the ammunition was in the, in a case inside the box. Because I know when I, when I purchased it, it was put in there and I have no recollection of every taking it out.

LEHNER: When you purchased the ammunition was it in the same box as the rifle or was it in a different box, at Aeromarine, think back to Aeromarine.

RAY: I think it was, I think all that stuff was placed in the same box because I have recollection of having some trouble getting, well the original box fitting in the rifle, it wouldn't fit in there or something, and they put a bigger one in there.

HAUSMAN: A bigger box?

RAY: Yes. I think although, I think everything was in there including the ammunition.

HAUSMAN: But when you bought the ammunition, when you bought the first rifle, the .243, did you buy ammunition for that rifle?

RAY: I don't remember if I did or not. I think so.

HAUSMAN: And then when you then went back on the 30th, did you buy ammunition for the .30-06 or did you exchange that box, or do you recall what you did with that ammunition?

RAY: Ah, there was some conversation about getting different

types of ammunition or something. Now, I, I do recollect it was two different types, but I don't know what kind, the technical term for them was.

HAUSMAN: You don't remember exchanging, specifically remember exchanging the ammunition?

RAY: Not the ammunition, no.

HAUSMAN: Did you buy any ammunition loose other than at the, than the one box of cartridges?

RAY: I know there was some conversation about getting different kinds of ammunition. I know I got two different kinds of ammunition but what kind they were I don't know. I found out later that one of them was some type of dum dums or something, but -

LEHNER: Well after you bought the second rifle you showed that to Raoul, you told us that, right?

RAY: Yes.

LEHNER: And that was at the Five Points place, that motel that you were staying at?

RAY: Yes.

Now I don't want to get into testifying of where I went and when I come back because that's --

LEHNER: Well we want get into -

RAY: That's going to have to be some alternatives on that, I know that now.

LEHNER: Right. You told, the last time you talked to us you weren't quite sure which time Raoul was there and how many times you went.

RAY: Well I've since seen the paper and it said I was there, on stipulations I think it said I was there, the next morning, but I don't - I don't remember that. In other words I thought I got, possibly got the rifle, the second rifle the same day I took it back, but according to this paper I got it the next day. But I don't, I don't want to get into that until I find out for sure.

LEHNER: Let's leave that go -

RAY: All right.

LEHNER: -for the time being. Let's just take it to the - I'm just going to ask you about, since we are talking about this rifle and ammunition, when you got the second rifle and showed it to Raoul that was back at the motel? The, this was -

RAY: Yes.

LEHNER: - you told us this the last time?

Did you show him the ammunition too?

RAY: I don't, I don't have any independent recollection, but I'm almost certain that I would of probably got ammunition, but I don't, I can't remember that.

LEHNER: Did you and he discuss the sight that, the sighting as far as that was fixed to the rifle?

RAY: No, as far as I know the sight was never touched.

LEHNER: Now when he, he agreed that this second rifle was suitable, is that correct?

RAY: That's correct.

LEHNER: Did he, did he aim it, and sight it in and, and do anything of that sort?

RAY: No, I never did -

LEHNER: What did he do? How did he decide that it was okay? What did he do with the rifle?

RAY: I really couldn't say, he just looked at it and that was it.

LEHNER: When you say he looked at it, ah, how did it, what did he do?

RAY: Well he just checked it over and that was it. Just like you check a rifle over I guess, you -

LEHNER: Well, I wasn't there, how did he check it over?

RAY: Well he checked the mechanism and every -- I don't remember all the details, maybe he checked the mechanisms I think and just give it cursory glance and that would be it.

HAUSMAN: Did he check, pick it up and check the weight to see if it, how heavy the rifle was?

RAY: I think he just said this was, this will do or something of that order.

LEHNER: When you say he checked the mechanism how did he check the mechanism?

RAY: I don't recall, see I don't, I don't have the least idea on what the mechanism was all about.

LEHNER: Well he took it out, did he take it out of the box?

RAY: Ah, yes I think it was in the box, yes.

LEHNER: And he took it out of the box?

RAY: Yes, it was taken, it was taken out of the box and looked at yes.

LEHNER: ~~Now he did that. Raoul?~~

RAY: Yes.

LEHNER: Did you lift it and check the weight and check the
si - and look through the magnifying mechanism?

RAY: No, I, no the only time I looked at it, and I looked
at it quite a bit when I first purchsed it. I wanted to try
to give the guy the impress that I knew what I was doing. But
after that I never did touch it. There was never any touching
of the sights or checking the mechanism or anything like that.

LEHNER: From the time you purchased that rifle in Arcomarine,
that was the last time that you touched the rifle?

RAY: Ah, yes, I would say so.

LEHNER: And then after that Raoul picked up the rifle and
checked it out at, at the motel in Birmingham, is that right?

RAY: Yes.

LEHNER: And then how did it get back into the package?

RAY: Well he must of put it there.

LEHNER: And then he left the package with you?

RAY: Yes.

LEHNER: What about the ammunition?

RAY: I'm, I'm about 95 percent positive that the
ammunition was in the, was in the box with the rifle. But
there was more than one type ammunition that's the only thing
that I recollect clearly.

HAUSMAN: More than one type when you gave it to Raoul or
more than one type when you first bought it and exchanged it?

RAY: When I purchased, when I bought it, purchased the rifle.

HAUSMAN: You purchased two types of ammunition?

RAY: Yes.

LEHNER: What two types were they?

RAY: I don't know.

LEHNER: Now in the New Rebel did he look at the rifle again or just pick up the box without looking at the at the rifle?

RAY: Now he didn't. He didn't look at the rifle and that was unusual, and I think I put it in, I think he had a rain coat on or something and it's got, he got it under his rain coat.

✓ LEHNER: Now, did Raoul normally wear gloves or not?

RAY: I didn't --

LEHNER: You ever see him with gloves?

RAY: No, I don't recall now.

LEHNER: And in the, in Birmingham when he looked at the rifle was he wearing gloves or was he not wearing gloves?

RAY: I don't recollect him wearing gloves, no.

This don't mean anything because I usually always wear things over my fingers anyway.

LEHNER: What do you always wear?

RAY: Band-aids, colorless band-aids.

LEHNER: Did he use to wear colorless band-aids?

RAY: I kind of assumed he did, most people do, like that do. Well I don't know but I just assumed that.

LEHNER: You've seen him in Montreal, you've seen him

in Mexico, you've seen him in Atlanta, Birmingham, Memphis, did you ever see any band-aids on his fingers?

RAY: I just never, I never looked that close. I mean I know it's a common practice and I do it all the time or if I'm going to commit some type of an offense or robbery or something and he's --

LEHNER: You've driven with him from --

RAY: I mean if somebody were to come in June or July, if you come in July and you have a pair of gloves on it would look like -

LEHNER: Well you've driven with him from Atlanta to Birmingham, ah, from Birmingham one time to Atlanta, then Atlanta to Birmingham, you drove with him in, in Mexico, you were with him in Canada, did you ever see him with band-aids on his hands?

RAY: No.

LEHNER: Okay.

RAY: I've drove with other people. I drove with Stein all the way to New Orleans and I just never -

LEHNER: Did he have band-aids on his hands?

RAY: I'm just not, I don't, I don't even know what kind, if he had hands, I just didn't pay any attention to it. It's just --

LEHNER: You see me do I have band-aids on my hands?

RAY: Yeah, but I'm just not interest in what somebody else is, ah -- I mean -

LEHNER: But you, Well you say it's something that you normally do, when did you have band-aids on your hands during that

year, '67 and '68?

RAY: Well I wasn't pulling any robberis, but if I was I would, I'd been wearing them for 20 years, so whenever you go in a supermarket say, you are going, you put some band-aids on your fingers.

LEHNER: You didn't --

RAY: Huh?

LEHNER: You didn't commit any robberies?

RAY: The whole time I was out? Not, not a single one.

LEHNER: Not a single one-

RAY: Not a single one.

LEHNER: -from your escape from Missouri State?

RAY: Not, not one.

LEHNER: Well what about in Canada?

RAY: Well, yeah that one there but that one don't count.

LEHNER: Why doesn't it count?

RAY: Well, that's a legitimate one.

KERSHAW: You don't count whore houses, anybody knows that.

LEHNER: Well were you wearing band-aids during that robbery?

RAY: Well the point I'm trying to make is I wasn't out there committing crimes or anything else. I've committed two or three insignificant things but nothing -

LEHNER: Well was Raoul out there committing crimes?

RAY: I don't know if he was or not. I assumed so.

LEHNER: Robberies?

RAY: Robbers?

LEHNER: Robberies?

RAY: I couldn't say. I can just say what I was doing.

LEHNER: Were you wearing band-aids during that robbery of the, of the whore house?

RAY: Ah, no.

LEHNER: When was the last time you wore band-aids?

RAY: Ah, 1959.

LEHNER: Did, well why don't we continue on the list, we'll go on with this.

HAUSMAN: Just a few more items that they found on the front page. Ah, the rifle box for the Browning rifle?

RAY: No, I don't recollect that.

HAUSMAN: The last time you saw that would of been in the New Rebel?

RAY: You're not, you're talking about something else that was found in the street was you, the rifle box?

HAUSMAN: The package -- Well, with that zipper bag, the package found in front of Canipe's. These are the items that were found either wrapped up or --

RAY: No I, No I don't recollection that.

HAUSMAN: Binoculars?

RAY: Yes, ah, yes.

HAUSMAN: When was the last time you saw the binoculars?

RAY: On the, I think they were laying on the bed.

HAUSMAN: That's after you came back from York?

RAY: Yes.

HAUSMAN: You gave them to Raoul or -

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RAY: On the, I think they were laying on the bed.

HAUSMAN: That's after you came back from York?

RAY: Yes.

HAUSMAN: You gave them to Raoul or -

RAY: Yes. I think I just threw them on the bed, I don't
 recollect
 think, I don't/ anyone handling them. I think I handled them when
 I purchased them and I just threw them on the bed and said
 here they are or something.

HAUSMAN: Did he check them out to see if they were the
 right power or good enough to sell to the people he was going
 to deal with?

RAY: I don't know. I think that was the second time.
 I made two trips down there. I think that was the second
 trip, and I think after that trip I had to go somewhere or something
 I think I told him I was going somewhere or something and I was
 in there a very short time and, two or three minutes at the
 most.

HAUSMAN: You mean you came back from the second trip
 to the York Arms and he said throw the binoculars down and
 you just threw them down?

RAY: I told him they were the wrong kind and that was it
 and I just, he said it was alright or something. I was suppose
 to get some type of a infrared binoculars, and I told him that
 the salesmen told me I would have to go to, ah, an Army Surplus
 store or something and that was it.

HAUSMAN: He didn't care what, it wasn't that important
 at that time?

RAY: Not at that, not after I told him that, it didn't
 appear important.

LENNER: Did, were these adjustable as far as, as far as
 seeing through the binoculars?

RAY: I never did look at them.

LEHNER: Well at the store did the fellow explain to you that they were adjustable?

RAY: I asked him for the infrarays and he mentioned the Army surplus, and I asked him what kind he had and he said he had the regular kind or something and there's some question about whether you can screw something on them and make them infra-ray, so I told him to wrap them up, and he handed them to me and I said, I think he handed them to me and I looked at them and handed them back to him or something.

LEHNER: When he handed them to you, you looked at them? Did you look through them to see if they were clear?

RAY: No I think he handed them to me just like a salesman trying to sell something. And then I think he probably, I think he said he had two or three kinds or something. I'm not, the fellow was kind of nervous anyway and I think I paid him and that was it. I don't pay much attention.

LEHNER: So when he handed them to you, you just handled them but did not look through the lenses?

RAY: No I have no recollection of looking through the lenses.

LEHNER: And then what, you put them in a bag or a box or something?

RAY: He, I think he put them in, wrapped them up or something.

LEHNER: And then you brought them back to Raoul. What did Raoul do with them?

RAY: Yes. Well, I told him I couldn't get the ones he wanted and he said okay them's all right, whatever you got.

LEHNER: Did he look at them?

RAY: I don't, I don't have no recollection of him looking at them. I think I just, I think I threw them on the bed and that's the last I saw of them.

LEHNER: In the box or out of the box?

RAY: I guess it was in the box. I don't have any recollection of ever taking them out of the box.

LEHNER: And he didn't even look at them?

RAY: No, I mentioned, I mention when I had the wrong kind and he said, well that's all right or something. I told him the, the infraray business.

LEHNER: Did he tell you, ah, how much to pay for them?

RAY: No.

LEHNER: How did you decide what price to get?

RAY: I just got the cheapest ones I got, I suppose. I assumed the guy asked me, that's my standard way I operate on something that's not specified. But I know I did ask him about the other kind, the other type first and when he didn't have them why I just took whatever he had.

LEHNER: Well, why did you buy the cheapest?

RAY: I think that was the cheapest, I probably -

LEHNER: Why did you want to buy the cheapest?

RAY: Why did I want to buy the cheapest? It was my money, he didn't give me any money to buy anything.

LEHNER: How much money did you have?

RAY: At that time? I didn't have too much. Ah, 12 or 1500 dollars I suppose.

LEHNER: How much?

RAY: 12 or 1500.

LEHNER: 12 or 15 hundred, how did you have 12 or 1500?

RAY: How come I had that much?

LEHNER: Yeah.

RAY: Well I just had that much.

LEHNER: Well, did you understand that Raoul wanted to sell these binoculars to the, to the person that he was going to sell the rifle to?

RAY: Well when he said the infrareds I thought maybe he was trying to possibly sell something. I didn't -

LEHNER: So that this would be like a, a sample of something that he was going to sell to the Latins?

RAY: I thought, I thought that the rifle was a sample and the whole conversation about the army surplus rifles, but the, the, ah, binoculars I didn't put any significance on them except the infrared business.

LEHNER: Well Infra-

RAY: And as I heard, I heard one time about military rifles.

LEHNER: Infrared binoculars would be an expensive binoculars-

RAY: Yes.

LEHNER: -so that you could see well at night?

RAY: Yes.

LEHNER: Is that correct? It was your understanding that he was going to try to sell that to the Latins as part of the deal, right?

RAY: There was no mention of that.

LEHNER: Well was that your understanding?

RAY: Well I made certain assumptions, I just didn't -

LEHNER: What was the assumption you made about it?

RAY: I thought maybe it was the possibly they were going to be.

LEHNER: So why did you take it upon yourself to buy the cheapest kind, because you certainly didn't buy the cheapest rifle, you bought a very expensive rifle, why did you buy such a cheap pair of binoculars?

RAY: Well it was the wrong kind. If they had been the correct kind then I would of went ahead and bought the right one. I didn't know where, the fact is I still don't know if infraray is where you screw them on or whether they come all in one piece or what. But the guy at the store give me the impression that they clip on or something like that.

LEHNER: Well, what do you think the reason why he was so particular about the rifle and made you go back and exchange it, and yet with the binoculars he doesn't specify that he wants an expensive pair, that when you give it to him not only does he not send you back for a different type, more expensive, but he doesn't even pick it up. You just throw it on the bed and he doesn't even look at it.

RAY: Well I think there's a difference here, when, when I bought the binoculars the fellow said he didn't have it. Now it's entirely different with the rifle. He, you know he did have the other type of rifle and I just don't see any significance.

KERSHAW: Besides by that time Raoul knew that King would be there before dark and he didn't need the God damn infrared binoculars. I've already figured that out.

LEHNER: Well, I'm just, I'm just thinking about in your mind, James, in your mind this is going to be sold to the Latins and you know that he's interested in getting a good rifle to sell to them and you are taking it upon yourself with 1200 to \$1500 to buy the cheapest binoculars even though he's wanting expensive binoculars like infrared-

RAY: He just said -

LEHNER: -and he doesn't even pick them up to look at them, doesn't this give you some kind of suspicion?

RAY: No because I got the wrong, I mean, they didn't have the kind I wanted. If they'd had the different kind, if he'd asked me to go there and get a certain kind or I got the wrong kind or something like that it would of been a mis- a different story. But he didn't seem interested in it, and I really don't press the point. It's just like in jail, if somebody gives me a package and says take this down to A cell and I take it down there and give it to him and he takes it, well that's it, I mean I don't, if the other party don't make no issue of it, I don't make no issue of it either, you know, I'm just more or less getby or whatever you want to call it. So, I wouldn't attach, I didn't attach anything to that at all

KERSHAW: I think it might be a wrong assumption at my own expense and the red- infrared binoculars anyway, it at anything, it's got a little old red film to snap over them.

HAUSMAN: Let me just -- Three or four more items. I think the last one we had was binoculars, and you said -

RAY: Yes.

HAUSMAN: -the last time you saw that was when you threw them on bed. Ah, binocular case?

RAY: I can't recollect that, there must of been as case there but I don't have no independent-

HAUSMAN: Binocular box? Do you remember how the binoculars were packed?

RAY: No.

HAUSMAN: Were they in a case and then in a box?

RAY: They was wrapped up but I don't know what they were wrapped in.

HAUSMAN: Okay. Springfield Rifle, .30-06.

RAY: No, I don't have no recollection of that.

HAUSMAN: The last time you saw that would been?

RAY: The day before that probably.

HAUSMAN: Back in the New Rebel?

RAY: Yes.

HAUSMAN: An Adjusto watch band?

RAY: I may have had that I don't know.

HAUSMAN: Did you normall wear a watch?

RAY: No, I'm inclined to think that wasn't mine. Because I got robbed for a watch in Los Angeles and I bought a new one. So, I would just have one watch. I can't, I don't recall the band at all.

HAUSMAN: But it might of had, just a spare band?

RAY: Yeah, but I don't, I wouldn't know where I got it at. Because it could have been mine but I don't have no recollection of it at all.

LEHNER: Any of these items, ah -- Well let me just withdraw that for a second. Now thinking back you say you remember the newspaper, buying it at the New Rebel, is that right?

RAY: I may have, I don't know. I mean it's just, I usually buy a newspaper so that's why I think maybe I bought it.

LEHNER: Did you just drop that off on the bed when you were up there, or what did you do with the newspaper when you were up in the room?

RAY: I don't have no recollection, it may have been -- I can't, I can't understand why I, I usually buy a paper and glance through it and just leave it in the motel or wherever I'm at. I don't know why I would be carrying it around. But I'm not saying I didn't, I wasn't carrying it around.

LEHNER: What if, did, do you recall Raoul taking a look at the paper?

RAY: No.

LEHNER: What was he doing when he was in the room?

RAY: I didn't see anything he was doing. He was, ah, --

LEHNER: What did you have the bobby pins for?

RAY: I don't even recollect-

LEHNER: I'm sorry.

RAY: I don't even recollect, recollect having them. I'm just assuming they may be mine. The only thing that I,

the watch band I don't have no recollection of having it at all.

I don't have no recollection of having the beer, or the bobby pins, I don't know what I'd be doing with those. And, but some, some - Possibly some woman could of left them in there so-

LEHNER: And did he have any possessions up in your room?

RAY: Not as I know of. I think he had a transistor radio, but I don't know, I'm not positive of that.

HAUSMAN: So you had two transistors up there?

RAY: I thought he had one in his pocket I didn't -

HAUSMAN: And you had your's that you had taken since Jefferson City?

RAY: Yeah, well I, well the one I had would of been smaller than the one of his.

LEHNER: Did he handle any of these items that we are talking about while, while up in your room?

RAY: I couldn't say, I wasn't in there over 15 minutes. I suppose anyone could handle them.

LEHNER: No, when you were there did he handle any of your items?

RAY: No I don't think he handled anything of mine.

LEHNER: Where was the, where was the rifle that he had taken from you the previous day at the New Rebel?

RAY: I don't know where it was at.

LEHNER: Did you ask him?

RAY: No.

LEHNER: Well he was suppose to show to, to Latins up there?

RAY: Well I assumed there was nothing, he had a room rented in the other part of the building.

LEHNER: What made you assume that?

RAY: Oh, by his actions, his conversation.

LEHNER: What, could you specify what actions and what conversation.

RAY: Well he was familiar with the place, ah, I just assumed-- I don't know it's just certain assumptions you make, it's difficult to explain how you make them.

LEHNER: Did you ask him where he was going to spend the night?

RAY: No.

LEHNER: Did you ask him where his car was?

RAY: No I didn't ask him, he asked to use my car so I assumed he didn't have one.

LEHNER: Well how, what did you assume as to how he got to the New Rebel, a motel, without a car?

RAY: I don't know how he got there, I assumed that he had, that he would of had, would of either had to have a car or a taxi cab.

LEHNER: Well, what do you assume as to how he left the New Rebel when it was raining out with the, with the rifle?

RAY: He would of had to have something because the New Rebel is kind of a, it's not in the main part of town, you couldn't just walk down the stree with the rifle.

LEHNER: He didn't call for a taxi when he left your place did he?

RAY: No he could very, well you could of had one waiting or something.

LEHNER: How long did he stay at your place?

RAY: Very -- Not very long.

LEHNER: How long?

RAY: 10 minutes I think at the most. We changed, we exchanged some addresses and that was it.

LEHNER: He didn't ask you to give him a lift with your car?

RAY: No.

LEHNER: He knew your car was out front, right?

RAY: Well he should of, it was parked in front of the building, I don't know.

LEHNER: So there was no, there was no need for him to have a taxi cab waiting since you were, you had driven from Birmingham all the way to, to Memphis just to meet him to give him the rifle, certainly he wouldn't feel that he was imposing upon you to have you drive him from the New Rebel to wherever in town he wanted to go, right?

RAY: Well it's a possibility he wouldn't want me to see where he was going, ah --

LEHNER: Well he could have you drop --

RAY: I, I've --

LEHNER: -he could have you drop him off a block away from where he wants to go, he could of done that, right?

RAY: Well he could of, I don't, I --

LEHNER: You don't think that he had a cab waiting outside the New Rebel all the time he was in there, do you think so?

RAY: I think it was very possible, it wouldn't be \$5, it wouldn't be, it probably wouldn't bankrupt him, if someone

had a cab waiting for a few minutes. But I couldn't see anybody walking that - it was raining that night hard, I couldn't see anyone walking down the street.

LEHNER: Did you see him taking a, with this box, how, what kind of box was it that you had the rifle in?

RAY: I don't recall just what, oversized I think.

LEHNER: Did it say Browning Rifle or whatever it is on the outside of the box?

RAY: I couldn't say, I never paid any attention to it.

LEHNER: Was there any wrapping around the box, plain paper, or was it in a box that would specify that it was a rifle?

RAY: Ah, no, I don't think so, I don't know if -- I have some recollection of something being wrapped around it or something, but I don't know if it's a sheet or bedspread or what. I just didn't pay any attention to it. It -

LEHNER: Well -

RAY: I didn't - Rifles don't interest me.

LEHNER: Well rifles might not interest you in general but you being an escaped convict it would be of interest to, you would be interested in making sure that someone didn't catch you with the rifle, is --

RAY: Yeah, that's the only interest to me, now, I didn't -

LEHNER: I assumed that you were interested in that. Now you, you carried this rifle in your, in your car did you not?

RAY: (No response).

LEHNER: Where did you keep it in the car, what part?

RAY: In the trunk, the trunk.

LEHNER: Well did you have a sheet around it or was it in a box without a sheet around it?

RAY: I probably, I think I probably stuck it in the back and put junk around it to keep it from being exposed in case I had to get in the back of it.

LEHNER: When you brought it into the New Rebel was there, was there anything wrapped around it?

RAY: Ah, I have a recollection of something may have been wrapped around it, but I'm not, I'm not, I'm not positive. I think -- if I had to testify under oath I would say it was something wrapped around it.

LEHNER: What?

RAY: Maybe a sheet. Possibly a sheet.

LEHNER: So when you gave it to him there was a sheet wrapped around it?

RAY: It might of been yes, or something darker, but I'm not, I couldn't -- the only thing I would say is there was something wrapped around it when I got rid of it.

LEHNER: What's your reason for sus-, for thinking that he wanted you to carry this rifle all the way from Birmingham to Memphis and then he takes a cab up, picks up the rifle and has to transport this guy - rifle by cab with just a, possibly a sheet around it to camouflage?

RAY: Well he may have had some - He may have had someone in a car out there, I don't know. But there was some conversation when we was in Birmingham that he was going to New Orleans or something and that was the excuse for me to take it to Tenn- to take it to Memphis.

LEHNER: Well wasn't it the fact that you, what was the reason that he sent you into buy the rifle rather than buy it himself?

RAY: Well, I can't, I can't understand it, I don't know.

LEHNER: Well wasn't it that you were taking the risk, he was paying you so you were taking the-

RAY: Yes.

LEHNER: -risk of buy the rifle and transporting the rifle?

RAY: Yes.

LEHNER: Then why did he take it upon himself to transport the rifle from the New Rebel to this rooming house where all the would could see him walking in with that rifle into that rooming house in broad daylight?

RAY: Well, I don't know if there's any testimony ever been house the rifle got to the rooming house. I don't know, it could of been took up there at nighttime or it could of been, maybe it was never in there, I don't know.

LEHNER: Well if it was in there at nighttime-

RAY: You ran ballistics, I mean is it the real one or what?

LEHNER: Well the ballistics test as I have told your lawyer today are still being conducted. The experts have been in Washington all weekend, and they have finished their test Tuesday, and they are going to come back we think at the end of October to write their final report. Ah, but you're talking about a rifle that you are transporting all across the Mississippi to the New Rebel, and then Raoul decides to transport it the last

leg of the way up until the very place where he doesn't want to be seen with the rifle if he's planning to shoot Dr. King. Why, why do you suspect that he would of done that? Why didn't he have you transport it up there?

RAY: I really don't know why, that would be relving on me quite a bit seems like to me to get a rifle in here a certain time. I, I suppose if you were going to shoot someone, you, you'd want, you really wasn't quite sure whether it was going to be day or night, you'd wan't, you'd want to have it a little ahead of time, but, there's so many -- See, I've got a note wrot- I've got a note wrote down here on this thing, it says, "reason threw bag down, car gone", ah --

LEHNER: What does that, what does that mean?

RAY: Well, I mean that's just another -- these are all hypothesis, it's dif- well you can raise up 15 or 20 hypotheses and try to conclude which one's correct and which one isn't. But me and Foreman talked about this here on February 13th, when I got this note that says "threw bag down, car gone", well, we hypothesized that the car was gone. So, ah --

LEHNER: The reason, the reason that who threw the bag down?

RAY: The reason threw bag down-

LEHNER: That who threw the bag down?

RAY: Well anyone threw the bag down.

LEHNER: The reason that anyone threw the bag down was what?

RAY: Yes. Well we was trying to hypothesize the reason

someone would would put a bag in, in front of a doorway. So, we, I think we hypothesized if you run out the door with a rifle and you see your car was gone you'd probably throw the bag and rifle down and take off on foot, so -

LEHNER: Did he expect, did he expect the car to be there?

RAY: Well if I had moved it, it, he might of - he might of expected it. Of course that's just our, one of our hypotheses if you, in otherwords if you shot someone and run down the stairs and you intended to use the car for a getaway and it was gone why you would --

LEHNER: Did he expect the car to be there?

RAY: I think so. But --

LEHNER: Well -

RAY: -that doesn't mean it's correct.

LEHNER: Didn't he tell you- Didn't he tell you to go to the movies?

RAY: Yes.

LEHNER: Well -

RAY: But -

LEHNER: How did he know you weren't going to take the car to go to the movies?

RAY: Well the movie's about two blocks down the street.

LEHNER: Well how did he, how did he know that you didn't like that movie and you were going to to to another movie in a different part of town?

RAY: Well he done told me he wanted to use the car that night for some reason.

LEHNER: What time did he want to use it?

RAY: Well I, I didn't -- He didn't specify the time.

LEHNER: So you could of driven the car away, come back at 7:00 to give him the car for that night?

RAY: Well that, that was just the hypothesis, I'm not saying it's correct. We were just trying to work out a, a defense.

LEHNER: What does it say under reason threw car, or bag down car gone?

RAY: We -- Can you read your's?

LEHNER: Well --

RAY: I've got one maybe wrote clearer, huh-

LEHNER: It's tuff to read, let me give you my copy and see if you can read it a little better?

RAY: We buy --

LEHNER: Maybe that first word is, use?

RAY: It looks like, use bag to carry binoculars and shells, yes.

LEHNER: What does that mean?

RAY: Huh.

LEHNER: What does that mean?

RAY: Well that would mean use the bag to carry the binoculars and shells in.

LEHNER: Why did you write that?

RAY: Well these were just hypotheses we were thinking up trying for a defense. And these things I would discuss with Foreman when he came up here or he'd discuss with me.

LEHNER: But if he told you just to go to a movie, and

he told you he wants to use it that night, and didn't specify what time, right?

RAY: Yes.

LEHNER: And he planning to kill Martin Luther King, he won't know whether, that his getaway car is there or not, right?

RAY: Well, unless he had another one.

LEHNER: Well if he had another one why would he have to through the bag down if the car's gone?

RAY: Well, no, maybe the other one's for, maybe the police could see it, I don't know, I'm just -

LEHNER: Where would the other one be?

RAY: I couldn't say. Wherever, I think -- I think there's been witnesses testified that there's a car left there in a different area within where I was parked at. Now if that's correct I don't know.

LEHNER: So you mean he had a second car?

RAY: Well Arthur Hanes, now he, he claims there's a second a car, I don't have no knowledge of it myself.

LEHNER: Well what would happen if your car was there, if you had left the car there, would he of used your car?

KERSHAW: He would of driven off in both cars to confuse the police.

RAY: He had, he had a set of keys to my car, I know that. So I don't know if he would of used mine or not.

LEHNER: Well, if you, what, if your car was still there he would of used your car and left his own car there?

RAY: Well I don't know. These, these are all hypotheses.

I suppose very well if he had used my car it would of put the heat on me.

KERSHAW: Like throwing the bag full down, full of his stuff to put the heat on you.

RAY: I suppose he could -

LEHNER: He would of used your car and driven away in your car, but he would of had to left his own car because he had his own car as a back up car, right?

RAY: I don't know if there was anyone else driving, driving in that area, you know, to pick him up or what.

LEHNER: But if there's someone else to drive to pick him up, that someone else would of been there and he wouldn't had to dropped the bag down.

KERSHAW: He would/had to drop the bag down.

LEHNER: But you were hypothecating that he dropped it down because the car was gone, right?

RAY: Yeah, see these hypotheses, ah, at that time, you know I'm in a different position now, now I've got to prove I'm not guilty. But at the time it was, you know, it was up to the State to prove I was guilty and what we were doing is trying to get these, the hypothesis to where we could maybe prove ours and we would be more stronger than the State. So, ah -

LEHNER: Well did you think, did you think that he, when you were waiting trial, did you think that Raoul had set you up?

RAY: Not particular no.

LEHNER: Well did you, did you think that he dropped the bag with your finger prints on the gun because he wanted to have you as the scapegoat?

RAY: Well I don't know. I, I always assumed people do things, you know, in their own interest. No necessarily opposing my interest, but it might work out where it would be opposing my interest. As far as the bag goes that's why I've got down here, you know, carrying the, I tried to figured out why somebody, why someone would anything, why he wouldn't want a bag. Well if he wanted a bag he he might want to carry ammunition in it. You know, incase the police jumped you up. If the police jumped you up why I suppose the ammunition and the rifle would come in fairly handy. So that's why I hypothesized from that position.

LEHNER: Well, what I'm -- What I'm trying to get at is, if he dropped this bag down with your finger prints on the gun in your mind was he doing that to lay sususpicion on you?

RAY: Well I don't think not necessity.

LEHNER: So you think that he probably would of tried to get away with the gun?

RAY: Well I think, I think anyone would try to, on a murder charge would try to shift the heat a little bit. But it could be done in several ways. I, I assumed that this stuff was found in my car and parked four or five blocks away and all these rifles and binoculars or whatever it was in there, it would probably throw a little heat on me, you know, in order to get the other person, you know he could get away, but --

LEHNER: You think that he was going to put the, the gun in your car and then take off in another car?

RAY: Well that's possible, or he could use my car, because I gave him the keys and he could of left it three or four blocks away as sort of a getaway car. That's the way I look at things of course I look at it from the --

LEHNER: Well wouldn't that be that he was trying to put the heat on you then? Leave a gun with your finger prints--

RAY: Well I--

LEHNER: -in your car three or four blocks away.

RAY: Well that's possible, well that's possible. You see, but I always try to look at the best, you know the best in everyone so I don't seem to be --

EVANS: Gosh, you're doing 99 years.

RAY: Yeah, I know it. But I assumed everyone looks at, I just assumed everyone is looking out for themselves and if, if it comes between you and them, well naturally it's going to be them. Because I know that's the way I would look at anything because if it was up to me or another party then it would just have to be the other party.

LEHNER: You've had nine years to think about this now. Do you think that Raoul if he could of would of tried to get away and not put any heat on you?

RAY: I think -- I think, well, I think it would of been in his interest, I know it would of been -- I try to think you know, what's in my interest, how I would act in a similar situation. I think it would of been in his interest to shift the heat on me, definitely that. Well, how, how much heat he wanted to shift on me I can't, I couldn't answer that, that's another question.

LEHNER: And he shifted the heat on you and away from him-

RAY: Yes.

LEHNER: -if the gun was found with your finger prints and not his, right?

RAY: Yeah. See I don't --

LEHNER: So, therefore, you think that he disposed of the, of the gun with your finger prints on it to draw heat away from him and on to you, isn't that right?

RAY: See, the only thing I can think of was, when I would of been tring to, framed at would been on the binoculars, because I handled those, but as far as the rifle was going - Ah, it could of just as well turned out that my prints would of never been on them because it'd been so long since I'd handled it, but --

LEHNER: How did he know that you handled the binoculars? You didn't handle the binoculars in his in his presence. For all he knew you bought those binoculars in the store and you looked at them and they were put in the box and that was the end of it.

RAY: Well there's certain assumptions that you make though. Because if you go buy something, I mean, they're in a box where your finger prints are going to be on them. Ah, the only thing in the whole case that makes me think that somebody is trying to put the heat on me is the binoculars. It's not the rifle, it's not the case and all that stuff. It's --

LEHNER: Just, just try to think of this. Do you think that he dropped those, that, that bag with your finger prints on whatever

is in there to draw the heat on to you and away from him?

RAY: Yes, it's just a matter of degrees, is the only thing, word we differ on. I know I don't think it was malicious. I look at it as a professional rather than malicious.

LEHNER: Forget about whether it was malicious or not, he wanted to put-

RAY: All right.

LEHNER: -the heat on you and away from him.

RAY: Yes.

LEHNER: So he dropped the bundle there, right?

RAY: Well it's possible I don't know, it's-

LEHNER: All right, then why are you hypothecating that he dropped it there because the car is gone?

He's gettin-, the way, the way you are figuring it out is that he has someone else to drive him away. If he has someone else to drive him away the reason he drops it is not that the car is gone, if the reason he drops it is he wants to take the heat away from himself and put it on you. So how does this comment that you made to, to Foreman make any sense?

KERSHAW: It's an alternative.

RAY: We, we didn't discuss one hypothesis, this is just one of many. Ah, see I tried to put myself, I don't have all these devious ways of looking at things, I try to just put my position of what I would of did if it had been my position. If I would had the police on me I would want some type of weapon to defend myself, expecially if I had, you know, on a murder charge. And, now I figure that's the way someone else, of course, I

mean you could always, like you say you could, you could lay something down there to put the heat on someone else, but, you know there's two ways to look at a criminal. Some criminals they look at things the devious way, the con man, and then some type of a armed robber, or something they look at things more or less more straight on. And I can't look at all these various angles. The only thing I was doing is just trying to, you know, get one hypothesis where it would sound reasonable and go ahead and put it on the jury.

EVANS: Did you ever hypothesize as to how Raoul carried out the commission of the crime?

RAY: Ah-

EVANS: Did you ever place yourself in his position?

RAY: With reference to the bag I have, yes.

EVANS: In reference to the whole thing?

RAY: No I haven't.

EVANS: All right, did you ever hypothesize as to whether Raoul did or did not do it?

RAY: Ah, yeah, yes I have in, for legal reasons.

EVANS: Okay. And what did you come up?

RAY: Well I'd just say I wouldn't know. Because I didn't, see anything and that, where I --

EVANS: Well based on what you know about the case, what you've read, what you've heard, how do you think it was committed?

RAY: The crime?

EVANS: Yeah.

Taking into consideration that the bundle was left in front of Canipe's which implicated you.

RAY: I think this was my head right at the time, and I think I'm still inclined to think that somebody came down the stairs to get in the car and the car was gone and so they just left the junk.

EVANS: All right. Prior to that, say from the time that you left Raoul, and you left the box in the room, in the time you left until the box was dropped had you ever thought about what occurred inbetween that/^{time}that caused whoever the person was that dropped that box to drop it there?

RAY: No I don't know, I haven't read enough, I'm not trying to be evasive.

EVANS: Yeah.

RAY: I haven't read enough to really determine just when the box was dropped. There's some people that say it was 15 or 20 minutes before the shooting. And some people say it was after. So -

EVANS: All right. Well what I'm saying is, did you ever give any thought to what occurred in that room in the bathroom or what occurred in that particular rooming house in that particular arear of the rooming house after you left, which ultimately resulted in that box being dropped in front of Canipe's?

RAY: Well, yes, I thought about it, there's really just, I mean there's just two, two answers to that, it would be he was either shot from the rooming house or shot from the bushes down stairs.

EVANS: Shot from the bushes down stairs?

RAY: Yes.

EVANS: Okay. All right, let's assume that he was shot from the rooming house, can you imagine how that could occur? Have you given it any thought?

RAY: No I really haven't given it that much thought, how, how --

EVANS: Could you think about it now and sort of verbalize for us for us what you think might of occurred?

RAY: Well see I've heard, I've heard so many different things that's it's difficult for me to really come up -- At the evidentiary hearing we had an expert witness testify that it would be impossible to shot anyone from the bathroom. So it's, it's really difficult for me to come up with any hypothesis. The only thing, I always look at things possibly the way I do and I figure, I always assumed that a weapon would come in handy if you every had to make a getaway from some serious crime. But other than that I could speculate on any other.

EVANS: Okay in that light a weapon needed, is need to make a getaway. Ah, why would you need a weapon?

RAY: Well I suppose if the police jumped, jumped you up or something like that you would probably need it.

LEHNER: You would need a rifle or you would need a hand gun?

RAY: Well I mean I'd rather have a handgun but I could see where someone else may rather prefer a rifle, since I'm more conversed with a handgun, but -

LEHNER: Well if you just used the rifle to kill Martin Luther King you wouldn't want to have to be found with that rifle would you? You'd rather if you had to, if you could you'd try to get rid of it wouldn't you?

RAY: I assumed -- Well, yeah, after you got out of the area you'd probably get rid of it, but I'm, I don't know if you would want to get rid of it right away. Well, like I mentioned, I'd, I'd much rather have a handgun, not only the police but somebody might try to snatch, grab you or anything like that, but I don't know how, some people prefer a rifle, some prefer a shotgun. I'm just telling you my preference.

LEHNER: Well is it, do you think that what might of happened was that Raoul used that rifle to shoot from the bathroom, put it in a bag, dropped it in front of Canipe's and made the getaway?

RAY: Well I, I couldn't say that.

LEHNER: Is that a possibility?

RAY: Well I guess if there, there's witnesses there that seen it, the police seen it, they know. I mean you you really don't have to ask me because people, other people know about it.

LEHNER: Well I'm asking you not because you are a witness, I mean according to your account, but what you think is a possibility you knowing Raoul, and you knowing the situation, you being, doing 99 years for it, I'm sure you have a lot more time to think about it and a lot more interest in it than most other people. Now I'm just asking you, is that a possibility that Raoul used the, the rifle that you bought at Aeromarine to shoot Dr. King

through the bathroom window and then dropped it with other items in front of Canipe's and made a getaway?

RAY: Well there had to be some reason to drop it there because the only reason that it could of been dropped there other than being some type of plant or something is, if he couldn't get to the car or something like that, because , ah, I can't see any other reason for, for a, for dropping it. See, see, see Huie, these various book writers they say that I dropped it there so that I could get publicity, but I mean I don't really know how you could accept that because if you did, if you accepted something like that you'd have to accept the person was insane and he should be in a lunatic asylum, so I can't --

LEHNER: Is it possible that someone could of dropped it there because they saw some police officers and they figured they would rather not be found with the rifle but to rather to drop the rifle and make a getaway without the murder weapon?

RAY: No, I can't see, I can't --- I -mean I've been told that several times but I can't see anyone dropping the bag, the rifle if he sees the police officers, because if he does that the police officers can see him. So --

LEHNER: When you, when you say you were told that several times who told you that?

RAY: Ah, right after I got in the prison apparently the prosecuting attorney told Avery to say, hold a news conference, he was the Correction Administrator, he held a news conference and he said that James Ray dropped the bag there because he seen the police officers. And I got to thinking aobut that for a while, and I said, well that really don't make much sense

because if somebody drops a bag, because he sees police officers, well the police officers is going to see him. So -

LEHNER: Not necessarily.

RAY: Huh.

LEHNER: You mean you never seen someone who didn't see you?

KERSHAW: Might, he might be turned the other way, he might see the back of a police officer.

RAY: Huh?

LEHNER: You never seen someone who didn't see you, you've never seen a police officer in a car, and rather than take a chance on having the officers in the car see you, you, you dispose of something, isn't that a possibility?

RAY: That's a possibility. I've never been in that situation, but I, I could see it would be.

LEHNER: You've never been in a situation where you were traced, where you saw police officers after, after you --

RAY: Well, well let -

LEHNER: After you've committed a crime have you every been in a situation where you saw police officers?

RAY: I can't think of any.

LEHNER: No?

RAY: Let me, let me ask you this, if the police officers, if the police officer, if he could see the police officer you know they are going to see him if he gets in the car and runs off in a cloud of dust they got to see that.

LEHNER: Well not necessarily.

RAY: There's only a police officer there, and I've talked

to these police officers, the only police officer there would, were within a hundred, hundred feet of the rooming house. And if there was any cars or people running out of that rooming house they are going to see them.

LEHNER: That's assuming that they were directed to Main Street and not to Mulberry Street where the crime occurred.

RAY: Well, from conversations that I've had with them they all didn't go to Mulberry Street.

DeFour went to Mulberry Street, but Barry never did go to Mulberry Street. According to Berry and some of the other ones there was, I think there were three, three attack cars and there were four officers in each attack car. I have checked into that.

LEHNER: Well I can't, I can tell you that witnesses have been spoken to and they heard the bundle dropped and that very shortly thereafter police arrived. So I can tell you that it was certainly within the realm of possibility that the person who dropped the bundle saw a police officer. Now I can also tell you that no police officer saw the bundle dropped. The police officers that have been spoken to. So in all fairness I'm, I'm telling you what has happened as far as the interviews that are being conducted, that it is apparent that the bundle was dropped shortly before the police officer found it and that no police officer saw the bundle dropped. And in viewing that area it is possible that someone could see police officers in the area of the fire station and yet the officer not be looking at the person who sees him. Many times you see someone who is looking away, because you see someone else doesn't mean that that person

is seeing you isn't that true?

RAY: Ah, it's possible, I would agree that it's, yes -

LEHNER: So it's a possibility that the person who dropped it whoever it is, dropped it because he saw some police officers who didn't see him at that very moment, isn't that true?

RAY: Yes. In otherwards he saw them, but he dropped it, got in the car and drove off and all the time they never saw him?

LEHNER: Yeah. Isn't that, you don't think that's a possibility?

RAY: No.

LEHNER: Well if you, if you committed a crime, let's hypothe-, hypothesize that you committed a crime and you had the murder weapon on you, I'm saying murder, it would be to your interest not to be found with that murder weapon, isn't that true if you got stopped? You could deny the murder and rely, rely upon eyewitness testimony and say, well what do you have on me, right?

RAY: Yes.

LEHNER: Now, it would be to your advantage also to wipe off any finger prints that you might have on that weapon, isn't that true, so that if it's found you wouldn't, your finger print wouldn't be found on it. If you had time to do that, isn't that true?

RAY: Well if it would be to my advantage I would wipe them off.

LEHNER: You would, if you had time?

RAY: It wouldn't be no question, I, I'd of had time before, I would, I would of had time before I did it.

LEHNER: Well you have to think-

RAY: Huh.

LEHNER: -you have to think there's one, there's one thing you want to do is to get out of there as quick as possible too, right?

RAY: If I were going to use a weapon to commit a crime with it there wouldn't been no prints on it before I committed the crime.

LEHNER: Well, could I ask you --

KERSHAW: Or after either.

RAY: Huh. Just like -

KERSHAW: Because you would of wore the band-aids.

RAY: It was like the Mustang,, the Mustang there was no three print on the Mustang or anything. I had, I had everything wiped off when the heat was on me.

LEHNER: Think of this, how did in your opinion, how did Raoul arrange if there was going to be a police alarm, look out for a man in a white Mustang?

RAY: How did he arrange that?

LEHNER: Yeah. How did he throw the heat off himself and put it on you by arranging that there be an alarm, a man in a white Mustang?

RAY: Well I, I, the only thing I know about that was the, the, somebody cut in on a, citizen band radio cut in on a police call and, but I don't know if, -

LEHNER: That was way later. Way later.

How did he arrange at 6:08 to have on the police, the police radio, man in a white Mustang involved in the shooting of Martin Luther King?

RAY: Well I don't think he arranged for that did he?

LEHNER: How did it happen?

RAY: I couldn't say. I've read books -

LEHNER: You've had 9 years to think about this, how did it happen --

RAY: I've forgot about this five years ago, I'm just telling you recollections.

LEHNER: Well -- Well see if you can think about it.

RAY: All right.

LEHNER: You've been -- You might have an interest in this question. You might have, if you've had nine years to think about it you might have 90 more, God willing, for your, for your longevity.

RAY: Yeah.

LEHNER: Ah, how did he arrange, or how did it get arranged that at 6:08 on the police radio they are looking for a man in a white Mustang involved in the King case? Certainly it couldn't be your white Mustang because your white Mustang was in the, in the, in the gas station at the time. Your white Mustang didn't even get within a block of the rooming house, right?

RAY: It's my understanding that every car on that block was white, parked there around 5:00 they were all white for some reason, there's 7 or 8 cars.

LEHNER: You had seen that during that day, right?

RAY: Huh.

LEHNER: You had seen those cars there? You had seen the white cars there?

RAY: Yes.

LEHNER: All right, so you knew about that?

RAY: Well that stuck in my mind all these white cars parked out there.

LEHNER: Right, go ahead.

RAY: I think the Cadillac, was it white too, Jower's, I don't know. But, I think, there was reports of white Mustang had left the area one right after the crime and one about 15 minutes after. And I suppose, I assume that's why the, the, they put the all points bulletin out for a white Mustang. Because they seen one left right after the -

LEHNER: What, which white Mustang went 15 minutes afterwards? Where did you get that?

RAY: Well I got it out of the books, that's where I got all the information.

LEHNER: Well, 15 minutes after that, the police were on the scene long time before that, so -

RAY: That one didn't count. The second one didn't count. The first one I think they seen one, however they got it, I don't know how they got it. I, I--

LEHNER: How did Raoul arrange this, if, trying to take the heat off himself and putting it on you? How did he arrange that, that the police would have an alarm for a white Mustang at 6:08?

RAY: I don't -- I don't know if he did arrange it.

LEHNER: How did it happen?

RAY: The only thing I, I don't know how it happened.

I think --

LEHNER: How do you assume it happened?

KERSHAW: Raoul or one of his other confederates they drive away in a white Mustang rapidly at 6:00, so that the police see this, so this is the information from --

RAY: Well if the police seen him drive away then they the person get in the Mustang wouldn't they?

LEHNER: And wouldn't they chase that Mustang?

RAY: Huh?

LEHNER: Wouldn't they chase it?

RAY: Yes, if they saw it drive away. I would assume they would. Unless, unless they thought the shot came from somewhere else.

LEHNER: And wouldn't he then run a risk of being caught?

RAY: Well I suppose so. I'd --

LEHNER: And so how does he, how does he arrange as part of the plan to, to put the heat off himself and on to you, how does he arrange for a white Mustang to be sought in this case, since he was, he was, he was also planning to have your car available but he didn't.

MR. KERSHAW: Mr. Hanes' theory is that there were two white Mustangs there.

LEHNER: And what, he took off in the other white Mustang?

KERSHAW: Yeah.

LEHNER: Well if he took off in the other white Mustang that means that he didn't do, he didn't do that so as to draw heat away from himself, he was drawing heat towards himself if the police are looking for a white Mustang and he's in a white Mustang.

KERSHAW: But when you drive away from the immediate scene, every car, every, every job I've pulled, you have another car waiting within a half block to pick you up. And they leave in a white Mustang but you always have someone, something else. That's what I always read in the newspapers.

RAY: Well that doesn't always ^{work} / though, because I got 20 years for doing the same thing like that.

KERSHAW: Well I didn't say it always worked, but - right?

LEHNER: What, what if you had gone to the movie theatre, did you, did he tell you to go to a movie theatre?

RAY: Suggested, yes.

LEHNER: What if you had gone to a movie theatre as he suggested, and you were in that movie theatre at the time of the shooting, you'd of had an alibi wouldn't you? You'd have everybody sitting around you, you'd have the ticket taker, you'd have the stub, how was that going to draw the heat on you?

RAY: I done said that I don't think anyone had malicious intent toward me.

LEHNER: So why did he drop that gun with your finger prints on it in front of Canipe's?

RAY: Well that wouldn't necessarily been malicious, that

would of just been shifting the heat, they call it.

LEHNER: Because, because the car was gone?

RAY: Yes.

LEHNER: Well if the car was gone how does he make the getaway?

RAY: Well if --

LEHNER: Does he make the getaway on foot?

RAY: Well if there's another car there--

LEHNER: Then why didn't he get into the other car?

The reason he dropped the bundle was not because the car was gone then.

RAY: Well that --- I'm talking about my car, I'm not talking about another car.

LEHNER: What is, what's the purpose in your car being gone if he has another car, he could take that, that rifle into the other car and get away.

RAY: Well I mean, I don't know, I, either thing it really don't make no big deal to me. I think you could have two cars there or you could have one car. One might be a back up or one --

LEHNER: So why is he dropping the bundle if his, if his, other car is there? Is he dropping it to draw heat on you?

RAY: Maybe he is, I don't know.

LEHNER: Well if he is and they find that rifle and it has your fingerprint on it and you are in a movie theatre or if you are in Jim's Grill with 10 other people and the police come and say, okay, everybody stay here and they ask the people have, has anybody in the place, anybody entered or left in the last 10 minutes and everybody says no, you've got a perfect

alibi in Jim's Grill. It doesn't matter what's on that, that, the fingerprints in that, on that gun. The heats not drawn on you, this isn't too good of a plan of his, is it, by - by just letting you go anywhere you want to go and now drawing the heat on you by, by dropping a gun with your fingerprints. It just doesn't make, seem to make any sense.

RAY: Well, I -- I more or less -- I would probably went to jail if they, if I had of been in the movies and they found the rifle and my prints on it, and me e caped and all that, but -

LEHNER: You would of - You would of had a great alibi, right?

RAY: To the actual murder yes.

LEHNER: You would of had to go back to Missouri State because you're, you're an escapee.

RAY: Well I would of probably, I would of probably got 50 years for being, aiding and abetting in the killing, and plus 20 in Missouri. So it really wouldn't make much difference whether I got 99 or 50 or what.

LEHNER: Well how did he know that if you were picked up that you weren't going to say, hey, I was in the movie theatre, and you'd have alibi witnesses. And they guy that did it is a guy by the name of Raoul and I'll describe him to you. And I'll tell the telephone number where, where you could reach him in New Orleans. I'll tell you, I'll give you a description, I'll tell you about all his friends, how, what's -- what's to his advantage to have you caught, if you are caught you're a potential witness to, that's going to put the finger

on him, why does he want you caught?

RAY: Well, I, I don't -- I couldn't answer -- These are all hypothetical-

LEHNER: Ah, yeah, I'll ask you another question. How does he arrange to have none of his fingerprints on the gun and your's on the gun when you, you handled the gun before him, you handled the gun at Aeromarine, that's the last time you handled it, he handled it in Birmingham afterwards and then he handled it thereafter, anyway, anyway he did, how does he arrange to have his prints off the gun and your's on the gun when he, when he handled it after you do?

RAY: I think that's one of simplest things. It's possible to keep your prints off of a gun, you can put wax on your fingers, you can put band-aids on there, that's --

LEHNER: Well he didn't have any band-aids that you saw.

RAY: Well I didn't inspect his hands, I never checked on anybody's fingers.

LEHNER: Well, you're, you're pretty knowledgeable in that because you've, you've worn band-aids you say in the '50's. How does he, how does he know that your prints are going to be on that gun?

RAY: I don't think anyone knows my prints was on it, I don't think my, I think one of my prints was - they were, they were in a very unusual place. They were -- In other words to be handling the gun if you are going to shoot someone the, the prints were one here and one here, and I think they were three parts of a print where, if I would of been gripping the gun it would of been clear prints on the barrel and the stock, probably

three or four in each place.

LEHNER: So how does it put any heat on you? How does he know that he's putting any heat on you? How does he know that you handled the gun at Aeromarine? He handled the gun later in Birmingham, and he handled the gun afterwards to shoot King.

RAY: I think the best answer to this question, these are all just hypothesis-, I think the best answer to this question is, there was no question. If everything is open and shut like you might think it is, it would of been a jury trial, they'd convicted me and give me 99-years or the death sentence and that would of been it. But, since they didn't do that and they suppressed everything, I think that indicates that there's more to it than just a simple answer about possibly someone -

LEHNER: Well we're seeking from you some information as - as - as to these new materials that you are alluding to, different hypotheses. But I'm asking you have, you've had more chance to think about this case than anyone else, how does he, how does he handle this that he gets, ah, your prints on the gun and not his? He has an alarm, 6:08, for a white Mustang, he's trying to implicate you by dropping the weapon there, and yet, and yet you write us one of your hypotheses that the car is gone, that's why it's dropped, and he doesn't even arrange for you to be at a place where you wouldn't have an alibi?

RAY: Well there's several arguments you can make on it. I mean, I want - I think you are mistaken in the first place in thinking that I just spent 8 or 9 years thinking about

this case. I mean, if, if you think that, well that, I would be putting a lot of reliance on the legal system, which I - my - my reliance on the legal system is about nill. So the only time I think about this case and all these different hypotheses is when I got to testify incourt or come before the Committee. This don't interest me the least except, you know, when it's necessary for me to testify. So I don't -- I don't sit around and think about all these various hypothesis and why someone did this. Ah, usually my answer to that is the legal system, if they were really interested in getting the case solved and getting it off the books they would of did it 9 years ago, they wouldn't wait until nine years later and then, you know, interested in the various hypothesisises what -- You know, what might of taken place, but I think what, all this stuff -- There's witnesses down there in Memphis, I think there's 8 or 9 of them, seen people sitting in the car, they seen people get out of the cars and all that, and they would probably be a lot better witness on this than me. The only thing I can testify to is what I did. I can't testify to what, you know, what is in someone else's head.

LEHNER: When you were in the New Rebel did, what time did you check out of there?

RAY: In the morning? Ah, I would say about 11, 11:00 or 11:30.

LEHNER: What did you do in the New Rebel? Was there a TV there to watch or what?

RAY: Ah, I seldom watch TV, I don't know if there was a TV in there or not.

LEHNER: And-- Okay, why don't we -- We were continuing on the list of -- You, you were reading a piece of paper, why don't we continue with that?

RAY: Ah, well let me -- I got these - this - this station that Huie talked about conspiracy in Los Angeles, KNBC TV, and says there's four people again. Now, I'm going to - I know two of these people, I'll just give the names. I know, I think they are bogus because he never got them off me, and they are probably someone he's prejudice against. I think one of them's name is, ah, Grady Parton, wasn't it? And the other one's name was, what was the other guy's name, Leland Perez?

KERSHAW: Leland Perez.

RAY: Leland Perez.

KERSHAW: Yeah.

RAY: Now he, these are the two, these are the two of the four people he is talking about. Now Huie said he couldn't put the heat on them because they'd sue him for libel and he couldn't testify in public. But like I say that's just, that's just his, ah.

HAUSMAN: Did he tell you where he got those names from?

RAY: He got four names, he said he couldn't, he couldn't testify to them because -- Well, I think he testified here in a deposition, he said he couldn't refer to them because the Attorney General didn't have enough evidence on them, but he never did discuss them with me and I never discussed them with lawyers.

I heard Thompson was connected with Perez-, Parton and that's it.

EVANS: Yeah. James, you referred earlier to a guy by the name of, from New Orleans -

HAUSMAN: Thompson?

RAY: Baton Rouge.

EVANS: Ah, Courtney?

RAY: Yes.

EVANS: What kind of conversation did you have with your brother relative to Courtney?

RAY: Ah, well Hanes had mentioned him or I had seen him on TV, and it was relative to communism, and I wanted him to check some of these phone numbers out in New Orleans or -

EVANS: You want Courtney to check this out for you?

RAY: Yes. I was going to have my brother see him first and let Courtney check them out.

EVANS: Had you know Courtney before?

RAY: I never heard of him before except I use to see him on TV or Arthur Hanes mentioned him, it may have been Hanes. I think Hanes mentioned him maybe in reference to some communism investigation.

EVANS: And why did you think Courtney could help you?

RAY: Well if he was -- At that time, I don't think that now, but at the time Hanes was mention-, well first I think everybody believes that I was associated with somebody. I think Huie says they are criminals and I cut off and did it myself. But anyway with reference to who I was associated with no matter who they was, Hanes' theory was that they were communist or something like that, so I was investigating that end of it.

EVANS: All right. But why did you choose Courtney?

RAY: Well he was suppose to be an expert in it or something.

MRS. KERSHAW: He was very rightist.

EVANS: He was a very right wing guy?

MRS. KERSHAW: Yeah.

EVANS: Was the fact that you were in New Orleans, and that he was from New Orleans, did you think in those terms as to whether he would be able to assist you?

RAY: Yes. And the fact that I had made several phone calls there.

EVANS: You made several phone calls-

RAY: Yes.

EVANS: -to who? To Courtney?

RAY: No, to the other party while I, while I was on the street.

EVANS: Oh, to New Orleans.

RAY: Yes.

EVANS: Okay.

HAUSMAN: This morning you said that you gave Jerry a phone number from Baton Rouge, and before you gave him the number you knew the phone number belonged to a guy named Thompson.

RAY: Yes.

HAUSMAN: How did you know it belonged to a guy named Thompson?

RAY: Well, I got, I got the phone number in 1967 while I was on the street, and I thought it was a back up number. Well one time I went to Baton Rouge--

HAUSMAN: You got -- You got the number from who in '67?

RAY: This Raoul. Well one time I went, I was on the way

to Mexico and I had these two numbers, one was from New Orleans and one was in Baton Rouge. So I thought I'd call the Baton Rouge number up. Well it was, it was busy or something so I went ahead and called the New Orleans number up. But, then I went down the, I took, I took the Baton Rouge number, I was in a motel and I went down the last, I went down the last two numbers of the phone, the phone numbers until I got all the way through, until I run, I run into the Thompson name. Then I remember -

HAUSMAN: You mean the last two digits of the seven digit number?

RAY: Yes. Until the last two digits matched up, I just kept looking at that.

HAUSMAN: Down an entire phone book?

RAY: Well Baton Rouge is not really a big town, and it took a couple of hours to do it. But the phone book it seems to be a bigger phone book than the town should be, and that's the way I found the Thompson number.

HAUSMAN: Where were you when you were doing this?

RAY: I was in a motel.

HAUSMAN: In Baton Rouge?

RAY: Ah, on the out, outskirts of it, yes.

I'm not a hundred percent positive of it but I know it was a tall building there and I understand later it was the capitol building.

HAUSMAN: And when were you there, when you were in this motel outside of Baton Rouge?

RAY: I was on the way to Mexico.

LEHNER: James, I think, did I understand this, you had the phone number at that time?

RAY: Yes.

LEHNER: And you wanted to know who, who it checked out to so you just took the last two numbers, which were what? What were the last two numbers?

RAY: Ah, I think they were 84.

HAUSMAN: Do you have the whole number there?

RAY: Yes.

LEHNER: What's that whole number?

RAY: I got it wrote down backwards, 924-4384.

HAUSMAN: 924-4384, and that's the Thompson number in Baton Rouge?

RAY: Yes.

LEHNER: And is that the correct way the number is, or what you just gave us?

RAY: You got the correct way. I'm reading off here backwards.

LEHNER: So you had 84 and you just went down the, the book and when you saw 84 you, you'd go up to the side and then you'd see it wasn't the correct number, and you'd just keep going--

RAY: Yes.

LEHNER: -until you found that number, and you found it all the way in the T's, Thompson?

RAY: Yes.

LEHNER: And what did you do once you did that?

RAY: I took the name down.

LEHNER: And then what did you do?

RAY: I didn't do anything. I didn't -- I investigated it later but it got three or four different-- I, I come to the conclusion later on it that it was planted because I never did use it.

LEHNER: Why didn't you call it at that time?

RAY: It was busy or something so I went ahead and called the New Orleans number.

LEHNER: Now, you gave that number after your arrest to who?

RAY: Ah, Percy Foreman was the only one I ever gave it to.

LEHNER: You gave him the name or the number?

RAY: I gave him the number after my brother got it.

LEHNER: You gave the name to your brother, Thompson?

RAY: Yes.

LEHNER: Because you remembered that--

RAY: Yes.

LEHNER: From having found it in New Orleans?

RAY: Yes.

LEHNER: In Baton Rouge that was?

RAY: Yes.

LEHNER: And then from that he got, he got the telephone number for you and you gave that telephone number then to Foreman?

RAY: That's correct.

LEHNER: And was anything done ever to check that number?

RAY: Ah, he came, Foreman came back a few days later shortly after and he said if there's anything, he said something about he had interstate gambling connections and if there was any phone numbers to get he'd get them, and he'd mentioned some guy named Meyer Lansky or something. He wasn't going to get them off Lansky but he said he had these interstate connections where he could get a phone number. And then later on he did come up with two phone numbers, but --

LEHNER: What numbers were--

RAY: Huh.

LEHNER: What numbers were they?

RAY: Well he's got them. He said one was a tavern and one was a place in New Orleans. It's in his deposition, but he don't give the numbers, but he says he got them but we never did get them.

LEHNER: And how did he get them?

RAY: Well, he claims that -- he don't -- he's vague about it. He says I confirmed them, that I, he showed them to me and then I confirmed that I, I was using them while I was on the street. But, it's in the deposition but for some reason the attorney, Lesar, he don't, you know, he don't ask him who the numbers belong to, so Foreman says that he checked the number out, not the tavern but the other one and it had been disconnected and Lesar asked him, well did you see who was a witness and he said, yes, and that was --

HAUSMAN: Well then you -- When you left Baton Rouge and went to Mexico and you met Raoul, ah, in Neuvo Laredo?

RAY: Yes.

HAUSMAN: Did you ask Raoul if Thompson was one of his associates or friends?

RAY: Nope, no I never mentioned it.

HAUSMAN: You never mentioned to Raoul that you knew who one of the numbers was?

RAY: No, I never mentioned it.

LEHNER: Why?

RAY: Well, well that wasn't my concern.

LEHNER: Well you might of said, well gee I might gotten the number wrong. Maybe I was trying to get you but it was Thompson?

RAY: Yeah, I, I don't say things like that, you know, he don't pull things like that.

LEHNER: Why not?

RAY: Huh?

LEHNER: Why not? He gave you the correct number in New Orleans didn't he?

RAY: Yeah, but I --

LEHNER: It wasn't that he was trying to trick you, you had a New Orleans number that you used twice, two different New Orleans numbers that you have used, both of which were successfu

RAY: Yes. But I wouldn't ask any type, any that type of questions that's just, I mean I, you look at things different from me and I just, ah, I wouldn't -- the only two questions

that I ever asked him, I asked him something about what a Spanish word was, and he said, he didn't answer, he was evasive and I asked him something else. But I wouldn't ask anyone especially a criminal associate where he was a, whether he was, some of his personal business.

HAUSMAN: Well it wasn't, it wasn't just his personal business. It was a number that he had given to you-

RAY: Yes.

HAUSMAN: -to use just incase you needed it.

RAY: Yes.

HAUSMAN: Didn't you want to, you know, to check out that this number was good and this guy Thompson could be trusted if you had to call him?

RAY: No, I -- I, I didn't think anyone, I didn't think anyone would expect me to do something like that, go through a phone book and try to find a name.

LEHNER: Well you didn't have to tell him that, you could of just said, hey this number in Baton Rouge do I have it right, so and so and read it off to him?

RAY: Yeah.

LEHNER: Why didn't you do that?

RAY: Well I just never, I just-- I wasn't interested in things like that because that's more of a detective type of work. I was just interested in -

KERSHAW: Well you-

RAY: You know in getting the money or get out.

EVANS: James, when you, when you were, Hanes was preparing

your defense, right?

RAY: Yes.

EVANS: And Raoul had shifted the heat to you, right?

RAY: Yes.

EVANS: And he was sort of shifting weight, why didn't you tell Hanes about the Thompson phone number and shift the weight back to Raoul?

RAY: At that time I didn't think, I think it would of probably caused more harm than good. Because if I would told Hanes it would of went right straight to Huie and it was always my, it was always, it's always been my position and it still is that I would of been much better off going to trial alone than having someone else saying, you know, like the Jablowski trial, everybody else pointing the finger at everyone else because --

EVANS: Well, Thompson didn't know you.

LEHNER: Didn't you, Didn't you pick Hanes as your lawyer though, because you trusted him?

RAY: I didn't know anything about Hanes except for, I seen his name in the newspaper or I heard him on TV or something.

LEHNER: Well, you didn't have any falling out with him until September, right, at the earliest, September you began to question him.

RAY: Yeah, we was having trouble in September, yes.

LEHNER: But certainly July, August no problems, right?

RAY: Well there's trouble, there was always a certain amount of trouble with giving information to Huie. I knew he was giving the information to Huie within the first two weeks. Because you know witness list started coming in with

more people on it every time I talked to Hanes.

LEHNER: So you could of cut that out, cut out, cut Huie out, right?

RAY: Well there -- There was two million dollars involved in it for Hanes so you know he's not going to cut Huie out. That's --

EVANS: Getting back to Thompson. Thompson, did you ever meet Thompson?

RAY: No.

EVANS: Well then Thompson couldn't of put the heat on you, right?

RAY: I don't think, I think Thompson had anything to do with it.

EVANS: Well Thompson knew of Raoul?

RAY: I don't think he did know.

EVANS: Well then you got, you got the number for Thompson from Raoul?

RAY: Well I got the number from Raoul, but I never did talk to Thompson or anyone--

EVANS: But that was a back up number, right?

RAY: Yes, that's correct.

EVANS: All right. So, then you can assume then that Raoul knew Thompson or Thompson knew Raoul?

RAY: Unless he was trying to put the heat on Thompson.

EVANS: Yeah, all right. Well either way you look at that it would of taken the heat off of you because you would of thereby proved the existence of Raoul, right?

RAY: Yes. See--

EVANS: Which would of been good for your case.

RAY: I see what you mean. But I've always been opposed to informing and I've also been opposed to, I just don't like to get, go to trial with four or five other people because I know how, I know how it ends up. But I never thought there was any easy way out of a crime. I don't think you can say well, this guy did it, let me go. Because it never works that way.

LEHNER: Weren't you planning to testify at the trial?

RAY: Yes.

LEHNER: And you were going to testify as to what you are telling us about--

RAY: Yes.

LEHNER: -the whole Raoul situation.

RAY: Yes.

LEHNER: Weren't you going to testify about the phone numbers, you would of asked about, they would of asked about that right?

RAY: Yes.

LEHNER: And the first time Hanes was going to hear about that was when you were on the stand, right?

RAY: Well we'd of discussed it before I went to the stand, yes.

HAUSMAN: You did, or you would have?

RAY: We would of yes.

LEHNER: Yeah, after the people's case was in and just before you took the stand you would of talked to him about it?

RAY: Yes. Yes.

LEHNER: Which gives him no time to investigate it, right?

RAY: Well we wasn't going to give the prosecution any time to investigate it either. I'm worrying about the prosecution.

I'm not, in other words I'm just going to testify to what I know and that's it. The jury comes and acquits me or --

LEHNER: Well wouldn't it be good if Hanes were able to corroborate some of the things you said?

RAY: It would of been ideal if I could of give the infomation to the attorney and he could of investigated everything. We come in and we would of knew everything and the prosecution wouldn't knew nothing. But under the situation we were working under that was impossible because there was no double that Huie -

LEHNER: You had no faith that you could tell anything to Hanes, that, that he would of not tell to Huie, is that what you are saying?

RAY: No I didn't have no confidence in him at that time.

LEHNER: So, so why did you want to go to trial with him?

RAY: Well I didn't have no choice in the matter.

LEHNER: Why?

RAY: Well what choice did I have? I, I finally did dismiss him, but that --

LEHNER: Well that was-- That was for a different reason. You would, you would not of dismissed him would you unless Jerry had told you about how good Foreman was?

RAY: No, I intended to go to trial with him, that's right, that's correct, yes.

LEHNER: You were going to continue to go to trial with him even though you had picked him as your own lawyer, and you had no faith in telling him anything about your own defense?

RAY: Ah, not certain things like that. See, Huie was, Huie's made the statement several times that he wanted someone arrested before I went to trial. And Huie didn't care anything about me at all. And anyone would of been arrested I don't really think that would of been in my interest /ah, you know, would of been arrested and perhaps they coul shift the heat on me. Because I'm not, it was never my intentions to do any heat shifting because I'm more or less interested in living in the penitentiary without any type of --

LEHNER: You certainly would of shifted some heat if you testified, and you testified about Thompson, and you testified about the telephone numbers, certainly that would of shifted heat wouldn't it?

RAY: I think that would of been entirely different. I, that would of been testifying in my behalf rather than testifying in the prosecution's, and in addition it would of been too late, I don't see what the government could of been done unless I got a hung jury and then they would possibly would know something. But I was just looking for the best way to do it and that was it.

LEHNER: Well --

HAUSMAN: But it certainly would of been in your interest, your interest being not going to the electric chair and not serving 99 years. It would of been in your interest to point out that you didn't do it and that somebody else did?

RAY: Yeah, I, I agree with you there. It would been definitely my interest to --

HAUSMAN: And you--

LEHNER: And this was your-- Go ahead.

HAUSMAN: And this was your golden opportunity, you had the Raoul associate who you knew about, you had a way of confirming that he really existed by having, ah, Hanes or Renfro Hayes, or any of Hanes' investigators to check out the Thompson phone number, check out the Baton Rouge end of your story and that could of given some credence to your story and then may, you may never of had to do anything else to get yourself acquitted.

RAY: I -- I think on, on reflection yes, I could of, I could of -- I should of given Hanes a lot more information and cooperated with him, but that's just on, that's just hindsight. I think if, of course, I shouldn't, I shouldn't of even fired him. I see that now. But it's too late to be --

LEHNER: You had nobody, you had nobody checking out the Thompson thing while you had, before your plea of guilty you -

RAY: Not till Foreman, no.

LEHNER: You didn't have Hanes or Foreman, no one up, up until the guilty plea no one checked out the Thompson thing, is that right?

RAY: The first time the Thompson thing was ever mentioned. was sometime in late February of 1969. That was -- This was after Foreman started in on the guilty plea stuff, then I mentioned the Thompson.

LEHNER: Okay. Now when did you have anybody check out

the gasoline station story?

RAY: Well I told -- I told Hanes about, Foreman about that, I don't think he checked that out.

LEHNER: You told Foreman that when?

RAY: That would of been sometime about February the 4th.

LEHNER: That's the first time you told anybody about the gasoline station story, about February 4th?

RAY: Yes.

LEHNER: So you were planning to go to trial with Hanes without telling him about the gasoline station story and testifying to it for the first time on trial?

RAY: Yes.

LEHNER: Well wouldn't that sort of conclude Hanes from going to the gasoline station or sending an investigator there and finding the gasoline attendant who would corroborate your story?

RAY: No, I think Hanes would of found out everything in probably 15 minutes if I'd told him, he'd of probably checked out all the information. I don't think there's any problem there.

LEHNER: Wouldn't that of been a little chance you'd take that the gasoline station guy who would corroborate it is on vacation or that the customers that usually came in at 6:00 could not be found in 15 minutes, it would take sometime?

RAY: See the thing is I--

LEHNER: Because you know the defense testifies last.

As soon as you finish testifying he can't come up with corrob-, if he doesn't come up with a corroborative witness right after you testify both sides sum up that's the end of the case.

RAY: Well, yes, we wouldn't have no problem with that I don't think. The thing is there's different pulls on here. I mean I've-, I had-, I wanted to do one thing and I wanted to do another. It's difficult to get into these cases when you got, you know a book writer or someone interferring with attorneys. It's just, of course you make mistakes. I know, I know I've made mistakes on the defense on how to operate with Hanes and Foreman. .

LEHNER: But, you-- You're dealing with your life's at stake, Jimmy. Your life's at stake, you've got an attorney of your own choice, Arthur Hanes, Sr., an attorney at that time you knew was a successful defense attorney and that you knew he was no left winger, he had defended the Viola Liuzzo case, you knew that he had defended Klunsmen, you knew all that at that time, right? Is that true?

RAY: See -- I -- See, you're, you're looking at this political angle, or right wing and left wing. But these people are not interested in that they are interested in money. And --

LEHNER: With your life at stake you are going to testify about a gasoline station story, about a fellow by the name of Thompson, and the first time your attorney is going to find out about it is 15 minutes before you testify, you were going to be the last witness on the stand, if he doesn't corroborate

either with the Thompson or with any witness at the gasoline station, the gasoline station attendant's on vacation, out of luck Jimmy Ray, if he doesn't have enough time to find out who were the regular customers who might of been about to identify you as seeing you there, out of luck Jimmy Ray, no, no corroboration. You are doing all this with a death penalty over your head and an attorney of your own choosing, does that make any sense whatsoever?

RAY: Well it makes sense when you think about, when think about everything you tell the attorney, the prosecution ends up with it. And it ends up in the newspapers and magazines before the trial. It's make --

LEHNER: If your life is at stake you then just fire that attorney and get another attorney.

RAY: Yeah.

LEHNER: You weren't going to do that if it weren't for, for Foreman coming, coming to the scene.

RAY: It was my intention to take the stand and possibly three or four days before I took the stand and run what information I had down to Hanes. But --

LEHNER: Well you said 15 minutes before.

RAY: Well it --

LEHNER: Well let's say three or four -- Let's say three or four days.

RAY: It might have been the last five minutes. Let's say anything. But that's, that's the ways I looked at it. I mean you can't --

LEHNER: With, - with - With the death penalty over your head that's the way you're playing it?

RAY: I'm not been worried about, I was never worried about the death penalty.

LEHNER: Well, why did you plead guilty if you were not worried about the death penalty?

RAY: That had no in- That had no, not the least thing to do with the enter-- the guilty plea.

LEHNER: Well weren't you concerned that you were going to, that you told us before that Foreman told you you had 99 percent chance of getting the death penalty?

RAY: I never did believe him. I've wrote letters and everything else.

LEHNER: So why did you plead guilty?

RAY: Because I figured he was going to throw the case, plus all the threats, and then one thing or the other.

LEHNER: So, if he threw the, if he threw the case you were afraid of the death penalty.

RAY: I would have got 50 years. No I wouldn't of got the death penalty.

LEHNER: You would of got 50 years instead of 99 years.

RAY: Well, at least with the 99 I've got a chance now to get a trial. But if I'd of got a 50, well there would, there would of been no -- You know, the legal system they say, well you had your day in court you had your jury trial. But the way it is now see I've never had no day in court, so --

LEHNER: You, the reason you pleaded guilty is because you

thought Foreman was going to throw the case?

RAY: That was a make--, he give me every impression that he was going to throw the case.

LEHNER: And you hoped that you were going to get some post-conviction relief, right?..

RAY: I thought I could get exculpatory evidence, get the case reopened.

LEHNER: On post, post-conviction?

RAY: Yes.

LEHNER: Well why didn't you use Stanton, Sr., he was the Chief Public Defender? Why didn't you get rid of Foreman and use him?

RAY: Well he, he done represented the prosecution's chief witness. That's all I needed is a, is a lawyer that represents me and the State's eyewitness.

LEHNER: Well you, you were being coerced by Foreman, right?

RAY: That's, that's correct.

LEHNER: Why didn't you tell Judge Battle? Why didn't you tell Judge Battle that, Judge I know you told me before that this is my last lawyer but this is a lawyer that's coercing me to plead guilty, give me a lawyer that's going to fight for me?

RAY: It's really --

LEHNER: Why didn't you tell that to him?

RAY: It's really the judge's responsibility to find those things out. He, he --

LEHNER: You mean you were so quiet and shy that you

weren't going to tell him unless he asked you.

RAY: Well I assumed he was on the judge's side because he, he went -- He, I think he lied to the judge all the way through. And as far as the death penalty I wrote the Judge one day after the guilty plea and asked him to reverse the case. So, if I was all that scared of the death penalty I wouldn't of, you know, wrote him back the next day and wanted him to give me a trial.

LEHNER: Well as I recall you wrote him three days later, and three days later you just said you didn't want Percy Foreman, and you called him some name,--

RAY: And I didn't --

LEHNER: --to represent you.

RAY: Want Stanton, that's, right, I didn't want Stanton.

LEHNER: But why didn't you tell to the Judge, look, this lawyer Foreman is coercing me, I want a new lawyer, and then at least you'd have, you'd have something on the record for an appeal. But this way you took the, you took the plea, nothing on the record for appeal. You have no, no, no position on appeal because you didn't raise it with the judge. And now for the first time after, after the guilty plea you are going to try to reverse it on appeal. Why didn't you tell it to Judge Battle, hey this guy is coercing me give me a new lawyer?

RAY: The judge called me down there in January the 17th or 18th and told me there wasn't going to be any more lawyer changes and he said I was going to trial with the public defender if I didn't go to trial with Foreman.

LEHNER: That's before you got coerced. Didn't you

think that you should tell that to the judge, this guy is coercing me, let Foreman then say what he's got to say, why are you so quiet? Are you the same guy? And you're so quiet unless they talk about no conspiracy you're not going to say anything, and then you say well I disagree, and you would have told the whole thing, withdrawn the guilty plea, if the judge only asked you one more question, is this you? Are you so quiet? Aren't you the same guy that defended yourself in a previous trial?

RAY: I really don't think the judge wanted to hear anything. He gave every impression that he didn't want to hear anything. It, really, where would would I got the money to hire another attorney at?

LEHNER: Didn't you defend yourself in a previous robbery case?

RAY: No I never defended myself in a robbery case.

LEHNER: What kind of case was it that you defended yourself?

RAY: Well these civil case you are talking about.

LEHNER: No, no. I'm talking about way back when you, you defended yourself in the '50's, wasn't that true?

RAY: Ah, well you, you been reading too many books. I mean -

LEHNER: You - You mean you never, you never defended yourself?

RAY: No, I never defended myself. I never, once they had, let's see what all they had me in that particular book you read. Defending myself, -

LEHNER: Well didn't, didn't you --

RAY: Watching TV on Martin Luther King, and -

KERSHAW: That was McMillian.

LEHNER: Isn't there a case that the defense lawyer was, and you got into a hassel and it ended up that, that he sat by, it wasn't that he left the courtroom but he sat by while you conducted the defense?

RAY: No. That's--

LEHNER: What -- Did something like that happen?

RAY: I - I can't, I think I had a hassel one time about whether I should testify and he let me testify, but --

LEHNER: Against--

RAY: -it was -- It was no --

LEHNER: Against his wishes and he put on the record that he was against it, right?

RAY: He suggested that I didn't, yeah. But there was no, I wasn't defending myself I was just --

LEHNER: So you're not a shy newcomer the first time in court, that's, that's what I'm getting at without going into the particulars of that, you were a guy that has been in and out of courtrooms, in and out of jails, here you got a lawyer who is coercing you and you are now concerned because a couple of months before in January the Judge says this is your last lawyer, you could - you didn't have the spunk to say hey, this guy is coercing me.

RAY: I got a book I'm going to give you, it, it explains how the legal system how they get guilty pleas, and it's on a wholesale basis. Now lawyers--

LEHNER: Why didn't you tell the judge-

RAY: Now a lawyer, it's the easiest thing in the world for a lawyer and a prosecuting attorney, and you know it as well as I do, and a judge to put you in a position where you have to plead guilty.

LEHNER: Even to protect the record, even if you thought Battle was against you, even to protect your record, why didn't you make an application to have Foreman dismissed because he was coercing you? What was the reason for your quietness?

RAY: From every indication I had during the, during the trial the judge was on Foreman's side. There was never any question you know, of being the judge you know neutral and me on the other side and Foreman on the other side.

LEHNER: Well this is the same judge that you are relying to, to upset the guilty plea by, by writing to him after. If he's on Foreman's side he's still on Foreman's side, why didn't you make a record before the guilty plea?

RAY: Well, maybe I should have. I can see now where I should of bought, brought the contracts up with him at the guilty plea but I didn't do it and, and they usually wear you down on these things after a certain length of time. You, you does, it does get a quite a bit of pressure on you after a length of time.

LEHNER: Did he put so much pressure on you that you weren't able to say, look I don't want that part about Wallace in there and you got that stricken, didn't you?

RAY: That was a stipulation. That was just one part of the thing.

LEHNER: Well you were able to talk up and, and fight this to that extent. Why didn't you fight it to the extent of getting a new lawyer and fight the stipulations, that, that had you guilty, not, not a minor stipulation such as the Wallace stipulation.

RAY: Well you -- The Wallace is just one thing. The only reason that was made a big issue out of, is because William Bradford Huie wanted it in there and him and Wallace was conducting a sham battle. And, but I objected to various other stipulations about the Wallace thing. And some of them were taken out and some of them weren't.

HAUSMAN: Which other ones were taken out besides the Wallace thing?

RAY: Well the voir dire was what I thought was the final stipulations. I don't know what's in the voir dire. I think it's about 20 or 25 allegations in there against me.

LEHNER: Well, well I'll tell you where we are. We are just about 4:13 now and we are going to have to leave within a few minutes to get our plane, ah --

KERSHAW: Yeah, we are going to have to --

LEHNER: I do think there's a lot of things we do want to get into.

KERSHAW: Yeah I think so.

LEHNER: Why don't we stop now unless there's anything else you want to put on the record and let's see if we could arrange when it would be convenient for everybody to reconvene.

RAY: Let me get some more on the record while we are on the record.

LEHNER: Go ahead.

RAY: Ah, when you -

LEHNER: Oh, one second.

RAY: See when you came down -

LEHNER: One second, one second Ray, he's going to have to put a new pad in.

(There was a short break for the stenographer to add paper).

LEHNER: Go ahead James.

RAY: I think -- No, when you came down here today I thought you was just going to talk about Huie and Percy Foreman. The thing is, now I've told, I think I've testified a while ago that it's almost impossible for me to remember this stuff. Now what I want to do is get everything written down and read it off. And you can cross-examine me about anything. But on these recollections and especially hypothetical questions, well let's just say the recollections, I can't remember them for 10 years. But I've made notes and I've got letters from my brother and everything. And if I knew, really knew what you were going to talk about, if you was going to talk about everything then I could get it all down and I could read it off and then you could cross-examine me, but a lot of times when I can't get everything in the record by you, you know you just ask me ~~me~~ certain questions because there's things that I think should be in there and of course you are running the hearing, but there's things I think should be in there that --

LEHNER: Let me just tell you this, Jim, on this point,

why don't the next session, the very beginning before we ask you any questions, you put on the record what you want to put on the record. Let me just before, before you have anything further I would like to hear you. But let me just ask you, there's one thing that, that I remember that we did want to ask you and which might help us in the investigation part of it, is, you had mentioned the Rosenson thing and we, we hadn't really picked that up. Could you tell us a little bit more about Rosenson, so this could part of our investigation? Ah, um, what happened to that card after you, you told us you found it in Mexico, I think it was?

RAY: Yes.

LEHNER: Could you tell us a little bit about what happened thereafter so it would help us in our investigation?

RAY: Well that's one reason why I don't like to go into that because I've investigated everything except certain aspects of that. the thing is, now, I think I threw the card away in Canada, but now, I tried to give you an example a while ago where I've got these alternatives and I don't know just what-

LEHNER: Why don't you give us the alternatives in the Rosenson thing, that might be helpful.

RAY: When I threw the card away?

LEHNER: Yes, yes.

RAY: Ah,-

LEHNER: You say it might of been in Canada, what, might be the other alternative?

RAY: Well I, well I threw -- I didn't only throw it away,;

I threw other stuff away. But it was either when the, I got stopped for jaywalking ticket up there. I may have threw it away . then, or I may have threw it away after I got the passport and didn't need the various other stuff any long. Or I may have threw it away when they come out looking for James Ray instead of you know Eric Galt. I'm inclined to think I threw it away when they, see, I never was certain they was going to be looking for me until the name come out in Canada. And I think as soon as my name hit the newspapers then I threw all the Galt identification away.

LEHNER: So you definitely -- You definitely didn't have the card when you were captured in London?

RAY: I didn't have any papers then connecting me with Galt or anything.

LEHNER: So how did Jerry Ray get the card?

RAY: The card? No, he --

LEHNER: The Rosenson card.

RAY: No he never did get the card.

LEHNER: When did he get it?

RAY: Ah, um, he -- Well actually he didn't, Richard Ryan got the information before he, before he got it I think. No he didn't, he didn't - Richard Rayan didn't get it either. Another attorney in Oklahoma City got it named Clyde Watts. Ah, see this stuff gets in, gets so involved it's hard to pick up a certain thing and, you know, go on threw with it. I got involved with Watts years ago when they were trying to send me to Springfield Mental Institution and I asked him about it

and he said it was a butcher shop or something. Then later on I asked Watts, the Rosen thing was the last thing we investigated. Well later on I asked Watts to, if he could find this Rosen, Rosen. I didn't, at that time I didn't know his name was "son". I just, just Rosen.

LEHNER: You just remember that from the, from the card?

RAY: Yeah, well it was two sides of the card. Ah, the Rosenson whatever his first two names were, Randolph Erwin or something, and the last name was just Rosen. But, I think later on how come I concluded it really was Rosenson I got a card from a New York Times' reporter named Cwredson, and he just signed his name C-W-R-E and he just put a line for the S-O-N. Well, anyway, I had the, I had the, I asked Watts to, had my brother see Watts and ask him if he could find anything about Rosenson in New Orleans because this card had things marked off on the inside of it. It looked like a business card and it looked like New Orleans.

LEHNER: When did you tell Jerry this for the first time?

RAY: Well he has some of this stuff, this information was on this paper, he had that way back in '69. He give that to some labor union guy in St. Louis.

LEHNER: I mean, how did you remember from when you threw away the card in '68 in Canada, before your capture, how did you remember all this to tell him in '69?

RAY: How did I remember all what?

LEHNER: What was on the card.

RAY: The Rosenson name?

Well I tried to remember some of it in Canada, but I didn't - I didn't remember all of it correctly like the adress on there, I had it, I had it switchad around. Then when I, run -- Well anyway -

HAUSMAN: The address was what, which address?

RAY: It's a front, the front of the card is a business card. I thought it had the LEAA on it, but I found out that didn't come in existence in 1968, but I told Playboy that by the way, too. But anyway I then also found that there was an LEAA in '60-, 1967 but we will go into that later. But anyway I told Watts, I didn't, at the time I told Watts the Rosenson name, well I asked him to check in New Orleans or something. and he, he come, he said something about it was probably Rosenson, nad he give, he give Jerry the name and I give the name to Richard Ryan and he went to New Orleans and checked on it, and then he got a transcript, and he sent me the transcript and the name was right and everything but the address, it had, it had a number, I had a wrong number on the address but it was similar. Then I checked the- The transcript said Rosenson had, also had an address in Florida, so I had Jerry go down there on a plane and check on it and then the address had still another number, but they were all similar but it had another number on it.

LEHNER: Did Watts have anything to do with this Rosenson card?

RAY: The only thing Watts did he had some connection in New Orleans and he had someone to check these criminal records in the Criminal State Court.

LEHNER: Could you tell us about Watts, what's his full name and where we can locate him?

RAY: Well, ah, I think he's dead but his son knows I had some association with him. His son's alive. His name is Clyde Watts in Oklahoma City.

LEHNER: Okay, do you have anything else, address or phone number?

RAY: No, he has a big office out there but I don't know-

HAUSMAN: Would you give us a waiver for his-

RAY: No, not-

HAUSMAN: His papers?

RAY: No, not unless he would agree to it.

LEHNER: Okay can we ask Mr. Kersahw if you could communicate with Mr. Clyde Watts?

RAY: He's, he's dead anyways.

LEHNER: Clyde Watts, Jr., so that -

RAY: His name is Charles. His son's name is Charles.

LEHNER: Oh, Charles. So if he could check, if we could get a waiver on Clyde Watts then Charles Watts would be able to cooperate.

HAUSMAN: Unless these papers are executed in his will.

LEHNER: Okay, why don't -- I think we --

RAY: Most of his conversation with Jerry was private. Jerry use to call him at his home. And I don't think there would be a lot of records laying around in his office.

LEHNER: Well, whatever would be available if Mr. Kershaw could arrange it we would go down there and see him.

EVANS: What did you ever find out about Rosenson?
What did they every report back to you?

RAY: Ah, I seen a transcript that said he was involved
in narcotics and --

HAUSMAN: You say a transcript, do you mean a rapsheet?

RAY: Huh?

HAUSMAN: What type of transcript, court transcript or a
police rapsheet?

RAY: It was a, it was a, he had - He was convicted
of smuggling something into Mexico and I don't remember too
much more of that.

EVANS: Well, where do we place Rosenson, how do we
place, do we say that Rosenson is Raoul or do we say Rosenson
is connected with Raoul or which?

RAY: No, no not, I'd just say I found, I found that card
in a, dropped down in the seat and that was it.

EVANS: Oh, but you don't know what --

KERSHAW: There were other people with you and Raoul when
you went into Mexico?

RAY: No, not in the car, no.

KERSHAW: Well they were around? You mean there were two
cars?

RAY: There was on other car there, yes. But --

HAUSMAN: There was another driver?

RAY: Huh?

HAUSMAN: There was another driver?

RAY: There was another driver yes.

HAUSMAN: Did you ever see him?

RAY: Ah, yes. Profile.

HAUSMAN: Did you get a good look at him?

RAY: Profile yes.

HAUSMAN: Could you give us a description as you best remember him?

RAY: Well I done give you the description. I don't want to go into, too far into that anyway because I'm, I mean I don't want to get, ah, some of these things I haven't looked into. I, I don't like to get someone else to know more than I do about it. And, but I've give this description to you already. It's on the record already.

LEHMER: Okay. I think -- It's now actually 4:23. I think in order for us to make our plane we really have to move out now. Um, maybe we could end the interview now unless there's anything that you really want to put on this minute, or if you want to wait and put it on the first time the next, the beginning of next session will be you, Mr. Ray, putting on whatever you want for the first portion, whatever lenght you want to make it.

RAY: I think this description, I think it was kind of a Spanish looking fellow more slightly more Indian than the other fellow. I think that's the description I give you. I mean I want to give you the description here because he can't say I give one and forgot the other one, so --

KERSHAW: You are talking about the profile of the driver-

RAY: Yes, yes.

KERSHAW: - that you suspect as being Rosenson?

RAY: Well, I -- Now I don't suspect him of being anything. I just say it's, ah, -- Well, now, you, do you want -- Or you want to tell me what you specifically you want?

LEHNER: Yeah, I think I can tell you this. The next session, the way I see it, subject to Mr. Kershaw's input to this as well, is that we start off with you putting on the record things that you think should get on the record that didn't get in because of the question and answer way in which these are conducted. That one answer leads to another question and many times it goes off in a direction that we really don't expect it to, but it's a free, freewheeling type of question and answer that we are engaged in. So you start off by putting things on the record that you wish. Then let's go into the rest of the things that we haven't covered from the time of your arrest in London to the present. Ah, which deals with Hanes, we dealt more with Foreman I think than with Hanes. We had more things with Hanes. Everything from then to the present. Then after that's finished let's go into as you suggested in your letter to us, which, ah - ah, we, we received where you said that you received from your brother, most of all, your papers and that you would then be ready to go into all of the action from the Mocuri- the Missouri escape until the arrest in England. So, that will be done after we finish the next session which should be your putting on the record what you want to put on the record, and us concluding everything from the escape to the present time.

KERSHAW: That will be fine. Now, then have you got

about three minutes because there's one question that you have suggested to me.

Jim, do you remember when you were at that guilty plea hearing and the three or four days there prior to your actual state of mind why you had been in 8 months solitary confinement with the lights on day and night, monitored by the TV, you'd been sick, soforth and soforth, did you actually, do you remember whether you felt deep down to where you couldn't say, look judge I'm trying to tell you something or were you coldly calculating if, even if in hindsight, it didn't, it doesn't now seem too damn smart, were you coldly calculating in planning for a new trial and, and reopening the case as you say with another lawyer and this was the only way you saw to get out of it?

RAY: Well I'm not -- I'm not, I, I fully intended to open the case with another lawyer, that's exculpatory evidence. But I was just best, I thought I was in the best deal I could get.

KERSHAW: Well when you stood up that day in court do you remember whether you felt belligerent or whether you felt shaky in the knees or whether you felt like you were kind of bumptious and ought not be standing up? Just how did you feel?

RAY: Well I don't know. They wear you down on these things. It's more difficult to determine how you feel, if you break a leg you know how it feels, it hurts, but on this solitary confinement, you know, it just gradually wears you down. It's not something that, you really can't even tell how you're, how it affects you, I know when I come down here I'm tired now where usually if I'm out running around well it wouldn't bother

me. I, I want to add one more thing here, if you, if it's all right?

LEHMER: Go ahead, okay.

RAY: When, when ah -- When Sprague, when Richard Sprague was Chief Counsel he asked me to take a polygraph test and a, and a stress test. And I think I agreed to both of them. Now since then I have took one, but I, I'm going to question the results, and there's another test run on me and it was just the opposite. But, what I'm concerned about is this last test I took with Playboy. Now, I think if I, if I took another one and it would be favorable it might it might be a question of which one is the most accurate. Now, since I've took those tests, by the way, I wanted to take the test with Playboy at the same time with the Committee and that's what I thought they was going to do, but they got in a hurry. But, anyway, since I took the test I read three four texts on polygraphs and that's what I should of done before I ever took that test. And there's various, I don't want to make any excuses for it but there is various things according to the man that put the text out himself. There's various things, they didn't follow certain rules. And for instance when you are interrupted or something like that or the room, the room's real hot it'll, it'll affect the test especially if it's close to, you know, if they really can't tell one way or the other if you are deceptive. And now, I was - I was interrupted four or five times but what I want to do is just give you the name of two guards that interrupted me, and if it ever does comes by, get down to where maybe your test is accurate

or whether the other one is, why it might be a question of which one was the most technical given. Now the two guards that interrupted me, one of them was Norman Hardy, and I done spoken to him, and the other one was James Creed. And I think Jack Kershaw he interrupted us once and I think it's on the chart and then there's various other things about this test but I will go into that later, and but do you still intend to give those tests?

LEHNER: Yes, we do.

RAY: All right.

LEHNER: We do intend-

RAY: All right.

LEHNER: -to give those tests and that's something we want to do just as soon as we finish out questioning with your.

RAY: Well, what I want to do, ah, you know you got to be ignorant to take any of this stuff without reading up on them first. It's like playing card with a card shark without - and then crying because you loose your money.

Ah, now you can't beat the test, you can't beat the test by reading the books, but you can keep the tester honest. Because, well let me show one exampe. A lot of times when you are breathing they will ask you a relevant question, well you will naturally start breathing trying to catch the question, you know your breath will come shorter, well that indicating on the, you know the chart, you're, you know you are being deceptive. Whereas if you just breath normal all through these questions they can't, you know, show up things against you that way.

LEHNER: Well I think Mr. Kershaw and I are going to read up on a couple of these books so that at least we will be able to talk to you about it, and we will all decide before the test what the ground rules are, so we will have plenty of time for that.

KERSHAW: Yeah.

LEHNER: Let's if, if we can now, it's exactly 4:30, let's wrap up and end the session and then we will discuss when we are going to meet again.

(End of Sixth Interview with James Earl Ray on September 29, 1977).



INVESTIGATION OF THE ASSASSINATION OF MARTIN LUTHER KING, JR.

APPENDIX TO HEARINGS

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SECOND SESSION

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SEVENTH INTERVIEW WITH JAMES EARL RAY AT THE BRUSHY
MOUNTAIN STATE PENITENTIARY ON NOVEMBER 14, 1977, AT
9:42 A.M.

LEHNER: Okay, it's now by my watch 9:42, am; today is the 14 of November, 1977. We are in the conference room at Brushy Mountain State Prison. And, I'll introduce the people on our side of the table.

I'm Robert J. Lehner, Deputy Chief Counsel; seated to my left is Alan Hausman, Staff Counsel; seated to my right is Ed Evans, Chief Investigator; and seated to his right is Louis Hindle, who is taking down stenographically what's being said here. We are also recording on tape recorder what is being said here.

Mr. Lane will you please introduce the people on your side of the table.

LANE: Yes. My name is Mark Lane, I'm the attorney for James Earl Ray; to my right is James Earl Ray; and to my left is Ken (unintelligible) of the firm of Buxton, Lain and Buxton of Oakridge and Wartburg, Tennessee.

LEHNER: Very good.

LANE: We also are tape recording this to the best of our ability, I have a little Panasonic and Ken has a Dictaphone.

LEHNER: Fine. Well in our discussion just before we started to tape, Mr. Lane, you mentioned the fact that -

you inquired as to whether or not the previous interviews here had been under oath. I told you that they had not, and that you - you requested that this one, starting with this interview that it be under oath and I concur in that. So, before we start I might swear in Mr. Ray; if that meets with your approval?

LANE: That's fine.

LEHNER: Mr. Ray will you raise your right hand? Do you swear that everything you say here will be the truth, and nothing but the truth, so help you God?

RAY: Yes.

LEHNER: As we left off the last - the last occasion when Mr. Kershaw was representing Mr. Ray, Mr. Ray stated that he had some papers that had recently prior to that last interview been brought to him by his brother J-, Jerry, and that these papers had been kept - kept in some safe place for some period of time and Mr. Ray said he wanted to read them over and get a chance to review them and wanted to talk to us about what happened from the escape from Jefferson City to the capture in London. As well he mentioned that had some material that he wanted to put on the record that, at the outset of this interview, so, whatever way you want to start with that I would give it over to Mr. Ray and let him proceed.

RAY: Well first, I got all these materials from my

brother, they were in a safe-deposit vault. Now, the only thing that I haven't got is, this material I furnished William Bradford Huie, this written material to write his book with. Now, I got that-the only time I've ever had that material was in 1973, I filed a writ of detinue against a lawyer, Robert Hill, in Chattanooga and I got it. When I got the material Bernard Fens-, Bernard Fensterwald wanted it and he was representing me at that time. So, I forwarded it straight to him. Now I never have been able to get it back, and, now by letter dated -- Well, anyway, I got a letter from James Le-, James Lesar and -- about September of 1977 wanting \$15 dollars for the material, and last week my brother, Jerry Ray, sent him fifteen dollars. Now yesterday more or less confirmed it. I wrote Mr. Lesar a letter dated 14th of November, 1977, and I'll just give you, the Committee, a copy of the letter and they can see what I wrote for. (Mr. Ray hands Robert Lehner a copy of the letter sent to Lesar dated November 14, 1977).

LEHNER: Thank you.

RAY: Here's the letter from James Lesar, I just have one copy of it, I would like to get it back. That's September 28th, 1977.

(Mr. Ray hands Robert Lehner a copy of a letter from James Lesar, dated September 28, 1977, to be copied).

LEHNER: Thank you.

LANE: You want to xerox that?

LEHNER: We'll xerox it here in the prison maybe over the lunch break and so that we will be able to maintain a copy of it.

RAY: Yes I don't have -- I just have one copy of the, Lesar. Now on these papers I gave Huie, I revised those from time to time because when I came back from Memphis jail he wanted them right away. And further they are not all exactly accurate. But there is a lot of things in there that I recall at that time would help me now.

LEHNER: When you say at that time; what time are you referring to?

RAY: Well that would of been -- Well, see, I came in jail July of 1969, and I started writing soon after I got there.

LEHNER: That would be in Nashville?

RAY: Yes. In Memphis. Memphis Jail.

LEHNER: You are saying July of '69?

RAY: Yes. When I was extradicted from London.

LEHNER: Oh, '68 you are talking about?

RAY: '68, yes. And I think all together they would help me alot because there is certain things in there, while I have a lot of dates, erroneous dates in there probably - In other words the papers were written kind of fast. I think as I mentioned though, they wouldn't help me considerably. For one -- One instance these two people I told you I met in a bar or something, well I wrote that down for Huie and then I forgot for 4 or 5 years until I seen Wayne Chastaine.

Things like that would help me get everything in the right -

LEHNER: And you now have all those papers?

RAY: Well now the Huie papers I should get them this week because Le, Lesar's got the \$15. So --

LEHNER: But other than the Huie papers you have the, the materials that you have reference to, the stuff that you wrote after you were brought back from London?

RAY: Yes, I got all that.

LEHNER: Oh, by the way could you tell us where you kept it in interim? You say you've safely kept it.

RAY: Some of it was in a vault in Lake Zurich(?), Illinois, my brother had it there. And the other was kept in a vault in St. Louis, Missouri by my sister.

LANE: You mean a bank safe-deposit vault?

RAY: Yes.

LEHNER: Okay, you mentioned you had some things that you wanted to put on the record. If you want to put them on now or you want to do that later we can start with the questioning.

RAY: Well I can just get it all on whatever it is. This is a -- I think I mentioned to you before something about a Progressive Labor Party, we investigated that. I wrote to someone named, (?), and got a book off of him. I got it here. And my brother he got this, he got it off of a reporter named Finley from the Chicago Dailey News. I'll just give you this thing, whatever, whatever it's worth. It may not amount to anything. That

confirm my previous testimony, all that would do. (Mr. Ray hands a group of documents to Mr. Lehner).

Now the Finley letter, I want to get it, I'll give it to you -- I think, Ed, he can get it xeroxed.

LEHNER: Let me just state what you first gave me was some, what seems like some newspaper accounts dealing with the Teamsters, Hoffa, one says "Telling the Story of Plot of R. F. Ken-", "R. F. Kennedy"; and the letter by Larry S. Finley, of the, apparently of the Chicago Dailey News; together with "Hearings before the Committee on Internal Security of the House of Representatives", during the 92nd Congress, it's entitled "Progressive Labor Party"; and you just also gave us a letter, another from Finley, this letter being June 15, 1973, the first one being June the 7th, 1973.

Okay; thank you.

RAY: I'll give you copies.

LANE: Okay, yeah.

LEHNER: Is there any particular parts of this book, the hearings pertaining to the Progressive Labor Party that you wanted us to particularly concern ourselves with or?

RAY: The reason I got into that, that really doesn't mean anything. The reason I got into it was that Arthur Hanes mentioned this party, and he mentioned, then later on I found there was a Rosenson in there, and plus I had a Rosenson on this card that I told you I found in Mexico. Well we investigated that found out that there was nothing

to it. It was --

LEHNER: Now I just found this photograph of a Charles Rosen and it's on page 4180 of the book, the hearing pertaining to the Progressive Labor Party, is this the Charles Rosen that you had reference to? That you -- That you say is not, not related in anyway to your case?

RAY: Yes, I looked at all those pictures and there is no relationship. In addition there was, none of those people had been in New Orleans. But later on I found the name really wasn't Rosen, but it was Rosenson.

LEHNER: How did you find out the name was Rosenson?

RAY: Uh, an attorney in Oklahoma named, uh, I think I give Watts, his name is Charles Watts. He checked down there someway in the criminal files and he said he thought the name was Rosenson. And I got - once I got the name from Watts I give it to Richard Ryan and went to the Fifth Circuit and got the transcript from 'em.

LEHNER: Well --

RAY: Clyde Watts, Oklahoma attorney is his name.

LEHNER: Yeah, since we are talking about Rosenson, I didn't want-I want to give you plenty of time--

RAY: Yes.

LEHNER: -to state what you want to state, but maybe we could follow this up and see if we could get, get it as accurate as you - as possible - accurately as possible as to the Rosenson part of this case. As I understand it you stated that sometime after Raoul had been in the car, in the passenger

seat while he was in Mexico with you, and the car I am referring to is the white Mustang, that sometime thereafter you cleaned out the car and you came upon, amongst other things, a card with the name "Rosen" and then dash at the end of the Rosen?

RAY: It just had a name and a Miami address, it had Randolph Erwin Rosen.

LEHNER: It had the word "Randolf Erwin Rosen", R-O-S-E-N?

RAY: Yes.

LEHNER: And then a dash at the end of the N?

RAY: Well the name was long and the card wasn't really too long so I, I think I remember-explained later I got a reporter's name from New York name Creudson.

His name was Cruedson.

LANE: Yes, the New York Times.

RAY: He just put a dash on the, you know he just put a line for the last "son", so I assumed maybe that's how that Rosenson on the card came out.

LEHNER: But the card that you saw had Rosen and it did have a line at the end of it; is your recollection?

RAY: It might have, I don't, I don't have no clear recollection.

LEHNER: But you do recall on the card was also; what other writing besides Randolph Erwin Rosen; what else was on the car?

RAY: On the other side there was some printing on it. And I thought it was - I couldn't see it too well, I thought the town had two names to it, like New Orleans or Baton

Rouge, I thought it was New Orleans.

LEHNER: Now when you say printing you don't mean printing by hand you mean printing by machine printing?

RAY: Business cards, yes.

LEHNER: Yes.

Okay, so it had some name on it, on the print-the printing part of it?

RAY: Yes it had names on it.

LEHNER: Do you recall what the printing part had?

RAY: Well the city looked like New Orleans and the other part looked like LEAA. I'm not 100 percent positive of that.

LEHNER: Did it have a name on it besides-beside New Orleans, LEAA, which appeared to be LEAA; did it have anything else that was printed, machine printed.

RAY: It did but I didn't make no attempt to make it out or I don't think I could of made it out anyway. It was just inked out, you know, took a fountain pen and --

LEHNER: And inked out the name on the printed part of the card above the New Orleans and above the LEAA?

RAY: Yes, it was all inked out.

LEHNER: Was New Orleans and LEAA inked out as well?

RAY: Yes, everything.

LEHNER: But you were able to decipher New Orleans and LEAA?

RAY: It looked like it.

LEHNER: Now the reverse side of the card it was written in ink or in pencil?

RAY: Ink, yes.

LEHNER: And what do you recall being written in ink?

RAY: Well the Randolph Erwin Rosenson.

LEHNER: Rosen?

RAY: Rosen. And the-an address in Miami.

LEHNER: It said Miami and it had an address?

RAY: Yes.

LEHNER: Now did you write down anywhere any of the things on the card, either the printed part or the hand written part?

RAY: I writ -- I writ -- I wrote down the-I'm almost positive-but I wrote down the address on a piece of paper or something later on.

LEHNER: When did you write that down?

RAY: I'm not positive, it would probably been in Los Anglese or maybe it would been in Mexico.

LEHNER: In what -- What piece of paper would this be?

RAY: Well it would just been a card or something that I put in my billfold.

LEHNER: Did you write down both the printed and the hand written portions on to that piece of paper?

RAY: No I wouldn't written down the hand - hand - the, I don't think I would of written down the printed part, I was concerned with the, what was written down in longhand.

LEHNER: So you didn't -- You wrote the longhand, you didn't write down the LEAA or the New Orleans?

RAY: I don't have no clear recollection. I probably tried to remember, something like that, and tried to get it

in my mind and threw it away, but I do recall writing down the, the print, the hand written address backwards, because I always do that.

LEHNER: That would be the Miami address?

RAY: Yes.

LEHNER: Now on the printed part besides New Orleans did it have a New Orleans address or did it just say, New Orleans, and under it LEAA? Was there an address on it as well?

RAY: I can't recall. If the address, it would of been on the right side of the card. But it was rubbed out. It could of been, I assumed it could of been Louisiana or an address, but I'm not, I'm not certain.

LEHNER: What happened to the piece of paper that you wrote, wrote on in Los Angeles; did you retain that?

RAY: I'm positive I threw all that-all that material away in Toronto when I got new identification.

LEHNER: And so, and you also threw away the card in Toronto?

RAY: No, I'm positive I threw that - I would of threw that away before that, probably in Mexico or maybe in Los Angeles.

LEHNER: Well let's see now, the piece of paper that you wrote, wrote on in Los Angeles you threw away in Toronto after it became publicized that they were looking for you?

RAY: Uh, yeah, I threw away everything in Toronto, but I don't know what - I don't know when I threw it away. I don't know if it's when it become publicized when they

was looking for me, or when I got my new identification, or maybe when I moved, or also when I got arrested up there one time.

LEHNER: What did you get arrested for?

RAY: Jaywalking.

LEHNER: Under what name? RAY: Galt.

LEHNER: You gave your right name, you gave the alias name rather, Eric S. Galt?

RAY: Yes.

LEHNER: What happened in that incident, the jaywalking incident.

RAY: Well he asked me my - there was two of us jaywalking - and when I got across the street he asked me if I -- I told him I was from the United States and he told me he had to write me up because he had to write the Canadian up. And I gave him the Galt, I gave him an address of one of these hippy, hippy. I had a bunch of these hippy loneyhearts, whatever you want to call them addresses and I gave him, I gave the policeman that.

LEHNER: How did you get that address?

RAY: Well the addresses I get them out of these, they put these advertisements in newspapers and I was using those addresses for certain things.

LANE: Were you with this other person that got the ticket?

RAY: No we just walked across on a wrong light, and -

LANE: Didn't know the person?

RAY: No, I never saw him before.

LEHNER: That's the only contact you had with him is that you were stopped by the same officer; is that right?

RAY: That's correct.

LEHNER: And do you recall that address that you gave the officer?

RAY: I think I got it wrote down somewhere.

LEHNER: Where did you write it down? Would it be amongst the papers that you received from Jerry recently?

RAY: Probably would be, yes.

LEHNER: And did you get a summons under the name of Eric S. Galt?

RAY: Uh, no I called - I called them -- I called them up on a phone a day or so later. I don't know just what day, I know I called them up later on and asked them what the procedure on a jaywalking ticket. And he was kind of vague on it, I can't remember too clear but thought he said just forget about it, but I don't know if that's-

LEHNER: So the officer gave you a jaywalking ticket, and, did you read the ticket?

RAY: No, I'm not, I'm not positive he gave me ticket. I know he wrote me up but I don't know if he gave me a copy of it or not. I assumed he did if that's the procedure.

LEHNER: Well, was it your understand that you were suppose to report somewhere to a court or to a police station to answer the charge?

RAY: I don't remember him telling me that but he must of because if he hadn't of told me that I wouldn't of been

calling up later on. So he must of told me to report to some - He must -- He must of given me a paper because otherwise I wouldn't know where to you know where to report at. So I just assume that he gave me a paper.

LEHNER: Now, of course, did you follow up on anything after this call, was that the end of it as far as you are concerned?

RAY: Yeah, I got the impression from what the other party told me that that would be it. So, I was - had other things on my mind at that time anyway so I never-

LEHNER: What was your purpose in calling up?

RAY: I was kind of concerned about it. I didn't want to go down to the police station and possibly get a, and have someone waiting on me.

LEHNER: Well how would they of gotten you to the police station since you did not give your correct address?

RAY: Well I don't know. They couldn't -- they couldn't find me on the address but I was still somewhat concerned about it. Not really concerned, I was just more or less interested in procedure and what -- I didn't want my name in the paper or something, because you know--- I really don't know what went through my mind at that time. I was just interested in the jaywalking ticket.

LEHNER: Did you think that they would put your name in the paper because you refused to pay a jaywalking fine?

RAY: I didn't know what the procedure was in Canada. I'd never been arrested there.

LEHNER: How long had you been in Canada on this occasion. This is now post-post the assassination of Dr. King at the time that you got this, this jaywalking ticket.

RAY: Well I don't know, but it would of had to of been before the Ray name hit the paper-hit the news papers. So it must of been, I don't know how long it took the FBI to find out my name, two weeks I guess, so it must of been within a two week time span between April 4th and - in other words it was some time in mid-April.

LANE: I think it was the 19th for the first time, I'm not sure.

RAY: Well, then between the 19th and April the 4th.

LEHNER: Well had the name Galt been in the paper up until the time that got the ticket?

RAY: Ah, Galt? I don't know if Galt had been in the paper or not. I guess it had.

LEHNER: You guess what?

RAY: I guess it had.

LEHNER: Had or hadn't?

RAY: I guess it hadn't of.

LEHNER: Had to of?

RAY: It hadn't - It had to of been in the paper. I don't know when the the Galt hame first came out. I didn't read the papers all that much. So-

LEHNER: You didn't read the papers every day when you were in Canada after the assassination?

RAY: Well I looked at them once and a while. But I'm not really certain.

LEHNER: Well, wasn't this the period of time when --

RAY: You know just think -- Just thinking about it now, I could of gave him -- I could not of even gave him the Galt name, I may of gave him another name, so-, that's just-- that's a -- but I know there must be a record up there. I know I got a ticket. I know what street it was and everything else, but I just can't recall-

EVANS: What street was it on?

RAY: Uh, it was running the opposite of the street I was-lived on. I think the street, if I had a map I could point just about where it was at. It was, let's see, I was-- If you take the street I was living on the second time, with the Chinese lady. I don't know if I was living there at that time. Now, like I say, you take that street, you go down towards, Mont-, Toronto, you go down - I'd say you go down about 8 or 9 blocks and turn right, and go down about three blocks it will be on the left side, lefthand side of the street.

But I was coming, now I wasn't going that way I was coming the other way but I'm just trying to pinpoint where I was at.

EVANS: Where were you coming from and going to?

RAY: I don't really know whether I was going to or coming from, but I may of been going to the newspaper file or anything. I don't know where - I know - I just know I was walking down there and I got stopped and - and - but see

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what I can't think -- What I -- I know the Galt name was out fairly quick after the shooting so I can't really see me giving that Galt name, but I can't think of any other name I gave him, unless it was one of those, unless I done got one of those names out of the newspaper files and used that one. I'm inclined to think now that may of been what I done. Because if, if, now if -- I only had three names out of the newspaper files so the record would been up there would either been Bridgeman, Sneyd, Snyed or I think that's the only two names I got out of the files. In other words if I got a ticket it would either be under the Galt name, Sneyd name, or Bridgeman name.

LEHNER: Well, do you recall whether or not you used the Galt name in Canada after the assassination, for any purpose? Let's - Let's leave out the jaywalking ticket for the time being. Any other purpose?

RAY: If I -- If I used it at all it would of been jaywalking, it wouldn't of been for anything else.

LEHNER: Well, what was the first day that you arrived in Canada after the assassination?

RAY: Uh, April the 5th, no April the - April the-- Let's see April -- I got --

LEHNER: Well say on April the 4th, the night of April the 4th was the night that you were driving all that night; is that right?

RAY: Yes.

LEHNER: All right. But that would the night of April

4th, what about the night of April the 5th, where were you that night?

RAY: Cincinnati, Ohio.

LEHNER: Where did you stay there?

RAY: No where. I was waiting on a bus.

LEHNER: Do what?

RAY: Waiting on a bus.

LEHNER: So where did you spend the night, in a bus station?

RAY: I think I got to Cincinnati from Atlanta about 12:00 and I stayed in the --

LEHNER: Twelve, twelve midnight?

RAY: Yes I stayed in a tavern until about 2:00. It was a wait on the changing of buses.

LEHNER: What time did you take the bus out of Atlanta?

RAY: Sometime in the afternoon, four or five o'clock.

LEHNER: What, what bus line did you use?

RAY: I don't know which one it was.

LEHNER: And you looked - arrived in Atlan-, Cincinnati about midnight the night of the, of the fifth?

RAY: Yes.

LEHNER: Okay. And that night, the night 5th into the 6th you just stayed at the bus station or thereabouts and did not go to a place to sleep; is that right?

RAY: No, from about two o'clock, yes.

LEHNER: Okay, now what did you do -- Where did you go from Cincinnati?

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RAY: Ah, Detroit.

LEHNER: Okay. And that's-

RAY: That'd been the 6th, yes.

LEHNER: That'd be the 6th. And what time did you leave Cincinnati and what time did you arrive in Detroit.

RAY: I arrived in Detroit sometime in the morning, I'd guess 8:00, I went to the barber shop.

LEHNER: You left Cincinnati what time, about?

RAY: Approximately 2:00 in the morning.

LEHNER: In the morning.

RAY: The morning of the 6th.

LEHNER: Right. And then you arrived in Detroit about when?

RAY: I would guess about 8:00.

LEHNER: And went to a barber shop then?

RAY: That's correct.

LEHNER: When was the last time you shaved before that barber shop?

RAY: I couldn't say.

LEHNER: Did you get a shave at the barber shop?

RAY: I can't remember exactly, I think I did. I know I--yes.

LEHNER: Jimmy, let me just ask you in general during the year that you that - from the escape from Jefferson City to your capture in London, were you in the habit of shaving every day?

RAY: About every morning, yes.

LEHNER: You shaved yourself?

RAY: Yes.

LEHNER: So you took -- You went to the barber shop in Detroit on, about 8 am on the 6th, then you got a haircut or a shave, or; do you recall?

RAY: I think I got a shave. I don't recall if I got a haircut or not.

LEHNER: Okay, what happened thereafter?

RAY: I made arrangements to go to Toronto.

LEHNER: And how did you make those arrangements?

RAY: I don't recall specifically. The only thing I do recall specifically is when I got to Toronto, I got to Toronto that night about 7:00 I would say.

LEHNER: Seven o'clock pm on the night of the 6th?

RAY: It was still daylight yes.

LEHNER: And you went by bus?

RAY: I can't recall now whether I went by bus or train. I think I went by train, I'm not certain. I mean, well I wouldn't testify to that one way or the other.

LEHNER: Okay when you got into Toronto at about 7 pm on the 6th what did you do?

RAY: I went looking for a place to stay, lodging.

LEHNER: And where did you go?

RAY: Well I just walked down the street. I must of walked 2 or 3, two miles and I probably found this place on "Arseno" I believe the name of the street is, "Ossington".

LEHNER: Right.

And what did you do there at Ossington?

RAY: Well I think they had a room for -- places for rent. And I rented one. I think the lady was Polish, she couldn't speak, she spoke broken english, and I told her what I wanted. I think I told her I was a seaman or something and she rented me things, and I think I told her my luggage was in the, somewhere else and, and that was it.

LEHNER: What -- What name did you rent it under?

RAY: I don't think, I don't think she asked me for a name. I think I just, I know she spoke broken english and all that. I think I gave her a name a couple of days later.

LEHNER: What name were you prepared to use if she had asked you to sign the register.

RAY: Well I don't know, I most likely would of been prepared to use a name, but I can't think just what I had in mind. It's probably -- I'm searching -- I had some type of name to give her. I don't think it would of been the Galt name.

LEHNER: Would it been Sneyd or Bridgeman?

RAY: No, I didn't have the information at that time. I think I got that the following Monday then gave it to her, wrote it down on paper, and told her if I got any calls or anything this was my name. I'm pretty sure that's the way it came about.

LEHNER: So the following Monday would be the 8th if I'm not mistaken?

RAY: Ah, yes.

LEHNER: So this was the 6th which is a Saturday night?

So you get in there Saturday night about 7 pm into Toronto?

RAY: Yes. I know it wasn't dark but it was getting, getting that way.

LEHNER: And you stayed at this Ossington apartment the night of the 6th?

RAY: That's correct.

LEHNER: And did you stay there the night of the 7th as well?

RAY: Yes.

LEHNER: And when did you -- When did you take up this second apartment?

RAY: I'm not quite certain on that. I think I stayed there about three weeks and I wanted a place to stay in the daytime and sleep at night, but I didn't want to stay in one. It looks suspicious if you are just laying around in, you know, the room all the time. So I went in one place for days and one for the nights. I checked into - I rented another room from a Chinese lady on the street, about three or four blocks from there.

LEHNER: Now, in fairness to you, I should tell you that the investigation thus far that we have been able to check out indicates that you first stayed in the Ossington place on the 8th, the night of the 8th; and could you give us any insight as to why that would be any indication?

RAY: I heard that in all these books and everything, but the reason I -- I think probably if you ever talk to, if she's still alive, do you know has anyone every talked to the

lady that runs the rooming house?

LEHNER: What's her name?

RAY: It's a polish name, I can't pronounce it.

But I'm almost, the fact is, I'd go under oath and say that she didn't ask me my name the first day I come up there because I read this in a book one time that I didn't get there until April the 8th and I tried to think, well, how come she didn't have no record of me being there until April the 8th. And they I'm, I'm almost positive that she didn't ask me my name until - The fact is she never did ask me and I just volunteered it on Monday after I went down to the newspaper files and got the Bridgeman name and gave it to her. Because I - there is a lot of things in the case that are not clear to me, but this is, this one is clear to me that I got there on April the 6th.

LANE: Bob, what information do you have that leads you to believe that he wasn't there on the 7th.

LEHNER: As I - I recall in not having looked into this directly, Mark, that there are reports, as a matter of fact I think there's the FBI reports that would indicate that he first was in that rooming house on the 8th in Toronto. They have no record of where he was on the 7th or the night of the 6th. That's why I think if he can explain that to us I think it would-

LANE: I'd like to know how the FBI explains it.

LEHNER: Well this is one of the -

LANE: Or just what they base their report on.

LEHNER: And as you well know this is one of the things that we want to do when we do our field interviews to, to speak to people directly and we have not spoken to the person at the rooming house yet.

You can't give us any further insight other than what you've told us thus far as to the, as to why there is no record of your being in Ossington at, at the Ossington Ave. rooming house on the night of the 6th and 7th?

RAY: Well I don't recall signing any kind of an entrance book into the rooming house or anything. It's just, I don't think the lady really made a practice of renting out rooms. I think it was just one. I wasn't no business of where you keep a big record of it. And, but I'm positive on the following Monday I got the Bridgeman name from newspaper files and voluntarily gave it to her. I think I wrote down on paper and said if anybody calls here this is my name.

LEHNER: How did you come across the Bridgeman name?

RAY: In the newspaper files.

LEHNER: Where did you go to get those newspaper files?

RAY: I don't know which newspaper. I went to a newspaper and they, there was a machine there and they gave some films, some woman did and I checked out the back birth certificates near to my own age. And the only thing I recall about them, they gave the name and the birth certificate and they gave the name, the husband's name and I think they give the wife's name, I think they - NEE - I think it is, NEE something and that's all I recall.

LEHNER: And how many names did you get out of the newspaper files?

RAY: I think I got two, three, but I can't recall but two, Bridgeman and Sneyd is the only two that I recall.

LEHNER: What newspaper office was this?

RAY: I couldn't say.

LEHNER: How did you think about going to the newspaper office, what prompted you to do that?

RAY: Well there's really only two - I'd been trying to get out of the United States for years on some system like this. There's really only two ways I've ever read where you get out, either through the newspapers and get back names or go to the graveyard, and, I did both, and I figured the newspapers seemed to have more information.

LEHNER: So you did both. You went to the graveyard?

RAY: Yes, that's correct.

LEHNER: Where did you do that?

RAY: Ah, in Toronto.

LEHNER: Can you tell us about that?

RAY: I remember too much about it. I went out there one time trying to get some names, these old names off of the tombstones.

LEHNER: When did you do that?

RAY: That must of been after I went to the - after I went to the - after the post office. I know it was a way out there, I had to walk a long ways to get out there. I walked out there.

LEHNER: What were you planning to do with those names?

RAY: For passport.

LEHNER: How were you going to do that?

RAY: Well I was looking for two or three alternatives.

I didn't know about the, in otherwords I was trying to get all the different information that I could get before I applied for the passport. And I think I did get one name at the graveyard but I decided to use the, I think I decided to use the newspapers. See, what, I went to Canada twice. The first time I was up there I tried the same thing, but the first time I made the mistake instead of going directly to the travel agency I got the information on the phone. They told me I had to be there two years and, or get some kind of - I can't pronounce the name, Guarantor; is that it?

LEHNER: Guarantor?

RAY: Guarantor, that's it. So, anyway I didn't pursue it the first time I was up there. But the second time I did.

LEHNER: The first time you didn't go to the newspapers or the graveyard?

RAY: The first time I tried to get all the information from a travel agency by phone, and when they told me I had to stay there two years I was thinking that maybe I'd just stay at the Notre Dame address, that's where I had rented a room for two years and then use the people that lived there, you know, vouch that I had lived in Canada for two years, and then I got involved in some other things and I decided that two years might be too long and -- Where

I made the mistake at is not going directly to the travel agency and getting the information like I did the second time.

LEHNER: So you got both Bridgeman and Sneyd and the third name out of the newspapers, and what did you do with those names?

RAY: I, I called up -- I called up the names. I wanted to find out - I knew you had to have a picture on your passport. I wanted to find out if these people ever got a passport. Because if they had of I thought possibly that their pictures would been on file. I called up two or three people and I think Sneyd was the only one that had never had a passport. I think I told him that I was with the Registrar General's Office.

LEHNER: What General's office?

RAY: Registrar General, whatever you call it. I'd done found out that that's the people that has charge of birth certificates and the passports and things. I may have told him I was with the passport office. Now I think the Registrar General, I think that's who has control of the birth certificates, and that's where I wrote to for birth certicates. I don't think they have controll of passports. I think when I called up these people and asked them about the if they had a passport, I think I told them I was with the passport division from Ottawa. I think that's where that's located.

LEHNER: Did you call all three of the people?

Or - Or less than three?

RAY: I know I called at least two. I think Sneyd would probably been the second one. I don't recall if I called three of them or not.

LEHNER: Was Lowmeyer the third name?

RAY: Lowmeyer, no I think that's an alias I used in somewhere else, yes.

LEHNER: So you called first Bridgeman to find out if he had a passport?

RAY: I don't know if it's Bridgeman or not. I know I called - the first person I called he had one, or maybe the first two I called. I know I, the other one that I found didn't have one, and that must of been Sneyd.

LEHNER:: The name Bridgeman, did you ever know anybody in Jefferson City by the name of Bridgeman?

RAY: No.

LEHNER: Did you decide to use the Galt name while you were in Jefferson City?

RAY: No, I think I must of decided to use that probably in Chicago or somewhere.

LEHNER: Are you sure you didn't decide that in Jefferson City to use the name of Galt?

RAY: No, I wouldn't of made all those type plans, you know, I attempted to escape three times, so it's, the only thing I, well I decided when I escaped from Jeff City I'd probably use the name of Raynes, that's the name me and my brothers had used various times, John Raynes, to get a job. The only thing I really decided on when I got escaped

from Jeff City if I did, was to get out of the United States. It was no details or anything.

LEHNER: Well, when you were in Jeff City and you say you tried to escape three times and the third time you were successful, right?

RAY: Yes.

LEHNER: What were your plans, were your plans to go to Canada, you say to get out of the United States-

RAY: Yes, yes.

LEHNER: And what were your plans as to what you were going to do in Canada while you were in Jeff City, what were you, you had plenty of time to think about what you'd do on the outside.

RAY: I don't think it was any farther than, other than get to Canada and get a passport and go somewhere on another continent.

LEHNER: Had you heard why you were in Jeff City that there were passport rings, phony passport rings in Canada?

RAY: Yes, I read a case about a guy that went to Brazil named "Byral", I think his name was, and how he got passports and got to Brazil. It was difficult to extradict you from Brazil.

LEHNER: Well did you have any information while you were in Jeff City as to where to go in Canada and how to go about getting false identification?

RAY: The only thing I ever got, any information I got was from newspapers or magazines. I never got anything from

other convicts because most convicts they get 20 miles away from the prison and that's usually as far as they go. So you can't get too much information from them.

LEHNER: Okay, so you say that you called up maybe one ^{you} or two before got to Sneyd and Sneyd said that he had never had a passport before; is that correct?

RAY: That's correct, yes.

LEHNER: When, when did you make these calls in relation to when you first go into Toronto?

RAY: I think those calls had been made probably the first week I was there because I was interested in getting it as quick as I could.

LEHNER: You had already used the Bridgeman name at Ossington Street before you called Mr. Bridgeman?

RAY: Yes, I'm - I'm positive I used that on Monday, yes.

LEHNER: And what about the Sneyd name at the other address? When did you start - when did you take up a second address in Toronto?

RAY: I'm not just, I'm not positive when I moved in the other address. It'd probably been in, it wouldn't been too long - not over two weeks anyway. Because maybe, possibly not that long, because I wanted a place to stay in the night time and another place to stay in the daytime incase I wanted to tell the polish lady that I was working or something. I just don't like to stay in one place all the time.

LEHNER: Did you have / ^{Canadian} money when you arrived

at, in Toronto in April?

RAY: I thought I had - I believe - I think I had a small amount, yes.

LEHNER: About how much?

RAY: I couldn't say. I know I cashed - I know I had quite a bit at one time but I cashed it in in Atlanta. But I don't think I cashed it all in.

LEHNER: You cashed it in Atlanta which was during late March of '68?

RAY: That's correct.

LEHNER: How much Canadian money did you retain?

RAY: I couldn't -- I can't say, but I know I must of retained some. I don't think I cashed everything in. But if I did retain any it wouldn't been too much, it'd been small amounts.

LEHNER: Why did you have all that Canadian money with you still when you were in Atlanta?

RAY: Well I got the first when I crossed the border. It wasn't a whole lot of money.

LEHNER: How much was it?

RAY: I don't think it was over four or five hundred dollars at the most.

LEHNER: Now you came from Canada into the United States, what month was that?

RAY: Uh, let's see. It must of been in August.

LEHNER: August of '67. You kept four or five hundred dollars in Canadian money through to late March of '68; is that right?

RAY: Um, yes I think so.

LEHNER: And was during the period of time that you were also staying in Mexico. What was the purpose of keeping such an amount, 4 or \$500 of Canadian money, in your possession during that time?

RAY: Now I'm not positive that it was that much now but I think it was, I know it was \$200, I'm not sure. I'd say, I would say it was between three hundred and 450, something like that.

LEHNER: What was the purpose of keeping all that Canadian currency in your possession for almost a year?

RAY: It was no - it was really no reason for it, it was just money. I got some of it, I think I got about - I think I cashed some of it in when I first got it. I think I got seven hundred dollars the first time and I think, well I don't know maybe I made a mistake in keeping, I know I kept a check one time for a \$150 for 4 or 5 months and had to throw it away, but --

LEHNER: Why did you have to throw it away?

RAY: Pardon?

LEHNER: Why did you have to throw it away?

RAY: Well I got the heat on me from the, I had the Galt name and when I got the heat on me I couldn't cash it.

LEHNER: Well, when did you cash it -- When did you throw it away rather, I'm sorry.

RAY: Well I did that after the police started looking for the Galt name.

LEHNER: Well when did you -- Do you remember the day that you threw away that check?

RAY: Well I got the check, I come by it, I ordered the camera equipment and the material I got was the wrong kind or something. So, I wrote - So instead of ordering - I'd ordered from Chicago, so instead - instead of reordering from there I was in a hurry and I just bought the camera I was suppose to get in Birmingham. Then I wrote to Chicago and told them to send me, I'd probably be going to Mexico and- No I don't think - I think I waited - I think I waited until I got to Mexico and wrote and told them to send me the check in Mexico. Then I decided I couldn't stay there I had to go somewhere else. I got to Los Angeles and then send the check to Los Angeles.

EVANS: Who sent the check to Los Angeles?

RAY: This Chicago camera firm. And when I got the check in Los Angeles I never did cash it, I just put it in my billfold. Then when I got the heat on me I had to throw it away.

LEHNER: Where were you when you threw it away?

RAY: I probably threw it away in Canada when, when the, when I threw the other material away.

LEHNER: Now didn't you tell us sometime in the past that you threw it away when you threw the camera equipment away? That was on your way from Memphis to Atlanta.

RAY: No I didn't throw a check away then, I'm positive on that. I didn't throw no identification away then, the only thing I did is throw everything out of the back of the car.

LEHNER: What about in Atlanta, did you throw it away in Atlanta?

RAY: I could of throwed it away in Atlanta or I could of throwed it away in Montreal. The only thing I'm--

LEHNER: In Montreal you are talking about or are talking about in Toronto?

RAY: No, in Toronto. I'm clean, I mean I can picture myself throwing stuff away in Toronto. And I threw a lot of stuff away in Atlanta. I started putting it in the garbage can and throwing it downstairs and everywhere else. But I can't, you know, specifically remember tearing a check up and throwing it away. But I know I - Later on I wrote to the company after I was in jail and tried to get the check back and they said the FBI impounded the records. So I never did get that.

LEHNER: Thinking back, didn't you, didn't you throw that check away before you went to Toronto?

RAY: I could of throwed it away in Atlanta, yes.

LEHNER: Well what would be the purpose of your throwing it away in Atlanta?

RAY: Mostly when I threw everything else away just to get, get rid of everything in the Galt name.

LEHNER: But didn't you say you may have used the Galt name with police in Toronto?

RAY: Yeah, but I think I made a mistake, I don't think I would of been that foolish to give them that name, especially without - That's just something I can't remember, you know,

from not thinking about it. But I think if you look on the records up there you'd probably find it was the Bridgeman or, or Snyder.

LEHNER: What happened to the ticket that the officer gave you?

RAY: I must of threw it away too if I didn't, if it wasn't in my, it wasn't in my suitcase when I was arrested; I don't think it was, because I've looked over, I've never seen, I've never seen it in my record.

LEHNER: Did you get any mail when you were in, either in the Ossington residence under Bridgeman or the other place? Now where were the other residence that you took up in Toronto?

RAY: I can't think of the street name on that. Now I know, I know you go from, from Ossington you go up about a half a block and turn right and go down about 5 or 6 blocks and it's on the lefthand side of the street, but, I forget the name of it.

LEHNER: Would Dundas Street ring a bell?

RAY: Yes, that's correct. Yes.

LEHNER: And what name did you use there?

RAY: I think I used the, I think I used the Snyder, Snyder name.

LEHNER: Had you called Snyder up until then?

RAY: I think - Yes, I done called him.

LEHNER: Did you receive any mail, either under the name of Bridgeman at Ossington Street, or Snyder at Dundas Street?

RAY: I think I -- I think I received - I went up and bought, I know I bought a money order one time and ordered the - ordered the - ordered the birth certificates. I think the only, the only mail I recieved was the birth certificates. I don't - I don't clearly - I don't recall receiving them, but I must of received them if they come in the mail.

LEHNER: How did you apply for those birth certificates?

RAY: I think I called the Registrar General. Now I don't recall doing this, but that's the only way I did it. I think I called the Registrar General and he told me how much money to pay, and now I do recall going to get a money order and mailing it. And I think it was a \$1.50 or something.

LEHNER: Did you recieve both birth certificates, both from Bridgeman and Snyed?

RAY: I don't recall about the Bridgeman. I may not of even went back and picked it up. But if I did I threw it away because I wouldn't want to get caught with two birth certificates. What I ultimately did, I was still under the impression, you know, from my first visit to Canada that you had to have a -

LANE: This Guarantor?

RAY: Guarantor, yes. I was going to use the Bridgeman name as a Guarantor and use the Snyed name to get the passport, but of course I found out that wasn't necessary, so -

LEHNER: How were you going to do that if it were necessary? How were you going to work that out?

RAY: Well I'd just have to found out what the procedure was and try to pretend who I was, because I didn't know what

the procedure was. I thought maybe you just had to get a sworn statement off of Bridgeman or something, well I could of probably made out a sworn statement on my own and took it down there and said I got this from Bridgeman.

But like I say I don't know what the procedure is.

LEHNER: Well wouldn't you need the Bridgeman birth certificate for that purpose?

RAY: I imagine if you went to a Notary Public and wanted to make a sworn statement you would of had to give some information to-

LANE: Identification.

RAY: -get an affidavit, yes.

LEHNER: Well what if the passport people required Bridgeman to be there, how were you going to arrange that?

RAY: I would of probably just went to the hills. If it's too difficult to get I couldn't of -

LEHNER: Were you planning to use any type of disguise to pretend one time that you were Bridgeman and coming back later at Sneyd?

RAY: Yeah, I thought about that one time, disguise, I also thought about a disguise on Snyed, but --

LANE: Are these suggestions?

LEHNER: No, I'm asking Mr. Ray questions.

RAY: I really did think of that, I don't know.

LEHNER: You did think of that?

RAY: Yes, I thought about using disguise for Bridgeman and coming, that would of been sort of far fetched if I did think of --

LEHNER: So did you - Do you now recall that you had the Bridgeman birth certificate?

RAY: Yes, I think, I don't really recall having the Bridgeman birth certificate, I may have, or I may have just went off and left it there. But I have kind of a slight recollection of getting the Bridgeman birth certificate and throwing it away.

LEHNER: How did you get the passport?

RAY: I went -- Well I went to a travel agency and I told, I believe I told the lady that I was from another town, I got a town off a map and told her I was a used car salesman there or something, but I hadn't been, I told her I had been in Toronto for two years and couldn't prove, or something, that I was there. I told her, I think I wanted to go to England; London, England, a round trip ticket. And she explained to me that it wasn't necessary to prove I was in Canada two years if I wanted to sign a sworn statement. And I took her up on it. I think before I -- Before I went into this passport business too much I went into the money angle because I figured she'd be interested in money and ticket and everything. I told her I wanted to go to England and all that stuff. Then I went and started explaining to her about the, being out of the city of Toronto. I think I - If I had a map I could pick up the city I told her from. And she, then she explained the procedure for getting, for making a sworn statement.

LEHNER: And then what did you do?

RAY: I think she told me I had to get a picture and fill out a form. I don't remember filling out the form, but I apparently did, then I went down to get a picture, but when I went to get the picture I used a different name from Snyed, I used the Bridgeman name I think to get the picture. Or maybe it's another name, I know it wasn't the Snyed name.

LEHNER: What was the purpose of that?

RAY: I can't recall, it don't. Just being devious I suppose trying to - But anyway I got the pictures and that was, I think I had to come back a few days later and get them or something.

LEHNER: Did you ever see the real Bridgeman or the real Snyed?

RAY: I seen the pictures in the paper, that's all.

LEHNER: You never saw them personally?

RAY: No.

LEHNER: Did you ever attempt to see them?

RAY: No, I never made no attempt to see them.

LEHNER: How did -- How did it come off that you happened to bear a strong physical resemblance to both Bridgeman and Snyed?

RAY: I don't if I -- I don't if I bear a strong physical resemblance to them. Uh, uh, most these in Eng-, in Canada I don't know about now, but I don't think that'd be really something extraordinary, because most of them are the same nationality to me, English or Irish. I don't think you'd have too much problem having two features, you know. You

might, I mean, there wouldn't be no radical-radical difference in appearance, Chinese or something like that.

LEHNER: Well, how did you know their height and weight?

RAY: I had no idea their height and weight. I didn't know if it was similar to mine or not.

LEHNER: Well, how did you know when you were applying for the Snyder passport or the Snyder birth certificate that Snyder might not turn out to be 5'2", 250 lbs. or 6'8" a 140 lbs.?

RAY: That's one reason I wanted to, to get the passport. I wasn't thinking about what you just said, but I was thinking about the picture. That's one reason I wanted to try and make sure that the individual that I was applying for the passport, apply for his name, under his name for the passport was never, had never applied for one, because I assumed that they would of at least had the picture in there. Like you mention, how tall he was and all that. I didn't think of that part but that would of been on there, prior passport too, if he had one. But I was - I really didn't have too much to loose at that time, all the heat on me. So I wasn't worried. The first time I went up there I was too cautious, and the second time I was a little too bold I guess you would call it.

LEHNER: Well at the passport, at the travel agency, did you leave your address under the name of Snyder?

RAY: Did I give them my address? Yes, I, um -- I don't know what address I gave them. I guess I gave them the Ossing-,

not the Ossington, but the Dunda Street.

LEHNER: Dundas Street?

RAY: Dundas Stree, yes.

LEHNER: Did you -- Did you leave a phone number?

RAY: I don't know if I did or not, I probably did.

LEHNER: Did you know the phone number at Dundas Street?

RAY: I think there was a phone down stairs. There wasn't none in the room. But I don't ever recall recieving a phone call there. I think I -- I think I pretty well kept contact with the travel agent myself, where she wouldn't have to be calling me, I was kind of anxious to get the passport and so, -

LEHNER: When you took the passport photograph did you disguise yourself in any way?

RAY: I think I combed my hair a little bit different, other than that I don't think I did.

LEHNER: How did you comb your hair?

RAY: I think I plastered it down maybe just a little bit more.

LEHNER: Did you wear glasses during that passport photo?

RAY: Ah, yes.

LEHNER: When had you started to wear glasses after your escape during Jefferson City?

RAY: I've been wearing glasses ever since 1961. I just use them to, if I'm driving or reading, or something, I usually don't use them if I'm just walking down the street or anything.

LEHNER: Did you ever use them when you took photgraphs?

RAY: When I took photographs of myself?

LEHNER: Yes.

RAY: No, I don't think I ever went -- I don't think I ever took a picture except for the passport.

LEHNER: Didn't you take pictures of yourself in Mexico?

RAY: I think I took a couple. That's why I was thinking of plastic surgery, or something, I was thinking about the passports and things.

LEHNER: Did you wear glasses with them-

RAY: No I never did take-

LEHNER: -when you took those pictures of yourself in Mexico?

RAY: No, I never took pictures.

LEHNER: How did you arrange to take pictures of yourself in Mexico?

RAY: Uh, I never did -- That was no big thing, I think I took a couple, they have, they have some type of delayed action thing that you put on a polaroid camera and take a picture of yourself, and I took two or three of them I think. I was trying to determine what features stood out in the pasport-, in the picture and things like that.

LEHNER: Where did you buy that polaroid camera?

RAY: In Birmingham, I think.

LEHNER: And what did you evenually do with that camera?

RAY: I guess the police have it, I don't know, it was in my - I bought that for my own use and I think I kept it. I believe the Memphis police - I think it's on the -- I think it's on my pesonal property record. But I don't know, they give my brother some stuff and they kept some.

LEHNER: You mean you had it with you when you were arrested in London?

RAY: That's correct; yes.

LEHNER: On - On your person?

RAY: That's correct.

EVANS: Did you use any 35 mm equipment when you were in Toronto?

RAY: I don't know what, what that is?

EVANS: Any 35 mm cameras?

RAY: I don't know anything about cameras.

EVANS: You don't know anything about cameras. Did you take any photographs of yourself when you were at the Dudas-, Dundas Street address?

RAY: I think the lady took about three of them for passports. I think you have to turn in three. I think that's what you do. I think she kept the negative because-

EVANS: Did you take any of yourself when you were in Toronto?

RAY: No.

EVANS: Did you have any camera equipment at all beside the Polaroid camera when you were in Toronto?

RAY: I may have had some film.

EVANS: Where - Where is the film from?

RAY: Uh, I don't know if the film was for the polaroid
for
or whether it was/the material that I threw away. But if
it was something small I may have overlooked it and just left
them laying in the, the overnight case. But I never, I

never took any, I never -- I never did open them up or I never id take any pictures with them or anything.

EVANS: Um hum, Um hum. You had polaroid film with you in Toronto?

RAY: Ah, I really don't know. I had some film but I don't know where it was polaroid or whether they were for the material that I threw away.

EVANS: The material you threw away being which?

RAY: This is complicated stuff. I can't recall whether it's for moving pictures or-

EVANS: Movie pictures?

RAY: Yes.

EVANS: You had a motion picture camera?

RAY: Yes.

EVANS: And when did you throw that away?

RAY: I threw it away somewhere between, on April the 4th, somewhere between Memphis and Birmingham. I threw it away in Alabama. I threw everything out of the back of the car, and that was some of it.

EVANS: Yeah, and what was the purpose of the movie picture?

RAY: Well the individual, this Raoul, he'd asked me to buy this stuff. I purchased it in, I'd ordered it from Chicago. A Chicago mail order house, and I think that's the only place you could get. I never did, I put it in the trunk of the car and that was it, I never did take it out, so-

EVANS: You had never used that equipment?

RAY: It was never out of the box, no.

EVANS: All right, how come you had film in Toronto?

RAY: When I threw it away, I don't think the films, I don't think I had the films with the camera equipment in the trunk of the car.

EVANS: All right.

RAY: And the film was probably small. I probably just left them in the suitcase, because I didn't throw everything out of the suitcase. I had some things in there that really was irrelevant as far as me traveling. I just left everything in the suitcase and it was dark when I threw this large, you know, these large packages away. And so I can't, in other words, this material wasn't together. When I threw it away I just threw it away and that was it.

EVANS: How did you happen to have the motion picture material or cameras with you when you were in Memphis? What was the purpose of carrying it to Memphis?

RAY: There was no purpose, I put, I put the material in the suit, in the trunk of the car when I left Birmingham for Mexico. And I don't have any recollection of ever taking it out or looking at it or anything. And when I went through Customs in Mexico I think they might have put a mark on it. And, That was it when I, I think I touched them twice when I put them in the trunk of the car and when I threw them away and that was it.

LEHNER: What was the purpose of throwing them away?

RAY: Well I just didn't want -- I wanted to throw everything away in the trunk of the car, and get rid of everything that possibly would connect me with the car, and wipe the prints

off of it and everything.

LEHNER: Well you didn't throw the polaroid camera away; why didn't--

RAY: Well, no that was something that wanted, versus what, I mean, what I didn't want if someone else may of wanted it.

LEHNER: Well you need money couldn't you sold that, that was new camera equipment that you had in the trunk of the car; wasn't it?

RAY: Well, it's possible that you would want, you know, if I wanted to pawn it or something, but I wasn't thinking about that. I was just thinking about getting rid of everything that had my name on it possibly. Or anything bulky that I couldn't carry in -- The only thing I wanted was what, you know, what I could get in the suitcase and that was it.

LEHNER: What did you do with your typewriter?

RAY: I threw it away too.

LEHNER: Where did you keep the typewriter?

RAY: Where did I keep it?

LEHNER: Just before it was thrown away, where was it?

RAY: I think I left it in Atlanta.

LEHNER: Why did you throw it away?

RAY: Well I couldn't carry it. The only thing I -- I just - The only thing took with me is what I carried in the case.

LEHNER: Where did you throw it?

RAY: I threw it in a garbage can outside or either that or I threw it downstairs down in the basement. I can't -- I

threw some stuff in a gargabe can and some, some things in the basement.

LEHNER: Why not just leave it in the room?

RAY: Well I could of, but as I mentioned I was trying to, there was an assumption that I was going to get a lot of heat on me, and I was trying to get rid of everything that had, that possibly connect me or anything with the Galt name or anything. I think -- I think I threw everything away except a couple af articles I left in the room or something.

LEHNER: Why did you decide to leave those articles in the room?

RAY: I think I left-- Well I didn't leave, I think the only articles I left in there were a, I think there were some clothing there, I don't think they were mine, I think they belonged to this guy they call himself Raoul, there was some pants, they were way too small for me. I think he left a couple pair of paints in there one time. The only thing I left in there was, was a copy of a Los Angeles Free Press newspaper and a John Birch Society letter. I'd wrote to them asking for imigration information. I left them in there and-- You know, to try to throw the police off --- the police got these, you know, kicked in the door or something.

LEHNER: All right we will pick this up when we stop, when we come back, our Stenographer indicates he wants a short break, so lets take five minutes.

(The time was 11:47, am).

LEHNER: Okay it is now one minute after 11 am, November 14th, 1977. We are at the same place, Brushy Mountain State Prison, the same people are present as we were before the break. I know that our plan was to let you tell us some things about that you had in mind. Let me take just a few more minutes what we are on and then we will get back to you and do it that way.

We were talking about Atlanta and we are talking about certain things that you threw away and certain things you didn't. You left the maps there together with the John Birch Society letter and an underground newspaper; is that right?

RAY: Uh, if I left the maps there it was inadvertantly. I don't recall leaving the maps.

LEHNER: Well you told us some time in the past about the map where you put the circles; one for the bank; one for the restaurant; one for the highway where you came in; and one for the place where you were staying at, four circles; right?

RAY: Yes.

I don't know where that map was at though. I could of been, I could of threw it down stairs.

LEHNER: Okay. How did Raoul get his clothing in your, in your room at Garner's?

RAY: I think he must left a pair of pants there sometime, two pair of trousers there or something, one pair or something. I mean, I don't, I think they were still hanging there when I left.

LEHNER: Well did he ever spend any time in your place?

RAY: Twice, yes.

LEHNER: But that was just once, the day after you arrived there, and the next time to; the day after you arrived just to talk to you a few moments as I recall, wasn't that it? And the next time was when he told you that he wanted to go to Birmingham with you.

RAY: Well -- Well he came there the day after I rented the room. I think what - the first night we rented the room we - we, ah, the guy was drunk and we couldn't - we had trouble renting the room and there was some doubt where I was going to stay at. The first night I, I stayed in the - I didn't - I stayed in another place, the regular office, the regular office building. The next day when he sobbered he told me he'd move me across the street. And then I moved across the street the next day I told this Raoul that I'd be next door. And some time the next day I don't know if he went to see the rooming house operator or just knocked on the door and come to the place I got next door, and I think that's when he left a pair of pants there and he said something about he wanted to, that maybe we'd be going to Miami for two or three days. And I think he - I think he left one or two pair of pants. I didn't pay any attention to it, I'm not even sure they are trousers, they may have been shirts or something but they were still hanging there when I left.

LEHNER: Why - Why did he leave those clothes there?

RAY: I couldn't say.

LEHNER: Where was he staying?

RAY: I don't know, I have no idea.

LEHNER: Well what did he say when he left the clothes there?

RAY: He just said that, he said something about could he leave these here or something until he come back to pick them up. It was my understanding that he would be back in two or three days and we was going to Miami but it never did work out that way.

LEHNER: Well, when you eventually went with him to Birmingham, did he have a suitcase or did he have clothes with him?

RAY: Uh, no.

LEHNER: Just the clothes that he had on his person?

RAY: Uh, yes.

LEHNER: And he went in your Mustang?

RAY: Yes.

LEHNER: And did -- He told you he was planning to go the Mexico; right?

RAY: Well that's the impression I got.

LEHNER: What -- What was you thought as to how this fellow has absolutely no, no clothes, goes with you in your Mustang and then is planning to go to Mexico with you, did you think it was strange?

RAY: Well when he left that night after we had purchased the rifle, and he said he was going to New Orleans, so I assumed that he possibly had some clothing somewhere else.

LEHNER: How was he going to get to New Orleans?

RAY: I - I didn't inquire on that.

LEHNER: How many -- How many nights did you stay in Birmingham?

RAY: I testified to this about last week, now I'm going to have to give you two alternatives to that, because I still don't have these Huie papers. But I think I'm going to have to testify - now the alternatives are going to be when I left, when I got the rifle, when I took it back that day and got it exchanged. Now whether I bought the rifle back and he was still in the motel and left that night, or whether I went back the next day and got the rifle. Now, I've been looking at the stipulations, and they say I went back the next day and got it. If that is so then he'd already left when I went back and got it. On the other hand if I went back and got the rifle exchanged the same day and he was still, he would of still been there and I would of still been in that motel. But to specifically answer your question, uh, I stayed in the motel one night.

LEHNER: Just one night in that motel, this is in the Five Points area?

RAY: Yes.

LEHNER: So, you were just there one night?

RAY: Yes, I'm positive. Yeah, it would of had to been one night.

LEHNER: Well where did you spend the night of the day that you purchased the second gun?

RAY: Well, now like I say it's difficult - regardless

of whether the stipulations are correct or whether I am correct, I still would of just stayed one night.

LEHNER: Well we'll get back to that, I didn't want to-

RAY: I wrote everything down on paper but I think I better--

LEHNER: Just to finish with Atlanta for a question. or two, you told us that you took a bus to Cincinnati and that bus you took sometime in the afternoon, about what time did you say it was?

RAY: I can't recall just exactly what time it was. I believe it was, I have some recollection of the bus being late. And it must of been 4:00 or 3:00 or 4:00.

LEHNER: What did you do in Atlanta that day up until 4:00?

RAY: Well the first thing I did I threw a lot of things in the garbage can and I threw, I think I threw a lot of stuff in the basement of the rooming house and I went up and got some clothing I had in the cleaners.

LEHNER: This is the same -- The same person waited on you when you picked up the clothing as when you put it in?

RAY: I can't -- I can't recall that. I think it was, but I know, -I believe it was a woman but I can't recall if it was the same one.

LEHNER: Did you ever use the laundry, that particular laundry, before that occasion?

RAY: No. I put those - I put some laundry in there I think about - I put them in there before I went to Birmingham

and then I picked them up when I came - came back. It wasn't nothing, nothing, just a couple of shirts. If I left them there it wouldn't of amounted to anything. Beings I was back I picked them up.

LEHNER: You picked them up on the morning of the 5th of April?

RAY: Yes, that would of been about right.

LEHNER: About what time would you think you picked them up?

RAY: It would probably been as soon as they opened, 8 or 9:00.

LEHNER: And when did you put them in?

RAY: Before I went to Birmingham, but I can't say just when. Probably during some time in the week before I went to Birmingham, during that week.

LEHNER: And you never used that particular laundry before that time; is that right?

RAY: No, that was the only time. Of course I hadn't been there, you know, long enough to be using laundries and that was the only time I'd ever used it.

LEHNER: What was the name of that laundry?

RAY: I don't know, but it's written down somewhere. It may be in the stipulations, I don't know.

LEHNER: Is the Piedmont Laundry the correct name?

RAY: Yes, I believe that is.

LEHNER: Did you have the ticket for the laundry when you went there on the 5th?

RAY: I don't know if I did or not. Sometimes you know you get your clothing without a ticket. But it wasn't all that significant. When I put the laundry in there I didn't care whether I come back and got it or not. It was, it didn't make all that much difference.

LEHNER: So the laundry was not your purpose in going to Atlanta after leaving Memphis?

RAY: Oh, no, that wasn't nothing.

LEHNER: What was the purpose?

RAY: Well I had to go some place and I did have some material back there in the room and actually if I could of gotten out of the car somewhere and ditched the car I would of ditched it in Birmingham and caught a bus somewhere. But it just so happened that it was nighttime and I didn't know where to, it was no where to go. I mean, Birmingham, - Atlanta would of just been just as well off as anywhere else.

EVANS: What kinds of material are you talking about that you had at the rooming house?

RAY: Well I had - I don't know just what I had in there and what I had in the car. It wasn't really important what I had in there but I really can't explain why I went back to Atlanta, I just went, you know, I had to go somewhere when you got the heat on you, you think you got it on you. You go somewhere to get out of the area. And, I guess all that went through my mind on the way to Atlanta and I figured, well, I'll just ditch the car here and clean up the room and get what I -- I think I had a, I had a pistol there too, I think I probably

wanted to get a hold of it. It was in the basement, buried in the basement.

EVANS: Did you have your, what kind of holster did you have with that pistol?

RAY: Holster? I didn't have no holster.

EVANS: You had no holster at all?

RAY: Just carried it in my back pocket.

LEHNER: Did you ever carry a holster?

RAY: No.

LEHNER: In your whole life you never had a holster?

RAY: No, I don't-- I really don't like to carry pistols because they weight you down. I usually just hide them in the car or hide them in the house some place.

LEHNER: Is that true in your li-, in your whole life you have never wore a holster?

RAY: No.

LEHNER: I mean that is, that is ture?

RAY: That's correct.

LEHNER: Yeah. Okay.

RAY: Never owned one.

LEHNER: So what else did you do in Atlanta before you went to the bus station you say about four o'clock in the afternoon?

RAY: Well I know I - I know I didn't get, I did get the .38 pistol, and I threw some items downstairs. I kind of think I threw the cash, the typewriter down stairs. I don't know if you've ever checked but it mit, it might still be laying down there. There's a stairwell inthere and you

can throw things under the stairwell. I think I threw some other items in a garbage can. In other words, everything I couldn't get in the suitcase I threw away except the couple pair of pants and the two items in, the Birch material and the-

LEHNER: The underground newspaper?

RAY: The underground newspaper, yes.

LEHNER: You left them there purposely to throw the FBI off incase they came there that they would go to the West Coast?

RAY: Well that was kind of a weak thing, yes. But that's why I left it there, yes.

LEHNER: And the maps you left there inadvertantly?

RAY: I don't recall leaving the maps there at all, although I didn't consider them important.

LEHNER: Well where do you recall leaving the maps?

RAY: I don't have no idea. I must of because unless they got them out of my personal property when I was arrested. But I do recall marking the maps. So if I marked that one I may have threw it in the garbage can and the FBI could of gotten the garbage can.

LEHNER: What about the Los Angeles map, did you mark that one as well?

RAY: I don't know what, which ones I did. I had so many maps. I'd throw them away and collect them and it's difficult to remember.

LEHNER: Which ones do you recall marking?

RAY: I don't recall, I may have marked the Birmingham map.

LEHNER: Did you leave any Canadian maps?

RAY: I don't know now. I know one time I had a To-, Montreal map, I can't recall where I left it. A lot of time I just assume you just leave a map, you know, and you just forget about it. Like if I, now if I left that map in the room in Atlanta I'd probably left the others, similar just walk off and leave them or something, so --

LEHNER: Do you recall marking the LA map?

RAY: I have a vague idea of marking the Los Angeles map one time. But, well I can't - I can't remember specifically.

LEHNER: What areas would you of marked on that map?

RAY: Well usually when I am marking a map I'm trying to get my bearing to get directions, because usually when you go into ^{a town} it's hard to keep - but Los Angeles it'd be hard to mark anything on a map like Los Angeles because it's so many suburbs you really couldn't, it's more difficult than a town like St. Louis or Birmingham or something.

LEHNER: Did you have a map of St. Louis?

RAY: No, I wouldn't need no map of St. Louis. I just went through St. Louis I would had no time to get any map there anyway.

LEHNER: And can you now think of areas that you might of marked on that Los Angeles map?

RAY: If I had marked any areas it would of probably been some place, that dance school; or probably somewhere way out where I would of had to drive way out, maybe the- this guy that- the hypnosis, possibly his; but I can't - I can't think

of anything else that I would mark on it.

LEHNER: Okay, can you think of anything else that you did in Atlanta before you went to the bus station at about 4:00 pm.

RAY: I think before the bus -- I think what happened I think I took the suitcase down and checked it into the bus station, and stalled around, I do recall being in a tavern once. And that's the only thing I rem-, I can remember being in the tavern, and I can remember taking a cab, and I can remember being in the- picking up the weapon that I had buried in the basement, throwing stuff in the basement, throwing some stuff in the garbage can. And I can remember leaving the cars, see, I threw the car/away things like that, but I can't - I don't have no recollection of when I threw them away, if I, if in fact I did throw them away, I may have left them in the car. But I can't remember all those details like that.

LEHNER: When you left the car in that parking lot, did you lock the car?

RAY: I don't if I did or not. I believe I probably did, but I can't recall specifically.

The only thing I recall specifically is wiping the rearview mirror off because I didn't want no prints on it.

LEHNER: Did you -- Did you have to use a key to lock that car? Or did you lock it without a key?

RAY: I believe you had to use a key to lock the door?

LEHNER: What did you do with the key, the keys to the car after you left it in the parking lot in Atlanta?

RAY: Well I apparent-, I apparently threw them away if I didn't leave them in there. But I can't -- I can't recall specifically what I did with the keys?

LEHNER: What was in the car when you left it there?

RAY: Um, there shouldn't of been too much of anything in there. But I never did look into it, after, after I threw everything in between Birmingham and somewhere before I got to Birmingham, I don't - I never did look into the back of it any more. Because I think when I locked it up I wiped it off because it was raining slightly, and I wiped it off good because I didn't want any prints on it. And there may have been something left in there, but if it was it would of probably been small items or something might have fell down in between where you put the tire at but I can't recall leaving any large items in there.

LEHNER: Were there any names of any people in there?

RAY: They very well could of been, I wouldn't know.

LEHNER: A couple of names of some girls from Los Angeles? Remember those names?

RAY: You mean people I knew personally in Los Angeles?

LEHNER: A couple of names of women in Los Angeles, do you recall them?

RAY: I never -- I never knew anyone real good out there. This bar maid, Marie Stein and them, I knew them occasionally. I don't know how their names would of got in there. But I took some items for Marie Stein to New Orleans and I, something might of fell out, some, some of her material might have fell out with her name on something and stayed in the car, but I

don't have any recollection of it.

LEHNER: Did you have any book ends in the trunk of the car?

RAY: Book ends? I don't recall, no.

LEHNER: Book -ends with animals on them?

RAY: Animals? No I don't think I'd have, I don't recall ever having any book ends.

LEHNER: Did you have -- Did you, the tires that you had on the car, the four tires that were on the car, were those tires that you had purchased or were they original tires from the car?

RAY: No, I bought those, two of those tires in, uh, North Hollywood on - Lankershim - Lankershim Boulevard I believe it is; is there a street like that in North Hollywood, in West Hollywood? In the Valley they called it.

LANE: Lankershim?

LEHNER: So where do you -- Where do you recall buying tires for the car?

RAY: Uh, well that's another story in itself. I went down on Lankershim Boulevard, I think that's in the Valley, I went down there one time and bought-checked on buying some tires. They had wore out in Mexico, and they said they was busy that day, and that's when this registration place, the voter registration place was right next door. And then later on the woman, Marie Stein she wanted to register to vote and then I told her, I said, well I'll take you down there, I said I got to - I said there a place down there, I said, I got to buy some tires anyway. And I think I took

her down, and I went down to get the tires and they were busy again. Then I think I went down there a third time and then they put the tires on. I know it's a place in the back, you drive in the back and you come out in an alley, and get the tires on. The only thing I -- The one thing I remember about the tires, I had two tires on the front they were bigger than the ones on the back, and --

LEHNER: Different size tires?

RAY: Yes.

LEHNER: What was the purpose of that?

RAY: I don't know. I think -- I think I bought -- In Mexico its very hard on tires now, and I think, I think I had to purchase a tire down there too big a tire and then when-

LEHNER: A front pair?

RAY: I had to purchase one tire.

LEHNER: It was too big?

RAY: Yes. It was the only size I could get, you know.

LEHNER: Was it a new tire?

RAY: Puerto Vallarta, yeah, that's where I bough it at and it was, it made the car lopsided, so when I got back to Los Angeles I got another one to even the car out and I think I had the two big ones on the front.

LEHNER: So, lets see, the first tire that you bought for the car was in Puerto Vallarta?

RAY: I believe so, yes.

LEHNER: What type of place was that that you bought it?

RAY: I can't recall, it was just a place on the main street

where they sold tires.

LEHNER: Do you remember what, what was the name of it or the, was it a name brand store, or was it a garage, was a tire store specifically?

RAY: See I never did, this just come to mind, I never did have, I never have told anyone this before, book writers anyway. I'm almost positive now that that's what happened. But it was a big, it was a, or Puerto Vallarta it would be a big tire shop and that's where I bought, I bought one. And when I got back to Los Angeles I got another one to match it.

LEHNER: So you got the first one in Puerto Vallarta, the second one in Los Angeles?

RAY: Well I may have got two in Los Angeles, I know, I don't know if it's one or two. They was on sale there. And, I know I got at least one, I may have got two but I'm not positive.

LEHNER: Did you buy any after that?

RAY: No that was the last one.

LANE: The one in Lankershim was that off of the Ventura Freeway?

RAY: Well it's some Freeway there, you drive off and then turn to the right and go down Long Street?

LANE: That's probably Lankershim Boulevard.

RAY: I know it's Lankershim, yes.

LEHNER: Did you collect Green Stamps that you kept in the car?

RAY: Green Stamps? At one time I collected, I kept the stamps, yes.

I don't know what kind they was. I was going to this supermarket all the time. They'd always give them to, so I'd just kept them. I think I did cash some in once, you get some premium or something or something. I don't have any strong recollection of this.

LEHNER: Okay. Before we leave Atlanta, was there any, did he give you any reason why he left any of the clothes in, at your place?

RAY: He said he'd -- I think he said he'd back to pick them up and we'd go to Miami or something. And, I didn't think -- I didn't think anything about it. I think I hung them up or throwed, throwed, layed them down or something. I have some recollection of hanging them up, but I got, that's just a vague recollection. I'd forgot about that until, I think I told Huie about it, but I think I forgot about it for three or four years.

HAUSMAN: Did you know anybody named Paul Bridgeman while you were at Leavenworth?

RAY: No.

HAUSMAN: A guard or a fellow convict, possibly somebody that was there before you?

RAY: Galt?

HAUSMAN: No, Bridgeman, Paul Bridgeman.

RAY: I had used aliases of people I knew as convicts but I never, I never, the Bridgeman wasn't one of them.

HAUSMAN: Sure about that?

RAY: Pardon?

HAUSMAN: Are you sure you don't remember any at time or in the late 50's?

RAY: In Leavenworth?

HAUSMAN: Yeah.

RAY: I knew three or four people in Leavenworth real good and that was it. I didn't know any, if there was a Bridgeman up there then I didn't know his name.

LEHNER: Now, as far as the names of girls; remember I was asking you before that if there were any names of girls in the car.

RAY: Yeah.

LEHNER: The names of Nita Katzwinkle or Ginger Day mean anything to you?

RAY: No, not, nothing.

LEHNER: The name Sue Harris mean anything to you?

RAY: No.

LEHNER: Okay.

LANE: Were these names which were found in the car?

LEHNER: They were-- It is my recollection that the report is that the names is Nita Katzwinkle and Ginger Day are the names found in the car.

LANE: With L.A. addresses?

LEHNER: I don't know what the, whether the card had an L.A. address or not, but my, my impression was that these were people from L.A. I wanted to know if James had any recollection of them.

RAY: The only reason I could of been connected with

names like that, is if I got names out of some of these Free Press, and I was using their addresses. But, I had used womens addresses, you know, when I checked into the hotel or like the police stopped me in Toronto, so it wouldn't be unusual for me to use someone's addresses, man or woman.

: What were the names inscribed on? Were they inscribed on something by hand or were they typed out? Some hand writing that could be traced?

LEHNER: You are asking me questions that I really don't know the answer. I do know I have a report that I've read, and I'm not, that I've read which had these names on it. My impression was that they were names on a piece of paper that was found in the glove compartment of the Mustang, and I wanted to know if James had any recollection of those being there?

LANE: Well if the names not connected to him, then they'd be useful.

RAY: The only women's that's ever, ever in --

LEHNER: I'm aware of that.

RAY: I mean I could give you a list of all the women that's ever been in the car and they wouldn't, they wouldn't been in there.

: Did you clean the glove compartment out when you bought the car?

RAY: I probably looked in it and checked it out. I never made a habit of cleaning. The only time I ever checked the car out was usually when I crossed the border or something

to see if there was anything in there that was, you could get arrested for having.

EVANS: Could we get that list of women that's been in the car?

RAY: Yeah, it wouldn't be too long. Of course the Mexican, the Mexican women you wouldn't be interested in them, I think I drove some Mexican woman and her boyfriend, but--

LEHNER: Why don't you tell me--

EVANS: What -- What were the Mexican-- What was the Mexican woman's name?

LEHNER: Why don't you tell me -- Why don't you tell us everybody that was in the car, that might be a useful thing for us.

RAY: Well there was some guy named Charlie Stein in there; there's some guy named Raoul in there; some woman named Marie Stein in there; some-, another woman named Marie Martin; now I'm - there's a Stein and a Martin woman, I don't know their first names, uh, I can't think of anyone else in there.

HAUSMAN: In Mexico?

RAY: Yeah, well there's, there was a Mexican woman in there. I took -- I took her and her boyfriend down to a place one time and drove them back.

LEHNER: What's her name?

RAY: I can't think of her name. She worked in, I think she, she's a hostess or prostitute or something. She worked in a bar there in, in Puerto Vallarta, and her boyfriend was,

I guess he was her employment agency or something, that's the only thing I know about her.

EVANS: Well where did you take them?

RAY: Pardon.

EVANS: Where did you take them?

RAY: I go into a place one time, while I was in Puerto Vallarta, I drove them to a place called Mesmolia, I think it was, about 15 miles down from Puerto Vallarta on a gravel road. I drove them there one afternoon and I was trying to trade the Mustang for, this guy owned some property, uh, it never did come through, I had some other problems or something.

EVANS: Why did you want to purchase the property?

RAY: So I could stay down there. I was going back to get me another Mustang, just stay down there.

And, he owned a place on a mountain or something. And, and that was -- That was the only time them two was ever in there. There was one other time, there was a bartender, a fat bartender, I think/^{he}worked the Oceana Hotel. One time I drove him out to, to the airport and back. In fact he drove the car himself. And that was the only people in Mexico.

EVANS: What was the bartenders name?

RAY: I can't think -- I think Bradford Huie knows the name, the bartender's name. He's a fat guy, he was a, he was a bartender there on ocean front in a hotel, I think the name of the hotel was the Ocean- Oceana or something.

EVANS: And this is Puerto Vallarta?

RAY: Yes, that's right.

HAUSMAN: Would the name, Garcia, refresh your recollection?

RAY: Yeah, that might have been it, yeah. He's a -
I know he's a heavyset guy, weighs about 250 and about, wasn't too tall.

HAUSMAN: You don't recall his first name?

RAY: I may recall if I hear it, but I can't, I'm not - those names down there are a little different to remember than the average name.

I think -- I think I gave that material to Huie. The fact is I think Huie went downthere and checked on it.

HAUSMAN: Would the name Irma refresh your memory about--

RAY: Yeah, that was the name of the woman, yes.

HAUSMAN: That's the woman with the boyfriend?

RAY: Yes.

HAUSMAN: Do you remember her last name?

RAY: His last name?

HAUSMAN: Her last name.

RAY: No, I don't remember her last name.

HAUSMAN: Do you remember his name at all?

RAY: No I don't recall it at all. I may recall it if I heard it. He was the bartender there so I wouldn't be no problem finding-

HAUSMAN: The bartender which place?

RAY: The Casanova, was that--

HAUSMAN: Which city is this in now?

RAY: Puerto Vallarta, yes.

LEHNER: Well was the person that was with Raoul was he ever in your car?

RAY: No.

LEHNER: And when was the time that you shook down the car and found the Rosenson card?

RAY: Well that was in Tiajuana in a, by a motel, I stop there. That was the day before I come back to the United States.

LEHNER: And where was the card found?

RAY: Uh, it was slipped in, it, well actually it was in a package of cigarettes. It had slipped in beside the, in the seat, the passenger seat.

LEHNER: What type of cigarettes, do you recall?

RAY: I think the -- I think they were a United States brand but I don't recall what, what the brand was.

EVANS: Ray, when you say slipped in, do you mean that, did it appear as though someone had placed it there as though the cigarette pack had been dropped accidentally or what; what are you saying?

RAY: Well I assumed someone just dropped them out of their pocket or they possibly could of laid them there on the seat, or, there was a thing between the seats too, I guess was a gear box. I mean you could probably lay something down there and then you hit a bump in the road or something and they fall down inbetween the seat.

EVANS: Oh, so you are saying between the seat, meaning between the floor and the seat, along the console, you are speaking of the gear box, is that like a console?

RAY: Yes, yes.

EVANS: Between the two front passenger seats?

RAY: Yes.

EVANS: And it was on the passenger side?

RAY: Yes.

LEHNER: Had you shaken down the car before that?

RAY: Yeah, I can't -- I shook it down -- Let's see, the last time I shook it down would of been in Birmingham probably when I looked through it real good.

HAUSMAN: You mean right after you bought it?

RAY: No, right before I left Birmingham for Mexico. And, --

LEHNER: What was the purpose of shaking it down then?

RAY: Well, I -- I'd almost got arrested in Canada, inadvertantly leaving stuff in the car and having them shake it down. I just made a practice of trying to, you know, al -- keeping from getting arrested just shaking, you know shaking the car down real good before I crossed the border.

LEHNER: What was the incident where you were almost arrested in Canada?

RAY: Well I'd made two crossings over there in Canada, the first time was alright, I had no trouble. The second time I -- The first time I went through the tunnel, the second time I came over the bridge and I got thinking of the TV I had in the back of the car that I'd purchased in Canada. So I told the - I told the Customs Agent that right before I got there that I wanted to declare a TV. And he had me pull over and they started shaking the car down. And, I had some stuff in the back of the seat and he was doing a pretty

thorough job and he almost, he was fooling around in the back and another Customs agent came out and told him to leave it alone , it was all right, and the other guy went a way and they let me on, they let me go on through.

LEHNER: What you had in the back was the stuff that Raoul had you smuggling in?

RAY: Yes.

LEHNER: All right. So when you checked out the car--

LANE: Excuse me for a second. Why did the other person come over and say to leave you alone, do you know?

RAY: I think, I guess he had something else to do, and he just told me - he said - the other guy he was going in all the details and talking alot, and the other guy was a boss and come over, I think he was the boss, he said to do something else or something and I went on, went on through. I think I signed a form and paid a tax on the TV or something and that was it.

LEHNER: Was it your impression that the second guy was trying to hide something and maybe was trying to get you free without and harrassment?

RAY: I think he thought the other guy was just too, you know, taking too much time or something, the guy just kept hanging around and looking.

LANE: When was that, can you set the date?

RAY: Well it could be -- The day could be set because I fill out a form declaring the, declaring the TV, I think I had to pay a three or four dollar tax, to get the TV in the United States.

LEHNER: Did Raoul ever indicate to you that a particular Customs agent for the Canadian-American border area was someone that would be helpful to him?

RAY: He never said so, but the first time we went through we went through the tunnel. That was -- I guess that was a dry run because nothing happened there. Then when I came, came through over over the bridge, well that when he had, I think he had the real thing, probably the car - Of course I guess I made a mistake of even stopping there, but anyway I stopped there and I had to go through that routine.

LEHNER: Well did Raoul indicate to you that some, someone or more Custom agents would be helpful to him and was in his employ or something of that nature?

RAY: He never did, he never -- I don't think anyone would indicate anything like that to me, but he never did indicate that, you know, I don't think he would tell me that even, even if he did have a-

LEHNER: Well was it in your impression that, on reflection that on looking back that someone was in his employ at that crossing?

RAY: Well I don't know, I just looked at it at the time, I just assumed at the time the other guy was stalling around too much and the other guy figured he had more work to do than just spend two, you know spend an hour and a half shaking a car down.

LEHNER: So you don't see anything suspicious about that, that the same fellow was somehow or other trying to help Raoul out?

RAY: Well he could of been, but I didn't think anything at the time. I thought it was just, just like what I say, stalling around.

LANE: Who picked that border crossing, crossing point?

RAY: He did.

LANE: Raoul did?

RAY: Yes.

LANE: I think it might be worthwhile to find out who it was who said to stop the search of his car because if he was being monitored during this entire peiord that could be of coursevery relevant.

LEHNER: Let me ask you this, how many different Customs agents were there at this area, the second, the second time you crossed?

RAY: Two of them was all I saw.

LEHNER: Did Raoul tell you to try to get your car to one or the other?

RAY: Well it wouldn't of been no one or the other, it was just, it was just -- To the best of my recollection it's just one stop there, when you stop at this place it's one individual standing out there and he asks you if you are, I think he asks you if you have anything to declare, and you say yes and he asks you to pull over there in a lane or something

LEHNER: How long was--

EVANS: Excuse me. When he asked you if you had anything to declare what did you say?

RAY: I said, yes.

long

LEHNER: How/was the first person searching the car until the second person came over and told him to finish?

RAY: Well about 15 minutes I would say.

LEHNER: Okay. Now--

RAY: He got to the back, he'd been through the front, I think he was under the hood and I think he was in the back seat and the guy come over and told him to--

LEHNER: Okay. Now where were you when you found that pack of cigarettes with the Rosenson card on it?

RAY: I was, in a mo-, motel.

LEHNER: Where?

RAY: In Tiajuana.

LEHNER: Now up until that time who had been in your car from the time that you had purchased it?

RAY: From the time that I'd purchased?

LEHNER: The time you shook down the car and found the card, who had been in your car through that period of time?

RAY: Uh, well there'd been a State Police in there that give me the driver's test; and Cherpes had been in there, he'd went down with me to take the test; I think Raoul he sat in the car for a few minutes at one time after I bought it, purchased it.

EVANS: Where?

RAY: Up there by the rooming house, right on a, there's a--

EVANS: In Birmingham?

RAY: Yeah, there's a place where you can, there's a

place you can park. There's two streets that you park right in the middle and he sat there for a while.

EVANS: Was that before the driver's test or after the driver's test?

RAY: Uh, yes, that was before the driver's test.

EVANS: Before the driver's test.

RAY: Um, I can't think of anyone else during Birmingham.

LEHNER: In what order did they sit in the car, between the State Policeman, Raoul, and Cherpes?

RAY: Well see they all--

LEHNER: What order, who sat in the car first, who second, and who third.

RAY: Well it would of been Raoul first, Cherpes second, and the State Police third.

LEHNER: When was this in relation to when you shook the car down before going to Mexico?

RAY: Uh, you mean dates?

LEHNER: Well, when did you shake the car down in Birmingham in relation to when Raoul, Cherpes and the State Policeman sat in it?

RAY: When -- When I left -- When I left for Birmingham I don't think I made a real thorough check. I mean I didn't--

LEHNER: When you left for Birmingham or from Birmingham?

RAY: From Birmingham.

I don't think I made a real thorough check, I think I just looked around in it and things like, kind of clean it up

and things, but--

LEHNER: Well when did you do that? When -- Whatever search that was, did you do it after these three people sat in the car?

RAY: See, that would of been after, so there wouldn't of -- I'm pretty certain there wouldn't been anything left in there at that time. It might --

LEHNER: Did you look in the area of the front passenger seat at that time?

RAY: See my problem was I -- I really wasn't too concerned about having things planted and then going into Mexico. I was more concerned about United States because they are more thorough. So, I don't think, I wouldn't of made it more, I wouldn't made a thorough search going into Mexico as I would coming out.

LEHNER: Let me just ask you this, when you made the search in Birmingham did you search the area where you eventually found the cigarettes in the car?

RAY: I don't recall specifically, but I imagine I did.

LEHNER: Okay, after Raoul, Cherpes, and the State policeman were in the car in Birmingham who was next in the car with you?

RAY: Uh, Raoul and then the next one.

LEHNER: Where was that?

RAY: That would of been in the -- The first time? It would probably been in a motel in Mexico, the first time.

LEHNER: What town was that?

RAY: That would of been in Puerto Vallarta.

No, Neuvo Laraedo.

LEHNER: Okay. That would be the first town you got into in Mexico; is that right?

RAY: Yes.

LEHNER: All right, how long was he there in the car at that time, in Neuvo Laraedo?

RAY: Ah, from the motel to Tax-, taxi stand which would of been, but see I had the car parked there in the motel, anyone could of easily got into the car while I had it parked in the motel. It was parked in kind of a dark spot down there and I was in the motel about two, two hours before he ever came there. If you are trying to insen-- you know someone planted there, anyone could of come up there and got in the car and put something in there.

LEHNER: Okay, who was next in the car after Raoul was there in Neuvo Laraedo with you?

RAY: Well he was in again when we came back across the border. We went back in the United States side and got some, we got a tire and we came back and, and he came all the way back this time.

LEHNER: All the way back to where?

RAY: To the Mexican Customs.

LEHNER: Where was that?

RAY: That was in Neuvo Larado.

LEHNER: Okay, so then, what, who was next in the car after that?

RAY: Uh -- Well he was in the trunk of the car, but are not interested in the trunk, he was in the trunk of the car
3.

the next day. But I think the next individual in the front seat of the car would of probably been Irma and her boyfriend.

LEHNER: Okay, where was that?

RAY: That would of been Puerto Vallarta.

LEHNER: Okay, who was next in the car?

RAY: That would of been the bartender, the fat bartender in Mexi-, in Puerto Vallarta.

LEHNER: What's his name?

RAY: I can't -- Garcia; is that it?

LEHNER: Well what bar was he from?

RAY: Uh, on the Oceana, I think, Oceana Hotel, he worked on-- He worked, he was a bartender in a beachfront hotel.

LEHNER: Why was he in your car?

RAY: I don't know, I just got to talking to him, and one time he wanted to go ot a place called, some club out- he wanted to see some, there's a club out by the airport and I drove him out there and he asked me if he could drive and I was feeling bad anyway so I let him drive on out there and I was with him. And, he was on the driver's side.

LEHNER: Okay, who was next in the car?

RAY: Well I'd forgot about this, but the next, the only other individual in there was a Mexican I picked up hitchhiking.

LEHNER: And when was that?

RAY: Well that would of been when I left Puerto Vallarta, and he wanted - he - I picked him up somewhere around "Tee peck" or Tampecko or somewhere and hauled him, I hauled him till it got dark, then I checked into a motel, I don't know the name

of the town. Then the next morning I got out and drove about 10 miles and here he was walking down the highway hitch-hiking again. So I -- I think he was - he was going - I think he was going to be an illegal immigrant, so I picked him up again and I hauled him, he was going to, I don't know if it was Mexically or Tiajuana. We was going that way and we run out of gas, we got in the dessert or something and he stopped in a Mexican farmers house or something and he got enough gas to get to the next gas station. And I let him out in Mexically or, I think I let him out in Mexically and he was the last one in there.

LEHNER: And then when did you find the card, where were you then?

RAY: I was in Tiajuana then.

LEHNER: And what were you planning to do?

RAY: Cross the border.

LEHNER: And this is the card that you say you threw away where?

RAY: I'm not positive where I threw it away. I may have threw it away in Los Angeles or, I don't think, I know I wouldn't carry it to, I wouldn't kept it with me. Because I know, I wrote, I recall writing the address down backwards on a piece of paper and retaining it.

LEHNER: When you say backwards, the name backwards or the number backwards, or both?

RAY: Well it would just been the, the, the address of the--

LEHNER: On the address did it have a number and a name to it, the address?

RAY: Yes, it had a street number but I think I used the right street number, maybe just altered it a little bit, because tha would look too phony if you had a name wrote down backwards. But I'm, I wrote, I wrote the, the address down backwards, any numbers or anything like that.

LEHNER: How many numbers were there?

RAY: There were quite a few of them as I recall. I think there were about five of them.

LEHNER: What was the number?

RAY: I don't recall now, I've got them wrote down.

LEHNER: What was the name of the address?

RAY: The street number?

LEHNER: Street name.

RAY: I don't-- I don't recall.

LANE: You say you have it written down some place?

RAY: Yeah, I think I've got it right here as far as-

LANE: Why don't you find it?

LEHNER: If you would.

RAY: I say I must of rememberedit wrong because some of these numbers are, are similar. I got -- I got it wrote down backwards here, 0-8-1-1 North West River Drive, Miami, Florida.

LEHNER: Let me have that again.

RAY: 0-8-1-1 North West River Drive, Miami, Florida.

HAUSMAN: That's the address that was on the card?

RAY: Well that's the address that I remember.

LEHNER: How did you get that so that you wrote it down on a piece of paper that you have in front of you?

RAY: Well I wrote this down after I got in the Memphis Jail.

LEHNER: How did you, what did you use to write that down?

RAY: I think -- Well some of this stuff the Sheriff, this is money receipts, some of it the Sheriff wrote down, some of it is wrote down either pencil or paper. Then some of these names on here I see where it's big -- Now Percy Foreman he left me some legal pencils up there one time and some of it is wrote down on that legal pencil. I think this here would be the State, they got various statement and that looks like legal pencil. And it's got my brother's name and address, that looks like legal pencil.

LANE: Who actually wrote this, Vera Staples?

RAY: I wrote that down, that's someone wrote to me, it don't, she sent some money or something.

LANE: And what's that, who wrote down this 0811?

RAY: I wrote that down with a pencil there.

LANE: Is that based upon your memory at that time?

RAY: Ah, yes.

LEHNER: This is based on the memory of the paper that you threw away in Toronto?

RAY: Uh, yes, that's correct.

LEHNER: Is that right?

RAY: Yes.

LEHNER: Is that 0811 backwards or forwards?

RAY: It's backwards.

LEHNER: So the actual address on the, on the card was 1180 North West River Drive, Miami, Florida?

RAY: As best as I remember, but that's not the correct address, but that's what I remember.

LEHNER: Why -- Why is it not the correct address?

RAY: Well I'm not sure what the correct address is.

LEHNER: I mean --

RAY: I've got a transcript from the 5th Circuit and it had another number in there I think.

LEHNER: You mean an investigation came up with a different address?

RAY: Yes.

LEHNER: And we say the 5th Circuit, how did you get this from the 5th Circuit?

RAY: Uh, Richard Ryan got it.

LEHNER: How did he get it? How did he get it?

RAY: Well I got the name, the Rosenson name off of a Clyde Watts indirectly, he got, my brother Jerry Ray got it from Clyde Watts and I give it to Richard Ryan and he went, he was in New Orleans for some reason and he went to the 5th Circuit and got a transcript.

LEHNER: Okay, now, that was a lot, a lot of things that you just said and I want to see if I can break it down, see, see if I could give you what I recall you saying and then we

will fill in if you would.

You are searching the car in Tiajuana and you come up with the card.

RAY: Yes.

LEHNER: You keep that card until Los Angeles, you write what's on the, the handwritten part of the card on to a piece of paper in Los Angeles and dispose of the card.

RAY: Yes.

LEHNER: You don't write down on that piece of paper the printed part; is that right?

RAY: Uh, no, not on the front, no.

LEHNER: That would be the LEAA, that would be New Orleans, and that would be some name that was scratched out; is that correct?

RAY: No, I could of wrote part of it down but I don't recall. I don't -- I specifically recall writing what was written down in longhand down.

LEHNER: You may have written the stuff- the material on the front of the card, the printed material, also on this piece of paper in Los Angeles?

RAY: Well I could of put the LEAA on there or something, but I don't recall because the only thing I recall clearly is printin-, is writing down what was on the back, putting the address down backwards. I don't recall all the details of it.

LEHNER: Now, you are in Toronto after the assassination, you throw away this piece of paper; is that correct?

RAY: Yes.

LEHNER: Now sometime thereafter material that was on the card gets written onto a piece of paper; is that right?

RAY: Yes.

LEHNER: How does that come about?

RAY: Well I got three different things wrote on the paper; I had a name, name, I done give you the name. I had my brother call out and get the phone number and I wrote it down here, the Thompson name, that's the Baton Rouge. Now on the, on the North West River Drive, I wrote it down backwards, I don't know just what date I wrote it down.

LEHNER: Where were you when you wrote it down?

RAY: Well some of this, it's my recollection that I, originally I wrote some of this down on envelops and put it underneath my bed because they was always shaking it down, I'd just write it down backwards and put it, I'd get a letter or something and write it in the letter. Then later on I trans-, before I came to the Nashville Penitentiary I transferred all these numbers and everything on this receipt. I put my brother's name and my sister's name and all so it would like possibly my relatives addresses.

LEHNER: Well, after the arrest, where, when did you first write down anything pertaining to Rosenson?

RAY: After my arrest?

LEHNER: Let me -- Let me phrase it another way and see if I can't -- After you wrote down the material pertaining to Rosenson in Los Angeles when was the next time you wrote anything down pertaining to this Rosenson card?

RAY: Well it would of been when I got back from the Memphis Jail sometime in July of 1968.

LEHNER: And what did you write down and how did you, how did you come about running-, writing that down?

RAY: Well everything I had wrote down I use to write it down on the envelope or in a letter I had, some, somewhere to write, and my brother'd write me and I'd just make a notation on it or something, something in that manner.

LEHNER: What did you write down?

RAY: Specifically?

LEHNER: Yes.

RAY: Well I put the Rosenson stuff, I wrote it down. I wrote the Thompson phone number down and I think I wrote Rosenson-, Rosen, LEAA down.

LEHNER: Did you write the address, the Miami address?

RAY: Yes, I wrote it down backwards.

LANE: It's all here on this document that James is holding.

LEHNER: Is this something that we could see? This document-

RAY: Yeah.

LANE: Sure. Why don't you just tell us what it is though, before you - When did you -- This is a xerox of something he has. What's the xerox of.

RAY: Well the xer-, the xerox is a money receipt some, my sister Carol Pepper sent me 10 dollars in; the Sheriff, William N. Morris; the date's December 23rd, 1968.

LANE: So you had the Sheriff's receipt and sometime after-

RAY: Yeah. Sometime after.

LANE: - you got that receipt, after December 23rd, 68, you wrote this material-

RAY: I wrote this material.

LANE: -on this Sheriff's receipt.

RAY: Yes, I transferred everything from the envelopes onto this receipt.

LANE: And then you xeroxed that, or had it xeroxed.

RAY: Uh, I xeroxed it after, sometime, I don't know when it got xeroxed, probably sometime after I got to the penitentiary in Nashville.

LANE: Where's the original of this?

RAY: Well my brother he -- I think he had the original once. And some of this stuff has been filed in court.

LANE: Okay, I'm not --

LEHNER: In which court is that?

RAY: The 6th Circuit, the United States 6th Circuit.

LANE: Do you have any objection to the Committee looking at this?

RAY: Well they can make a copy of it if they want to.

LANE: Let's see the LEAA is on there, Rosen's on there, 0811 is on there.

LEHNER: Now this is a piece of paper that you just showed us that you put down what you had written on envelopes when you returned to Memphis; is that right?

RAY: Yes.

LEHNER: Now the part that pertains to Rosenson, is

Rosen, and then an LEA, and it's difficult to see in the xeroxed copy what comes after that A. And then above that I see 0811 NW River Drive, M-I, F-L. That also pertains to the Rosenson card; is that right?

RAY: Yes.

LEHNER: Now above that address is Vera C. Staples, does that refer in anyway to the Rosenson card?

RAY: No, she sent some money down one time. Apparently she sent it down after I got that money receipt and I just wrote her name down and I had a reason for writing them other names down too because I figured if the Sheriff or anyone seen the thing well they'd just figured it was some of my, one of my relatives name or phone number or address.

LEHNER: Who is Vera Staples?

RAY: I don't know who she is?

LEHNER: She sent you money?

RAY: I think she sent a \$5 money order at one time.

LEHNER: And what are the other names? It seems to be Dr., and it's difficult to read, McCarthy.

RAY: The man, well he's a, he's a doctor down there, was my doctor, he was the prosecutor's brother-in-law, William Garth's brother-in-law.

LEHNER: What is, what's his name?

RAY: McCarthy Demur.

LEHNER: What was the purpose in writing his name down?

RAY: Well he wanted me to write him after I got to the penitentiary.

LEHNER: And then after that there's an address, underneath that, of, Memphis Tennessee address and it's difficult read the address, can you tell us what address this is?

RAY: Well Demur's address I suppose.

LEHNER: Can you read what it is?

RAY: It says Madison Avenue, Memphis, is the only thing. I can't read, I can't read the numerals on it. But I can see Madison Avenue Memphis.

LEHNER: Now when you wrote this 0811 NW River Drive, Miami, Florida this was from a piece of paper, an envelope that you wrote this on this slip of paper?

RAY: Originally I think I - I'm positive I wrote various information on letters I'd receive from my brother and sister.

LEHNER: Now when you wrote on these letters that you received from your brother and your sister you wrote every thing that you could recall from the Rosenson card?

RAY: Yes.

LEHNER: And that was this number 0811 NW River Drive, Miami, Florida I take this stands for-

RAY: Yes.

LEHNER: -and Rosenson and the LEA and whatever comes after that?

RAY: Yes.

LEHNER: That was all you recall from the card?

RAY: That was just recollection, yes.

LEHNER: Now, but you now say you recall that there was also

a New Orleans on that card?

RAY: Well that was the side that was inked out on the business card, yes.

LEHNER: When did you first write that down, if ever that New Orleans part of the card?

RAY: Uh, I don't recall ever writing it down. I don't believe I wrote it down. I couldn't read it anyway too well, so I'm not even positive it was New Orleans, I just assumed it was because, I'm, I apparently seen enough where I thought that's what it was.

LEHNER: Now, so everything that you recalled when you were in Memphis Jail, pertaining to the card that's what you wrote down here; is that right?

RAY: Yeah, I didn't write everything there but I wrote enough where I figured I wouldn't forget it or something if I got--

LEHNER: Well what -- What didn't -- What did you not write down that you recalled at that time when you were in Memphis?

RAY: Well I didn't write the Rosenson first name down, and I didn't write the New Orleans or anything like that, or the --

LEHNER: What was your purpose in not writing the Rosenson first name?

RAY: Well at that time I was dev-- At that time I didn't know what the prosecution's game was, I didn't want to tell more than what I thought they should know. I didn't

know, I really didn't know what the prosecution, what kind of a game they were playing at that time.

LEHNER: You mean you gave the name of Rosen, and LEA, and this Miami, Florida address to the prosecutor?

RAY: No, I didn't want to give them to the prosecutor at that time?

LEHNER: Did you give them to him?

RAY: Well no, I can see now that they didn't want to know anything but I mean at that time I thought they were trying to, you know, trying to find out what was going on more or less.

LEHNER: Ah, if you could just verify that. Did you plan to give this address, Miami, Florida address and the name Rosen to the presecutor?

RAY: No, if I would of testified in trial, I think you're asking would I of testified as a State witness, no, that wasn't my intention. If I would of testified in a trial and I would of give that as a, you know, a witness for myself. But --

LEHNER: You were planning to testify in your defense and you were going to testify about the Rosenson card; is that right?

RAY: If I would of took the witness stand and the lawyer asked me or the prosecution then I would of testified to it.

LEHNER: And youare planning to testify as to this Miami address as well, is that right?

RAY: Yes, I would of testified to that.

LEHNER: Were you going to testify the name as Rosen or Rosenson at that time?

RAY: Rosen, yes.

LEHNER: Were ^{you} planning to testify as to the first and middle name of Rosenson?

RAY: The first two names? Probably would, I had the problem for a while whether it was Erwin or Edwin, but I would of probably just give both of them if it became a issue.

LEHNER: Now, so this note here was the purpose, for the purpose of refreshing your recollection so when you testified, you'd be able to testify as to everything that was on the card?

RAY: Well it was two, it was two reasons, yeah, for what you say it recollects if I took the witness stand, and also if I got back down to the penitentiary somewhere. I'm just sure when I put that on there, if I got down to the penitentiary somewhere. I'm not just sure when I put that on there if I got down to the penitentiary then I wouldn't forget. And--

LEHNER: This you wrote down while you were in Memphis, is that right?

RAY: Yes, that's correct.

LEHNER: Why did you not write down the first two names if you wrote down the last name?

RAY: I, I, I don't really recall any reason why I did, I thought the last one would of been enough and there

was some doubt about the, there still is some doubt about the middle name, and there was no specific reason why I did it.

LEHNER: When you say there is some doubt about the middle name, is there any doubt about the first name?

RAY: Uh, not, not legally there's doubt.

LEHNER: Not what?

RAY: Legally there's no doubt. I mean I know, you are talking about his first, you are talking about his real name versus his alias?

LEHNER: I'm talking about your recollection and what you saw on the card.

RAY: No, there's no doubt about the Randolph, no. But, there is about the Edwin, there was about the Edwin or the Erwin.

LEHNER: What's the doubt about the middle name.

RAY: Well Edwin and Erwin seem similar and now for some reason I got those name confused over the years. I'd try to think of his name and I'd get this Edwin and Erwin mixed up.

LEHNER: What's your best recollection now as to what the middle name is?

RAY: Erwin I think.

LEHNER: And what was your reason for not writing down the first name of, Randolph?

RAY: Well I just didn't want to put too much information on the paper. I just wanted -- I just wanted to put enough on

there where I could remember it if it became necessary.

LEHNER: Well when you say you didn't want to put too much on the paper wasn't this for your own recollection?

RAY: Well I could --

LANE: He was in prison at the time.

RAY: Yeah. I could put something down there and remember the rest of it, but you can remember a name but remembering numbers and all that is a little bit more difficult.

LEHNER: You mean that you thought that you had put down the address, and you put down the last name, but you didn't want to put down the first name because you were in prison?

LANE: One second, I don't think that's fair. He put down the address in code under another name. This whole document is a coded document, the reason he obviously wrote it, from his testimony, from what you can see before you is the purpose of that if someone picked that up they would not be able to figure out the whole story.

LEHNER: Did you -- Did you put down the first -- Well, let me ask you this, was the first name Randy or Randolph?

RAY: Uh, I sent my brother down there, to Miami in 1974 or 5 and he found out it was Randy, so, but the name I had on the card was Randolph.

LEHNER: And is it your statement the reason you didn't put Randolph on this piece of paper is that you thought someone would be able to put together that Randolph, if you put it on any part of this paper, and Rosen were part of the same name and you didn't want anybody to find that out?

RAY: Uh, yes. I didn't want to put -- I didn't think it was necessary to put too much information, some of the things I could remember. I was more concerned about things that maybe I'd have trouble remembering. And--

LEHNER: Do you know of any addresses that start with a zero?

RAY: Uh-, I can't think of any right now, but--

LEHNER: Would it not be a little obvious that 0811 would not be a correct address?

RAY: Yeah, but it would be difficult, if a prosecutor found it, it would be difficult to prove what was the correct address.

LANE: Criticism of his code system?

LEHNER: What was the reason that you didn't want a prosecutor to find this out?

RAY: Well I really -- As I mentioned I didn't know what the prosecution's game was at that time, I didn't know if they wanted to get everything they could and get it on record and prove it or disprove it, or just more or less forget about it and just get me in the penitentiary and let it go at that. So, I'm really not certain what their game is yet, I think --

LEHNER: Well let me ask you this, what if, what if the prosecutor had known the name Randolph Erwin Rosenson; how would that of affect you plans at the trial?

RAY: Well I suppose if he'd arrested Rosenson, and Rosenson was an informer he might of got up and said that

I did everything and he didn't do anything. There's two or three ways to look at it. As I mentioned before I, if I go to trial, I always wanted to go to trial by myself, I don't want to get like the Yablonski case -where everyone's testifying against everyone else.

LEHNER: You were hoping that, in otherwards that the prosecutor would not find Rosenson?

RAY: Ah, it really didn't make much difference, but I wasn't interested in helping them to find him. I always thought it was best if I went to trial by myself without, not exactly, maybe someone really wasn't involved directly with the King case, but let's just say Rosenson was involved in some narcotics, I can't see him, I can't picture anyone helping me with the FBI putting pressure on them, helping me by coming up and testifying.

HAUSMAN: Do you have any reason to believe that Rosenson is connected with narcotics in anyway?

RAY: Well I got the transcript, I didn't, I just read it once and threw it away. But it said he was convicted of--

HAUSMAN: That's now -- That's now or when you got the transcript, but back when you found the card in '68 did you have any reason to believe that he was connected with narcotics?

RAY: No. But I say if he was convicted in some type of criminal activity and he came up, I can't - I can't see him-- Well, from my associations with thieves I can't see one testifying in my favor it would be one chance in a hundred I'd say.

LEHNER: Well you found the card in '67 and you wrote on this paper in 1968; is that correct?

RAY: That's correct.

LEHNER: And you wrote on this paper before the trial; is that right?

RAY: Ah, yes.

LEHNER: Now you wanted to remember the name so that you will be able to testify to it to the jury; is that right?

RAY: Yes, I wanted the address, I wanted as much, you know as much information as I could get in case I went to trial, yes.

LEHNER: And when you testified at the trial you were going to give the correct address, you were going to give 1180 North West River Drive, Miami, Florida; is that right?

RAY: Yes.

LEHNER: And you wanted to remember the full name, Randolph Erwin, or whatever the middle name was, Rosen; the purpose that you wanted to remember it accurately was what?

RAY: Uh, well it was my -- It was my intentions if I took the witness stand to, to just testify what I knew about it and that would of been it. It was no, really no purpose except, of course I would of had to prove myself not guilty of the offense, but it was no, in other words it was all in my self interest, it was no prosecution interest in it.

LEHNER: Did you tell Mr. Hanes about the Rosen, the Rosenson name?

RAY: No.

LEHNER: Did you tell Mr. Foreman about it?

RAY: I told him about another name I didn't tell him about that one.

LEHNER: What name did you tell Foreman about?

RAY: About the Thompson name.

LEHNER: Did you tell, but you did not tell Foreman the Rosenson name.

RAY: Ah, no, I didn't tell him that.

LEHNER: Now was your purpose of first having Mr. Hanes if he were your wit-, your attorney at the time, or Mr. Foreman if he were your attorney at the time of the testimony, to first hear the name Randolph Erwin Rosen or Rosenson and the address 1108 Northwest River Drive at the trial when you were testifying?

LANE: Bob I think this really gets into the whole question of his relationship with Foreman and Huie and Hanes, and maybe we ought to start at the beginning of that and then the answer to this question becomes explicable then.

EVANS: All right. Suppose we just ask what, what was the significance of the card to you? What did that card mean to you when you found it in the car?

RAY: I thought that possibly someone lost it there. I, I knew it wasn't no Mexican name.

EVANS: Yeah.

RAY: And I just thought it was something that might come in handy one time or another.

EVANS: Someone like who, someone who, who would be that someone? Who did you speculate might of dropped that card,

that it would of been of some significance to you?

RAY: Well I speculated it, that Raoul would of been the only one that dropped it in there or planted it in there. I didn't think a Mexican national would drop it in there. And, I really didn't know too much of what I was all involved in. And, I guess you just call it some type of insurance or something like that. I -- I couldn't, it's the same reason when I was in Baton Rouge I tried to find out a name, something, it wasn't anything to take to the prosecuting attorney or anything like that, it was just something to know in case I needed it.

EVANS: Well Randy Rosenson, the Randy Rosenson card which you found, you assume now that Raoul planted it or dropped it, which?

RAY: Well it could of been either one. If he laid it, if he laid it on the gear box it could of fell in there, but on the other hand-

EVANS: Well if he laid it on the gear box and it fell in then he wouldn't of planted it; correct?

RAY: Yeah, well I -- But I never seen anything on the gear box. Uh, it would be kind of awkward to drop it, I assumed it was planted in there.

EVANS: You assumed it was planted in there and it was, had fallen between the seat and the gear box?

RAY: Yeah, I assumed now that it was planted in there, yes.

EVANS: Okay, now did you assume that Randy Rosenson

was, if he planted it, did you assume that Randy Rosenson, that was not Raoul then, Raoul was not Randy Rosenson, is that what you are saying?

RAY: Ah, yes, uh huh.

EVANS: Okay. Did you assume that Randy Rosenson then was someone that Raoul wanted to be, wanted to hook you up with?

RAY: I, I assume that now, because Rosenson, the individual that I was associated with was either Spanish or French, I think Spanish, and Rosenson that's English name or something.

EVANS: Well what do you think he, what do you think he was trying to do, hook you up with a narcotic traffic or hook you up with an assassination plot?

RAY: Well I assumed it was narcotics. You are talking -- You are talking about what I assume now?

EVANS: What did you assume then?

RAY: Well the same thing, yes, it would been narcotics, but I'm more convinced of it now.

EVANS: Do you know anyone, did you ever know anyone named Randy Rosenson before this?

RAY: No I never heard of it.

EVANS: Did Raoul ever mention anyone named Randy Rosenson?

RAY: No there was no mention of Rosenson.

EVANS: All right. Subsequent to this date did you ever hear the name Randy Rosenson anywhere else in your travels.

RAY: No I never heard it.

EVANS: Why did you hook Randy Rosenson up with New Orleans?

RAY: Well it was on the card and I thought, you know on the type written card, that's the only reason I hooked him up with it.

EVANS: Well what made you think that he was involved in narcotics?

RAY: Well I was, I assumed I was involved in them.
You mean at the time I found the car?

EVANS: Yeah.

RAY: I assumed I was involved in them from Canada, but I couldn't, I didn't think I was involved in them in Mexico, but I thought, you know I mentioned I think the Canada, Canada business was narcotics.

EVANS: All right, right now what do you assume Randy Rosenson is? Or who do you assume he is and how is he hooked up with Raoul; if at all?

RAY: I don't know, the only thing I read is the trans-, I read his transcript, I just read it briefly and threw it away.

EVANS: You threw--

RAY: The only thing that impressed me about him, he was pauper and he had four or five expensive lawyers, and that's - that's the only thing that made me think, give it more thought than what I did. Plus he used three or four different addresses and various names. In other words, I remember one address, I got the transcript, it was another address on it and I sent my brother to Miami and it was another address. But all the numbers were similar, but they

were-- Apparently he had give it -- Apparently he had give the Miami Federal Court a different address from what his real address was in Miami and things like that made me a little more suspicious than I ordinarily would of been just on -- in other words if he would just been a dope runner I wouldn't of been too suspicious. But using all these various addresses and telling the Judge that your address is -- I couldn't see why you wouldn't want to tell the judge that you had -- give misinformation on an address where you could get, you know, charged with perjury or something like that.

LEHNER: What transcript did you throw away?

RAY: It came from the 5th Circuit. It was, it was apparently an appeal from, from a New Orleans conviction.

LEHNER: And was this testimony that Rosenson had given?

RAY: Uh, it was a trial, he was being tried for smuggling birds out of Mexico or something I think it was. And it had something about narcotics and he'd, he'd been arrested for narcotics or something. I don't remembe too much about the transcript. The only thing that I remember about clearly was that he was a pauper and had four or five expensive lawyers.

LEHNER: How did you get the transcript?

RAY: Uh, Richard Ryan he went down and, he was down there on business in New Orleans or something and he picked it up.

LEHNER: Did it have Rosenson's testimony in the transcript?

RAY: Uh, I think that, I think that he did have some his testimony in there but I can't recall.

LEHNER: When did you throw it away?

RAY: About two days after I got it.

LEHNER: Why did you throw it away.

RAY: Well I just didn't feel safe with it in my cell and I didn't --

LEHNER: You didn't feel what?

RAY: I just didn't feel safe about having it laying around in the cell, you never know who's going to shake your cell down so I just threw it away.

LEHNER: What year was that?

RAY: I really don't know. Mr. Ryan came down to visit me, I think it was about 19-, I guess '74 or somewhere.

LEHNER: Well what was your purpose in asking Mr. Ryan to get it?

RAY: Well I wanted to find out -- I've always wanted to find out, know what's going on afterwards, you know with Foreman and them I wanted to find out what's going on before the attorneys or Committee or anyone else knew. I mean I don't -- There's too many traps you can walk into when you don't know what's going on.

LEHNER: In 1974 why were you concerned that someone would, from the prison authority was going to find the transcript?

RAY: Well I wasn't really concerned. I just didn't want them to find it in there, and I just -- In other words I was just playing it safe, I didn't think -- I don't know just what date that was. Maybe something was going on, I don't know. But anyway I threw it in the garbage can.

LEHNER: What was your plans to do -- What was you plan as to what you were going to do with the Rosen identity?

RAY: Well I don't know. I assumed if I had a civil trial or something and it came in, it would of came out in the civil trial, I know I tried use it in a civil trial once, but --

LEHNER: How did you try to use it in a civil trial?

RAY: Uh, I think Gerald Franks wrote a bunch, a bunch of slanderous, I considered slanderous. I think later I sued him and George McMillian and three or four others and I, I used the Rosenson name in there.

LEHNER: How -- How did you --- How did you use it, in what context?

RAY: Well I worked it in, I said something about the, uh - uh, I think was questioning the Justice Department's theory on the case, and I mentioned that. And I think I sent a copy of it to - I think I sent a copy of it to Griffin Bell, the Attorney General.

LEHNER: A copy of what?

RAY: A copy of the complaint.

LEHNER: What the civil complaint?

RAY: Yes.

LEHNER: When was this complaint litigated?

RAY: It's still being litigated. I think it's been up there about seven months ⁱⁿ the Sixth Circuit, I don't know if they are going to reverse it or not. It was no discovery or anything, it was perfunc-, perfunctory dismissal. They was I was libel proof and --

LEHNER: Who represented you in that case?

RAY: No one.

LEHNER: You doing that pro sae?

RAY: Yes that's correct.

LEHNER: And you were -- Who were the defendants in the suit?

RAY: Geogre McMillian, he's a book writer; Gerald Franks, he's another booker writer; William Bradford Huie, that's another book writer; Deputy Henry Hale, he's the prosecutor in Nashville; Time, Incorporated, Time Magazine they wrote the article; they're the main defendants.

LEHNER: When did you institute this suit?

RAY: Well this article came out in 1970-, '76, January, and I instituted it after January 1976 but I don't know just what date, probably that fall sometime.

LEHNER: Did you have a transcript of the Rosenson testimony at that time?

RAY: I think -- Yeah, but I didn't use it. I didn't -- I had done thrown that material away so I didn't use anything in there.

LEHNER: You didn't have it with you? The Rosenson testimony when you instituted the suit?

RAY:\ No, I'd done throwed that away.

LEHNER: Why were you anxious to throw away the testimony in '74 and yet make public the Rosenson material in a civil action in '76?

RAY: Well I just wanted to get some background on the Rosenson business. See I didn't. I didn't know anything about--

I didn't know anything about Rosenson until I finally come up with the transcript. I just wanted to know some background material and see what, you know, I didn't want to put as much, I didn't want to put anything in a civil suit and not know what I was talking about or anything.

LEHNER: Well at your criminal trial, with either Hanes or Foreman, you were planning to testify about this card; right?

RAY: Yeah. Yeah, I would of give Hanes --- Foreman all that material when he first come into the case if he'd asked me, because when he came into the case I asked him, you know if he wanted me to tell him everything about the case and he said "No". He said "That ain't the way I work it, see I don't - I don't ask the Defendant nothing until I investigate the Prosecution's case." And of course when he got around to asking me what was in, sometime in February well then he was connected with William Bradford Huie just as much as Hanes was. If I had told him anything it would of went straight to the FBI and so I just decided to operate with him in the same manner that I had been with Hanes.

LEHNER: What do you think the purpose were- of Raoul, what do you think Raoul's purpose was in having you discover that card; did he want you to discover the card when he planted it there, or did he want some/^{one}else to discover the card?

RAY: Well he might of wanted me to discover it or the Customs agents, I don't know --

LEHNER: What -- What do you think his purpose was in wanting either you or Customs agents to discover that card?

RAY: I, I don't - I don't have no idea on that. That would just be speculation.

LEHNER: Do you have any speculation that you want to give to us that might be of assistance to us?

RAY: No, I don't have any speculation.

LEHNER: What do you -- How do you think it would of benefited you to testify about that card at your criminal trial?

RAY: I assumed that if I - If I would of testified I would of had to testified on everything, from the time I escaped from Missouri Prison on up until, up until my arrest. And, I assumed -- I assumed that then, I don't know now. I've been -- I've had various trials and hearings and the prosecutors like to escape trial, they'll ask you one or two or questions, they want to get you off the stand as quick as they can.

LEHNER: But if you testified at your criminal trial
you
the person that would be asking/the questions in the first instance would be your own attorney presenting your direct examination, you were planing to testify about the Rosenson card in your direct examination; right?

RAY: If the attorney would of asked me, now you really don't know what they, what they are going to ask you. In the Habeas Corpus hearing is the same way, there was no thorough examination in - the Judge give the, both attorneys, the defense and the prosecution, they'd could of asked me about this Rosenson stuff then and anything they wanted to. But

they complained in the news- -- The newspapers complained they wasn't asking these questions and the Judge told them they could ask me and neither one of them asked me. So I can't, I can't speculate on what they are going to ask you.

LEHNER: Well you understood when you went, the time that you were preparing to go to trial in you, in the murder case because you had previous experience with criminal cases. You understood that your own attorney could ask as many questions as he wants subject to the other side objecting and the Judge ruling on relevancy and things of that sort. But you understood that your own attorney could bring out the Rosenson story from you; did you not?

RAY: At that time, yes, I assumed that he could bring out almost anything. Of course, I'm -- that's erroneous thinking, but I, at that time I thought he could bring out most anything, yes.

LEHNER: What did -- What did you think would be the advantage of you getting the Rosenson account to the Jury in your criminal case, how would that give you an advantage of any kind in your criminal case?

RAY: The only advantage I could see at that time, I can see now, was the FBI couldn't arrest you in some way and start putting pressure on them. The FBI they can use a lot of pressure on you to, you know, alter your testimony or modify it and often they can get you in a situation where you a state, where the other party is a state witness against you.

LEHNER: No, what I --- Let me try to explain my question

a little better. You were intending to give the Rosenson information to the Jury that was trying you for murder. How did you think it would aid your defense if the jury got this information that there was a card in your car with the Rosenson name on it?

RAY: It's difficult to how, how it could aid me. Possibly Formean or Hanes, whoever was defending me, could of subpoenaed the individual or, or something of that nature, I mean I could-

LEHNER: Subpeona who?

RAY: Well Rosenson or all these various different names, and of course I think once Hanes had the information I would of give it to him before I went on the witness stand anyway. I think he could of probably made some type of cursory investigation and decide whether to use it or not. I didn't - I just didn't intend to take the stand and give all the information without ever talking to the attorney because would, he could, he wouldn't known whether to ask me or not.

LEHNER: Well how would the fact that your attorney subpoenaed Rosenson, and Rosenson came up and testified, how would that help you in the murder case where you were charged with the murder of Dr. King?

RAY: Well I , I, I don't know, how it would of been relevant, I suppose if someone was trying, the government or something was trying to frame Rosenson it might of been help, but I, I just can't speculate on various ways it could help.

Because I really don't know anything about Rosenson today except, you know, what I've read in the transcript.

LANE: It doesn't seem awfully mysterious to me, it appears that it is a clue to Raoul, and ---

LEHNER: Well--

LANE: -one of the, the one written clue --

LEHNER: I wanted to get if I could, Mr. Ray's thinking back at that time. The one think -- On one hand you're writing not all the information on this piece of paper, but some information, I'm talking -- referring to the piece of paper that had the name Rosen and the address written backwards that you gave us, and you're keeping other things in your mind that you didn't want the prosecution to know in case this piece of paper came to their attention. And you were planning to testify at the trial pertaining to this card, was it because you wanted that card and the information on the card, you didn't have the card, the information on the card, to convince the jury that there was someone in your car in Mexico that dropped the card with the Rosen name on it?

LANE: Let me just say, Bob, you -- I know you were a prosecutor and I'm a defense lawyer, but there's nothing unusual about a defense lawyer or a defendant not showing all their information in advance with the prosecuting attorney. There's nothing unusual about keeping information for themselves and utilizing that in trial, that's we prepare cases all of us.

LEHNER: First of all I should tell you that I was a prosecutor, I'm not - I'm now a Deputy Chief Counsel on

the House Committee on Assassinations.

LANE: Yes.

LEHNER: And I'm not -- My question is not directed towards your telling Mr. Hanes to give this information to the prosecutor, to share with the prosecutor, my question is first directed toward the fact that you are writing these materials down on this piece of paper so you can remember it, and you are doing in code, writing an address backwards, not putting the first name on this piece of paper, because you don't want the prison authorities to find out about it, so that they won't know about Rosen; is that right, prior to your trial?

RAY: Yes.

LEHNER: The reason you say you didn't tell Hanes about it; well do you want tell us what's the reason?

LANE: Let him explain that.

LEHNER: Well we could ask him that; what's the reason?

LANE: Well that's complicated, and that--

LEHNER: Okay then we will hold out.

LANE: -- and that really goes into his attorney-client relationship.

LEHNER: Okay, okay we'll hold--

LANE: He's happy to talk about it, but I think we should do it in order.

LEHNER: We'll do it in order, fine. And I won't ask that question.

But you then intended to testify on direct examination pertaining to this name Rosen, and I take it that the purpose

that you wanted to testify about it, is that you wanted this to bolster your story that there was someone by the name of Raoul who was in your car who possibly planted this card in your car, is that, would that be your purpose of testifying about Rosenson?

RAY: Yeah, well that could of been one, one, one thing that helped me. My, my thinking when I was - It was my intention when I went in front of the jury of just telling everything I knew, of where I was at and what I did, and that was it, because I knew then and I knew now that the jury would be the only place that I ever get any relief from a criminal offense, something like that.

LEHNER: Well what I'm -- What I'm trying to understand is, and I won't get into for now your reason for not telling your attorneys, but what I'm trying to get into is your thinking at the time as to how this is going to aid you. The fact that there is a card, I mean you didn't have the card, it would be your testimony, you won't have a card to produce to the jury, the fact that there was a card planted in your car by Raoul with the name Rosen on it, how does that help to support your claim that you're an innocent dupe in the King case?

LANE: Well first of all he said that when he testified he presumed that he would have to tell everything and that was one thing that he would have to tell. Whether it helped him or not.

LEHNER: Well I'm asking you, how do you think, do you think now or did you think then, either way, the fact that you testified to the name Rosenson would help you, other than

as Mr. Lane just saying, well it's a part of everything and therefore, therefore, you are going to say it, just like if you had mentioned what you had had for breakfast every day during the year--

LANE: So that's what he said--

LEHNER: So I'd like -- I'd like to know--

RAY: Yeah, yeah, I think --

LEHNER: -what your thoughts were then or what they are now as to how the fact that Rosen came out would it be of any assistance to you at your defense?

RAY: Well first, I think under the -- Under the conditions that I was confined under my thinking might not of always been real logical or brilliant or anything like that. You know the lights were on all the, 24-hours a day and things of that nature. But I thought -- I didn't have any big devious plan on it, I was just -- It was just my intention to go up there and testify what I knew about it, and just let the jury decide right or wron--, you know, yes or no and then forget about it. I can't -- I can't be more specific on how I think it would help me, I, it could of helped me someway, but I think more, the more I could of told the jury and the more I explained to them, I think that would of been my assistance. If I just went up there and, you know, held back that I didn't know anything, well I don't think that would been, you know would been -- And of course the other -- I think you can look at it another way, it's a possiblity that the FBI knew something about Rosenson and they could of accused me of holding back something or something.

LEHNER: You mean you could be cross-examined if you didn't mention Rosen on the the direct as to why you didn't mention it?

LANE: Tennessee you can, you know, they can cross-examine on things that were not covered on direct.

LEHNER: Well how -- How would that aid the prosecution if they asked you on cross-examination, if you hadn't mentioned it on direct, that Mr. Ray isn't it a fact that there was a card left in your car in Tiajuana with the name Rosen on it? Do you think that, that would be some tactic that the prosecution would take?

RAY: Well I suppose if would tried to cove up on direct examination my attorney might of have been at a vantage of the prosecution to show the jury that I was holding out on them or something.

LEHNER: Wasn't it the prosecution's theory that there was no Raoul, no one did drop a card; why would they want to cross-examine you on your failing to testify about a card that allegedly Raoul dropped it in your car?

RAY: See the prosecution they were running their case out of Time magazine and the Washington Post. I'm talking about when they, when I actually went to trial they usually come up with another story then, but usually the public don't know about it the only thing they know is what they read in the newspapers. They can -- They can alter public opinion. In other words they can come out with one story one day and one the next and there's nothing said about it.

LEHNER: Was it your thought that Raoul did want you to find that card?

RAY: I just don't -- I, I assumed -- I assumed now that it's only two people he wanted to find it, either me or the, the Customs agents.

LEHNER: Why would he want you to find the card?

RAY: Well shift the heat to someone else I suppose.

LEHNER: How would that shift the heat?

RAY: Well I could see why it would put the heat on me. If someone drove across the border, you know, not me or anyone, and later on the police found my name in the car, I know they'd be, they'd probably want to question me about it, especially if I was some type of a criminal.

I'm trying to put my position in Rosenson's point.

LEHNER: First taking the hypothesis that he wanted you to find it, how would it help him or hurt you if you found the card; why would he want you to find the card?

RAY: I can't say except if he, if he wanted to, you know shift the heat to someone, an innocent party or something of that nature.

LEHNER: How would that shift the heat to an innocent party if you found the Rosenson card in the car?

RAY: If Rosenson was innocent how would it shift the heat to him?

LEHNER: How would it shift the heat in anyway if you found the Rosenson card in the car?

RAY: I don't know I might, it, on reflection it could been,

just been narcotics, it couldn't of been anything to do with the King matter, but, see I'm not sophisticated enough to know about how they people operate.

LEHNER: Well I'm just trying to understand your thinking in the matter and if you could think of what your thinking was at the time of the trial, or now as, to what advantage it would be in anyway to Rose-, to Raoul or what disadvantage it would be in anyway to you or to Rosen or Rosenson if you were to find this card that was planted in the car; can you think of any?

RAY: Well I can't think of any specifically. I could think of them but it would just be hypothesis, of course, there's always - there's always the possibly that the carton, that the cigarettes was planted in the car they were dropped in there accidentally, so I really don't --

LEHNER: Well let's first take the, your thought was in response to Mr. Evans question, that ^{it} was planted. I'm just trying to run that down and then we will take the accidental maybe then. One of them you said you might have a hypothesis, what hypothesis would you have that it would be an advantage to, to him, or to Raoul, or a disadvantage to you or Rosenson, if you were to find the card that he planted in the car?

RAY: I really haven't thought that too much about it, but it's always, there's always the advantage to try to shift the heat from something else. They might of had, in other words if you are thinking, if you were thinking about doing a serious crime a year later, why it would be some advantage to, if it was really necessary, in other words if the prosecution really couldn't pinned it on me, or they knew I did it, it might be an

advantage to shift the heat somewhere else. Especially if I think it was, if it was an intelligence agency or something like that.

LEHNER: What -- What lead you to answer our question about that it was planted, why did you think it was planted?

RAY: Well I think you usually carry cigarettes in your shirt pocket. It would be -- Let's see, if it was something that you carry in your pocket and you pull it out and it might drop down there, but cigarettes it seems like you would have to, it would be hard to drop unless you laid them down somewhere, laid them on the seat or something, you know, accidentally moved them over. That's-, it's been my observation, you people who carry cigarettes, of course I don't ob-, observe them every much because you keep them in your pocket.

LEHNER: And was it also the place where you found it that you thought it was planted?

RAY: Well I could of been dropped off planted. If it had been on my side of the seat I would know it was planted. But it's on the, it's on the driver's side, the passenger's side.

LEHNER: Okay, let's take the hypothesis that he, that Raoul wanted the guards, the Customs guards to find it, how would that be to his advantage or your's or Rosenson's disadvantage if the Customs guards found, guards found that card?

RAY: I can't think of - I can't think of any reason he, unless they had a, unless they had a, I don't know what they have in these Customs, if they have a arrest area of all the people that's got heat on them, a lot of these dope --

I know from years back I use to talk with narcotics peddlers in Leavenworth, they said they keep your picture and your name if you're a narcotics dealer. Now this is just hindsight, now I've seen -- If they did have Rosenson's name in there well they might have arrested me or something for some type of investigation or something and --

LANE: While you were crossing the border?

RAY: Yes.

LEHNER: Was it your thought as you were preparing for trial that Raoul and Rosenson know, knew each other?

RAY: Uh, I never --- I never thought about that too much. Uh - uh, I just didn't give that, I thought maybe it was some indirect connection, but I never did give it too much thought.

LEHNER: Now you mentioned that - when - your lawyer might, might at your criminal case subpoenaed Rosenson, what would his testimony do, to the best possible light that you can think of to help you?

RAY: He could subpoena him or possibly investigate him, and found out what, what kind of a racket he was in.

LEHNER: How would that help you?

RAY: I couldn't say from investi-, I, I couldn't say now until an investigation would be completed.

I assumed that Hanes would have a lot^{of} connections with the police department. It wouldn't of took him long to find out.

LEHNER: It was your thought that maybe that Rosenson was somebody that knew, that knew Raoul; is that your thought?

RAY: Well it could of been. In fact on the Hanes deal I, I wrote him a letter one time, mentioning Miami I think, and also

I was thinking about discussing it with him, but I don't know if he's -- I either wrote him a letter and I could ge-, if it was in a letter then you could probably get the letter, verbally he wouldn't have it. I was thinking about going into that with him at one time there, and of course I didn't--

EVANS: You didn't know anything about Rosenson before you, and when you were in Tiajuana and you found the card?

RAY: I never of the name or anything.

EVANS: You never heard of his name; right? Do -- What made you think that when you crossed the border and the Customs agents found that name they would of stopped you? Were you smuggling anything in particular, were you smuggling anything from Mexico into, into California?

RAY: Uh, no, not particular. I was thinking about it one time.

EVANS: All right. Well why did you think that if they found that card that they would stop you for an investigation?

RAY: Uh --

LANE: Why at that time did he think anything?

EVANS: Yeah, why at that --

LANE: He didn't say he thought at that time; did he?

EVANS: Oh, no, but my understanding was that he said that the card might of lead to him being investigated.

LANE: He says that now.

EVANS: Yeah, all right, but at that time, what now makes you think that name would of been, why did you take the card out, why did you --

RAY: Well I thought - I thought the same thing then.

EVANS: You thought the same thing then.

RAY: Yes.

EVANS: You thought that perhaps Raoul was setting you up?

RAY: I thought that name in there or something, I just wanted, it just looked suspicious laying in there. I, I'd discussed this with people in the penitentiary years before on that same thing.

EVANS: Right.

RAY: In fact when I left Birmingham I started up to Dallas, Texas to see an individual just about that same--

EVANS: Had you been stopped by the Customs as you were going into California, what, what do you think would of happened? You had nothing in the car; is that right? You were under the name of Eric Galt; right? What, what would of happened, what do, what do you envisioned would of occurred?

RAY: If he found the card?

EVANS: Yeah.

RAY: Well he prob-, well I envision they are all suspicious, he would of probably asked me who's Rosenson is or something.

EVANS: Yeah.

RAY: And he'd shook my car down and then, it really wasn't anything hot in the car except all that camera equipment things.

HAUSMAN: Why is that hot? You had bought that from a legitimate business and you'd paid cash for it.

RAY: Yeah, but -- I mean I'm, I was hot myself, I don't know how much questioning I could of undertook, fingerprinting or anything like that.

LANE: You're a fugitive then?

RAY: That's correct, yes.

EVANS: Yeah. In other words you had the feeling then that, of course, you may have been a little paranoid so to speak, you may of thought that he was setting you up, right, getting stopped at the border?

RAY: I thought - I thought about that both and plus finding something in there that would of got me arrested for it. And I had a pistol and all that stuff, I didn't want to take any chances on it.

EVANS: Yeah, all right. When you got to LA you contacted Raoul?

RAY: No, he contacted, yeah, I contacted him, yes, by --

EVANS: I'm trying to get your ment- -- Understand me, we are here just to get-

RAY: Yeah.

EVANS: -the facts.

RAY: I wrote all this stuff down a couple of nights ago.

EVANS: Yeah, but we are here to get the facts, right?

RAY: Yes.

EVANS: And you are in fact trying to help us get the facts; correct?

RAY: Yeah, I'm just telling you what I know, I'm really trying to -- You know everybody's got their own interest, but I'm -

EVANS: Well, what --

RAY: - trying to state here --

EVANS: What interest do you have other than to bring the true facts out?

RAY: Yeah, that would be my interest, yes.

EVANS: That that would be to your interest to bring the true facts out; right?

RAY: If it wasn't I wouldn't be here.

EVANS: All right, exactly. All right, now when you got to L.A. you inturn called, or you got intouch with Raoul?

RAY: When we -- When we crossed the border we passed the second Customs he got in the car and we discussed this a little longer. I said something about I was going to Los Angeles and try to get some, after I couldn't, after he didn't have the passport I mentioned I was going to Los Angeles or San Francisco and try to get a, possibly try to get a passport or something.

EVANS: Right.

RAY: And later when I got, when I did get to Los Angeles he said something about he was going to write a letter to general delivery. When I got back to Los Angeles I did go to general delivery and there was nothing there.

EVANS: Uh huh.

RAY: And then later on I contacted him by, by phone, yes.

EVANS: Okay, now, --

LANE: It's now 20 to one, do you want to break it now?

EVANS: Can I, I'd just like to ask one more question.

I mean we are talking about shifting the weight, I mean --

RAY: Yes.

EVANS: -you've been doing time for a while and here you are you feel that this guy is, he's screwing around with you a little bit; right? Uh, why do you continue, why do you correspond, or why do you communicate with the guy who is shifting the weight, already he attempted to shift the weight to you, according to what you were thinking at that particular time.

RAY: Well that could of been an accident. I mean, I'm, I was corresponding with him later on, same - Well to start out it was more or less passport, and then I got interested in money when there was considerable amount 10 or \$15,000 all, to take some other material into Mexico, but I wasn't just corresponding with him alone. I was attempting various other ways to get passports, I was - contacted the Columbian Embassy and --

EVANS: But you were a fugitive; right?

RAY: That's correct, yes.

EVANS: And you are dealing with a guy who is involved in smuggling; right?

RAY: Yes.

EVANS: Who's left a card in your car, that you feel may implicate you when you cross the border, which may cause you again to re-, to be arrested.

RAY: Yeah.

EVANS: All right, so you confiscate the card, you hold onto the card and you get into LA and you still deal with this guy, what's, what's the, what's the rational behind that?

RAY: Well there's no rational except that I was -- I didn't, I didn't have any way to make money, I couldn't work, I had to get money, there's no way to get around that. And of course I made several attempts in Los Angeles to get, to get jobs, I think four or five. But, there's, usually you have a certain amount of options and that might have been one of the last options. And of course as I mentioned I did make other attempts to get passports and things, these other embassys and things. But that was just, I didn't want to, you know, cut anything loose where if I really got to where I needed something I'd have to go ahead and go through with it.

EVANS: Yeah, even if it meant that around the corner there may be another setup for you, that you would be in fact sent back to Jefferson City as a fugitive?

RAY: Yeah, I wasn't -- I wasn't a hundred percent sure that it was a setup, I was suspicious of it, but it could of always been an accident. Plus I wasn't stopped when I crossed the border, that might of indicated, you know, that it wasn't a set up.

EVANS: Well you didn't have the card. The card wasn't found.

RAY: Well the guy didn't shake down at the border, of course that might of indicated that it wasn't a setup. But --

LEHNER: Did you tell Raoul, hey, you might of dropped this card in my car, here's this card?

RAY: No I don't tell anyone anything like that because

usually when you are involved in illegal things you don't start cross-examining the person that paying you. I mean, I don't, I don't know if anyone else would or not.

LEHNER: Well as a friend -- as a favor to Raoul, hey, you dropped this card you might need it for something, I want to give you back this card, why didn't you do that?

RAY: No, I wouldn't ever do anything like that.

LEHNER: Why?

RAY: We'll you'd -- It'd indicate that you knew someone in the business when you, you know, when you shouldn't of.

LEHNER: Okay, we'll have lunch, thank you.

(We had a recess at 12:43 for lunch).

LEHNER: It's now 1:53 P.M..

Okay, your tape is ready, it's now 1:53 p.m., November 14th, 1977, we are here at Brushy Mountain State Prison, we are the same people who were here during the morning session and we are continuing the sworn statement of James Earl Ray.

LANE: Um, before we begin do we have an understanding that I'm going to get transcripts of all the testimony that James has given?

LEHNER: Right.

LANE: Not just the day that I'm here but the previous testimony.

LEHNER: That is correct, and, it should be known that both you and we are tape recording the present conversation.

LANE: Bob, did you tape record all of the interviews with James?

LEHNER: Right, Mr. Kershaw did as well.

LANE: Yeah, but we are having a little problem with communication with Mr. Kershaw, if you could give us copies of the tapes we would appreciate that.

LEHNER: Fine.

LANE: That means you will?

LEHNER: That means we will.

I guess one of the things that we wanted to this time down here was to give you an opportunity to say certain things that you requested to say. Maybe we should start off the afternoon session with, with that session.

LANE: You want to begin by talking about the best details you can recall of your con-, the nature of your confinement in the Memphis Jail?

RAY: From beginning till end, until I was checked in there until I checked out? *

I believe I checked in there July 19th, 1968. I was the only one in the block at the time, the only prisoner in there. I think there was seven or eight cells. They had two guards in there with me 24-hours a day, and they had a television, they had television where they observed me 24-hours a day. And they had a microphone in there where they could overhear everything that was said, that was -- I think that was on 24-hours a day but they claimed it was on, they turned it off when the lawyer come in there.

The first two weeks --

LANE: They just had it on when you were silent, they cut it off when you were talking-

RAY: Uh huh.

LANE: They were suppose to.

RAY: They had -- I think the first two weeks I was there they had two lieutenants from the Department of Corrections in there, I think they set the security up in there, things of that nature. Because I know they spoke security.

LANE: Federal or State?

RAY: They was Federal, from the-

LANE: Federal Bureau of Prisons?

RAY: -Federal Bureau of Prisons. They was two, they were both lieutenants.

LANE: What did they -- How were the windows?

RAY: The windows were all barred, barred, iron slats barred over them.

LANE: Could you see outside?

RAY: No.

I know the lights were on 24-hours a day.

I guess I'll go into medical problems, I think those are all in the record down there.

LANE: How long were the lights on for 24-hours, what period of time?

RAY: Every day for 24-hours a day.

LANE: For how long?

RAY: Well until I got out.

LANE: Which is about how long?

RAY: The duration. I was there -- I was there 8 months.

LANE: And for the entire eight months the lights were on for 24-hours a day?

RAY: That's correct.

LANE: Did you ever ask that they be put off?

RAY: Well we filed a motion and they said it was, use a mask if you couldn't sleep, the Judge said use a mask, the trial judge.

Uh, the medical problems, I had several headaches. I think he prescribed aspirins. And nose bleeds, I know one time I had, I think that was from the dry air, I had blood on my shirt once and they shook me down to see if I stabbed myself something of that nature.

One time I thought I was poisoned and I broke out with a rash and I had a blood test and they finally did give a blood test two or three days later but I never did find out the results.

LANE: Who gave you the blood test?

RAY: Uh, the doctor, McCarthy Demur. Well later on we tried to get the, the Habeas Corpus hearing in 1974 we attempted to get the results of all these various tests that was run on me and they said the Sheriff, William Morris had ordered the, all the medical records destroyed. And, I think on the poison bit, food poisoning or LSD, or whatever you want to say, that their contention was that all the food that came up from

the kitchen was all exactly alike, in other words me and the two guards eat just the same type of food, but -

LANE: It was published.

RAY: Well it's been published in books, and Gerald Franks published it, I think, and he got his information from the prosecutor.

LANE: Right.

RAY: Gerald Franks, he wrote the "American Death". But anyway that was incorrect. I use to eat in the prisoner dining room, I'd eat sausage and beans, and that type of food while the guards, ^{both} their trays came from the officer's dining room. So it would of been very easy for me to got food poisoning or some other type of drug poisoning.

LANE: You say you ate from the prisoners.

RAY: Yes, they'd send the food up in a, in a enclosed box with three trays. Two trays would be for the guards what came from the officer's dining room and the tray I got was from the prisoner's dining room.

LANE: Now could you see by looking at the different kinds of --

RAY: Oh, yes, you could -- Well, bacon and egg versus grits, that -- Well, other than the food poisoning and the nose bleeds and the headaches, I can't think of any more problems. The problem is that --

LANE: Let me ask you one question.

Renfro Hayes told me this, and I haven't had a chance to ask you off the record until now. Did one of guards have a nervous breakdown, one of the guards that was in there with you?

RAY: Yeah, he asked to be taken out, he couldn't handle it any more.

LANE: And he was in for how long each day?

RAY: It was eight hours.

LANE: Eight hours.

RAY: Yes. Uh, one of the guards named Munch, one time he complained about how bad I looked, he said he seen me look good one day out of all the time he was there.

LANE: What was the name of the guard that asked to be taken off?

RAY: I don't know what his name was, he was from from Mississippi. I just don't know -- He was just assigned there about two weeks and then they signed him outside.

They have a list of all the guards there.

Uh, I was going to say something. I had one other thing to say about it and then you--

LANE: Sorry.

RAY: No, but I can -- Medical problem --

Well, we can come back to the medical problem.

LANE: Did you have the impression that while you were in there that you could speak freely with your lawyer?

RAY: No, we always had a problem like that. I know I had a problem one time, the fact is, somewhere in these papers and I think I showed Mr. Lehner the last time, we had to keep the conversation down on account of the loud, on account of the microphones. Percy Foreman had that problem because he was deaf in one ear.

LANE: What was your relationship with Hanes like? What was Hanes relationship with Huie?

RAY: Well I think when I first retained Hanes, I really didn't retain him, I got him in, in the, I had him come -- he came to England on his own. And, I wrote to him and asked him about, I wrote to him and F. Leee Bailey and I asked if they would consider representing me and Bailey declined on a conflict of interest and Hanes he, he accepted after, I think after he contacted Huie. Uh, now I'm not sure how I come to know about Hanes. I knew about Bailey from conversations in the penitentiary because he defended criminal defendants. I think the only way I can remember, I, I had some recollection of knowing about Hanes on these racial cases, race cases. I'm, I can't, I know it wasn't from the Missouri Prison, so I think it was from Birmingham, of course, since I've last talked to the Chief Counsel here I've found out that Hanes represented other defendants, not just the Liuzzo case but various other ones. And during the time I was in Birmingham I recall once where I went and got the license plates that it was a fellow coming down the line, when I was waiting on license plates, shaking hands and he said he was running for Mayor. So I think there was a lot of publicity like that in the newspapers and I probably, I probably seen Hanes' name in one of the newspapers and that stuck in my mind. Because I know when I was in, I was in England, I had some recollection of him trying that type of case.

LANE: Did you know of Hanes' relationship with the Federal Bureau of Investigation?

RAY: No, the only thing I knew about Hanes probably was what I picked up in Birmingham.

LANE: Did he ever tell you that he worked for the FBI after you met him?

RAY: No, I don't think so. I think I found - I learned in the paper about, but I knew he didn't have, after he came on the case I knew he was in the FBI.

LANE: Did he ever tell you that he worked for the CIA?

RAY: I never did know that until after the case was disposed of.

Well anyway I signed a power of attorney, Hanes, with Hanes in England specifying that I would give him a certain amount of money from literary ventures.

When I got back to the United States in Memphis he had - I think the first time he visited me he had the contracts with Huie. He recommended that I sign them and I said it would be best if you try to get a public donation or something and he overruled that. So he said he would talk to me later about it, and he left the contracts with me there. He said study them and when you make up your mind and whatever you want to do let me know. And I decided before his next visit I would sign the contracts. I think the contracts were dated in July, that's when I came back, sometime, July the 8th and I think I signed them on August the 1st, 1960-, '68.

Then after that I started giving information on the case. He was using, he was -- What he was using as information was what I was writing for Huie. I'd write something for

Huie and I assumed he would make duplicate copies of it and was working from there.

I got, we had difficulties about three weeks after I signed the contract, I guess. Originally I think I had 299 witnesses and whenever I'd give him any names why I'd get, we'd get another list back from the prosecution. I think we got about a hundred extra witnesses back based on information I'd give him and he'd give Huie. Now for instance, while this might not, while this may of not been revelant to the case I told Huie where I at between the time I escaped from prison until I left Chicago and went to Canada, that was a two month period, April, May, June. The FBI never knew about that until I was, until I gave the information to Huie. And then Huie give, I suppose, to the FBI and it came back on me. I think one of these waivers I've signed, this Doctor, this plastic surgeon. The FBI never knew about him until I give - I give the information to Hanes and he inturn give it to William Bradford Huie.

LANE: Then you assume Huie gave it to the FBI?

RAY: Yes.

EVANS: Was Huie writing articles at that time?

RAY: He was preparing one, he said he had to have the information quick because the Look magazine had to have the information about two months before they published. Because see, apparently they run three or four months ahead of time. I think the first article came out in October, I know, so it would be about -- I think the first -- Well we was having disagreements then, me and Hanes, and then I think

I wrote, I tried to get him to -- we altered the contract in September and I was trying to get some money off of him, now all this is a matter of the Habeas Corpus record, it would be in 1974 in Memphis. But, anyway, I asked him to alter the contract and he - I think I asked him for \$1200 to get an investigator to go to New Orleans and he didn't want to do that he wanted Huie to take care of it, and we never did, I never did get any money for that project.

I think I wrote a letter to Huie -- I think Huie had give a news conference in Memphis around September, he said something about I was going to be -- he inferred that I was going to be a State witness, and then I wrote Judge Battle, the trial judge, saying that I didn't intend to be a State witness, it was words to that effect. I believe that was around sometime in October or late September. And, then it was my intention then to probably try to change attorneys but I decided not to because we was too close to trial date, and, and it would of been too much bother to change attorneys on the eve of trial and go through all that again.

LANE: Did you have discussions on whether you were going to testify at the trial?

RAY: Yes, we'd discussed that, and he said something about, you know, why give testimony away when you can sell it. And --

LANE: Who said that?

RAY: Arthur Hanes, Sr. During the last couple of weeks he was defending me, he didn't even, he didn't talk to

me too much, he was having his son do most of the talking the last couple of weeks because his, my testifying on the stand -- But right before we was suppose to go to trial I think about November 10th, I think we was suppose to go to trial November 12th, 1968, November 10th, 1968 my brother came up there and he'd been to see William Bradford Huie. And Huie, I think Huie offered him some money, it was either six, six or \$12,000 out of the contracts and Huie would get the money off of Hanes and give it to me and, but Huie told my brother, that was Jerry Ray my brother, that if I took the witness stand it would destroy his book or something because he would have first rights to it or something, but if I took the stand why it would be public rights. And then my brother then he asked me if I wanted to change attorneys, and I said, no, it's too late, let's go ahead and leave things as are.

EVANS: Even though you thought that Huie and Hanes might be working for the FBI you didn't want to change attorneys?

RAY: I didn't think Hanes worked for the FBI. But I thought, what happened, everything I was telling Hanes and he was telling Huie, and in turn Huie was either telling the FBI or telling people to tell the FBI. Huie claims that he didn't tell the FBI, he claims that when he interviewed anyone that he told them to tell the FBI, but it, it amounted to the something.

EVANS: Well, in other words when your brother came to you about changing attorneys, at that particular time you had no bad feelings or thoughts of changing from Hanes?

RAY: I would of changed if it of been a way where I could went to trial without waiting too much longer.

EVANS: What would you reason of been for changing from Hanes?

RAY: Well on the grounds that he was giving information to Huie and Huie inturn was in effect giving it to the prosecution.

EVANS: Oh. In other words you are saying that Hanes as far as you were concerned was straight with you and legit with you?

RAY: Uh, well, other than being -- I mean I overlooked somethings.

EVANS: He was doing what you -- you signed the contract to do; right?

RAY: Uh, yeah. Other than, other than I thought he was kind of somewhat rapacious. I think he was -- I mean I don't think you -- I thought Foreman would threw the case, I don't think Hanes would of threw the case. But I think Hanes was, I was scared he was going to get some compromise by giving the information to Huie and who inturn was giving it to the prosecution, it would make it that much more difficult for us to, uh-uh, you know, get acquitted. But as far as my personal relationship with Hanes if there hadn't been no problem with Huie I don't, I think we would

went on to trail; if that's that you are asking.

EVANS: In other words then you didn't, it was Huie who you thought was interfering in this relationship between you and your attorney,-

RAY Yeah I thought it was a conflict, yes.

EVANS: All right. Did you - What did you know about Hanes when you, when he became your attorney?

RAY: Nothing.

EVANS: Did you --

RAY: Except I had a vague, I'd read somewhere or had some idea that he handled cases that had race - racial overtones to them.

EVANS: Yeah.

RAY: But--

LEHNER: Where'd you read that?

RAY: I must of got it in Birmingham, because it would of been nowhere else where I could of got it.

LEHNER: When? When did you get that?

RAY: Well I must of got it when I was there because as I mentioned, like I told you there was a mayor's race down there. And it was probably all that kind of talk in the newspapers during this particular period.

LEHNER: So you were mistaken in the last interview with us when you told us all you knew about him was that he was a politician, you didn't know anything about his representing anybody?

RAY: Since I've -- Since I've last testified here, I've read a article on Hanes, some paper or magazine or something,

when I - when I last talked - when I last spoke with you I thought he just handled the Liuzzo case and I don't recall anything about that particular case. But since, since I've last saw you there's a publication, I don't know if I may have it in the cell, but it said that he defended a lot of other people in similar cases that had racial overtones to them.

LEHNER: Well, when you last spoke to us, the last interview, you told us that you didn't know any case that he spoke, that he defended you, you did not know the Liuzzo case, you didn't even know if he was a criminal or a civil attorney.

RAY: Yeah, I didn't know, no, I still don't know if he's a criminal or civil attorney. I think a civil attorney can handle a criminal case, because I heard -

LEHNER: But you didn't -- But you told us you didn't know of any criminal case that he'd, that he had handled, all you knew was --

RAY: I still don't -- I still don't know no specific case. But beings he had, he had handled so many those type cases and he was so widely publicized in Birmingham, it's very easy that you retain something like that and when - I know when I was in Canada I was thinking about getting a lawyer and who, who he would be. So, I might of conjured up his name and two or three other ones, but just like Bailey I don't know and particular case he handled, but I know he handled a robbery case one time and, in the east coast somewhere, Boston. But I don't know whether it was a bank robbery or a supermarket or--

LEHNER: Well, just to clarify the record, it is my recollection of the last interview that you did not know that Hanes defended criminals, you knew that he was some type of politician, you knew he was a lawyer, but you didn't know that he defended criminal cases, civil cases, corporation cases, and that was what you told us the last. I just want to know if you recall telling us that, and if so, is there something that happened since the last time that made you, that refreshed your recollection of what you knew about him?

RAY: Yeah, I think there's two things that refreshed my recollection. First, the reference to criminal and civil, I don't make no, I don't consider that to be any difference because they are interrelated because a civil lawyer can handle a civil, you know, criminal cases. There's two things that refresh my recollection, I think the most was that I recalled shaking hands with the Mayor in, running for Mayor when I was in line to get my license tags. And I assumed based on that there was probably, there was a lot of publicity about past elections and all that. And I also read in this some tabloid that Hanes had, ah, defended several other people, not just the one case where I knew of, I think Huie told me about it, but he defended several other cases that had race connected criminal offenses, and I think that would be, that would probably where I first heard his name at would been in Birmingham, you know by reading the newspapers, because I did read the newspapers, the local newspapers and I probably saw his name on it. He possibly could of been on

TV or something. But I think, I'm more inclined to think it was a newspaper because I didn't watch TV near, very much. But that's all, really, that's the only thing I have, this is all, just that mayor and the other crimes.

LANE: Did you have extended discussions with Hanes about whether you were going to testify?

RAY: We didn't discuss that too much until about, he was in on the case about three weeks and I just mentioned casual, I said, well I started telling him what I was going to testify to and he said, no we won't put you on the stand.

LEHNER: He said what?

RAY: He said we didn't - he said you -- He said you can't testify or something. He said something about - I don't know if him or Percy Foreman, he said something about my criminal record being brought out, but everybody in the United States knew about my criminal record. And, I know a Jury usually likes to hear what the defendant has to say regardless of his criminal record and I think, I'd testify, statistics usually you have more of a chance of getting acquitted if you testify on your own behalf where if you don't take the stand. So, you know, I think another - I think we was getting ready to leave and he mentioned about, why give testimony away when you can sell. He thought that we was going to make two or three million dollars on the selling books. And, I think that's the way that -- That's the way it was up until my brother brought Percy Foreman to the jail.

Well I had no idea Percy Foreman was coming, I didn't write no letters or anything. The fact is I told my brother not to get him. Now he came to the jail--

LANE: How did he get in?

RAY: I think the Sheriff, the Sheriff let him in.

LANE: What I mean, --

RAY: Well I think he was -- Yeah, but he was a friend of the judge or something and you can get in if you're friends with the judge.

LANE: Oh.

RAY: But anyway he came in and he had--

EVANS: Which Judge, which Judge?

RAY: The trial judge, Preston Battle.

LEHNER: Percy Foreman was a friend of Battle's before Foreman represented you?

RAY: Uh, I don't know if he was a friend of Battle's, but later on he became a friend of him. I think what happened is he came in the jail and the Sheriff William Morris called the judge and wanted to know if it would be all right to let him in and he said let him in.

LEHNER: But, do you -- Do you have any knowledge that Foreman and Battle knew each other prior to Foreman coming to represent you?

RAY: No I don't have information now, but he always spoke well of the Judge, like you know you come - he was never hostile to the Judge. The only person that he was hostile to was Robert D , the prosecutor, and

D wanted to go to trial.

LEHNER: Do you know if Foreman ever appeared as a lawyer in Tennessee before your case?

RAY: Uh, I think he, he use to recommend -- I think John J. Hooker, Sr., he use to be an attorney, he's dead now. And they use to recommend lawyers back and forth. I think if someone gave him a Tennessee case why he'd recommend Hooker, and Hooker would get a Texas case he'd recommend Foreman, something like that.

But, you -- What -- Your case -- What is your question now, did Foreman ever defend anyone in Tennessee?

LEHNER: To your knowledge, before you?

RAY: Well I'll give you this case, see I was going to give it to you anyway. It's, it's a single case, now this was in February of 1969, this is about a, this is about a month before the guilty plea and he took a case in Tennessee. But, there's some question here of whether it's a Tennessee case or a Florida because it evidentially wound up in a, in a Florida, but it's entitled Singerman versus, Singerman vs. Foreman, cited as 435F 2d 9-16-1970, you can have it if you want to I've got another copy.

LEHNER: Thank you.

RAY: And, uh-- But, I don't know if --

LANE: What date did Foreman come to see on?

RAY: He came to see me on, it must of been on November 11th, it was on a Sunday, the day before we were scheduled to go to trial.

LANE: Were you scheduled for Monday or Tuesday?

RAY: I don't know, I believe it was Monday, because the Sunday paper came out with a prejudicial story in it and in it about Hanes being, defending the Klu Klux Klan and all that, and the prosecutor being upstanding in that nature. When Foreman came there he had the contracts, he had some of them, I think he must of got them off off my brother because I think William Bradford Huie give my brother a copy of the contracts when I my brother went down to visit him.

EVANS: Did you know who Foreman was?

RAY: I never heard of him. Just vaguely.

EVANS: Had you -- Had your brother -- Had you and your brother spoke about Foreman?

RAY: One of them, I think one of them, I think it was John, or one of them wrote to me I think in England, said something about hiring Percy Foreman and I wrote back and said something, I didn't know him and just --

EVANS: In other words when he showed up at the jail that was a complete surprise to you?

RAY: Complete surprise, yes.

EVANS: You hadn't anticipated, you hadn't had a conversation with your brother at no time relative to hiring Foreman and dumping Hanes?

RAY: No, he came up there in November the 1st, and, but he didn't - I don't think he mentioned Foreman, my brother

Jerry Ray, he said I should get another attorney because there were conflicts between Hanes and Huie, and the conflicts being keeping me off the witness stand. Now, I don't think he mentioned Foreman or any-- I think he had mentioned Foreman before, either him or my other brother, but, but that specific conversation it was, uh - uh, I had no idea that he was going to send Foreman up there or any other attorney.

EVANS: Well why did you agree to see Foreman?

RAY: Uh--

EVANS: I mean you were asked if you wanted to see him?

RAY: Yeah, they asked me if I wanted to see him.

EVANS: Okay.

RAY: And I went ahead and seen him, I think, I didn't think it would cost anything to talk to him and I went ahead --

EVANS: Did you sign any paper or write any note or --

RAY: No I didn't send no note to him or anything, not at that time, no.

LANE: In jail did you sign a paper saying that you were willing to see Foreman?

RAY: I don't believe I did, now, I could but I don't recall I did. Because he was at the jail and he came on - he got in the jail some way. And the only other attorney that ever came in the jail was J.B. Stoner but he came up there, he had a letter for me, I was going to sue Life magazine. So, I think he got, he apparently got permission from the trial judge, because whenever they wanted to do any-

thing with me the trial judge was directly in charge of me. And they always go see the judge, and if he okayed it, it was okay, and if he didn't okay it wasn't okay.

Uh-,

LANE: What happened when you saw Foreman?

RAY: Well he had the contracts and we had a discussion and --

LANE: The contracts were with Huie?

RAY: Yeah, he had them in his hand. And, I think his first --

LANE: Did he, did he tell you that he had seen Huie already?

RAY: No, he didn't say anything about Huie. He got the contracts from my brothers, they came down there with him. They met him at the airport and drove him to the jail. And, he said something about, he started telling me about the conflict between Huie and Foreman, about Huie and Hanes, and he said, they were old friends and if I stuck with them I'd be barbecued or something like that.

Oh, now we just -- One thing lead to another and I asked him about if he defended me what would be, what would be his decision on contracts and everything. He said, there wouldn't be any contracts until after the trial was over. There wouldn't be no association with book writers and he said he would retain a Tennessee lawyer and I think he said a few other things, like, a couple other commitments, but I can't recall. The main thing is he said, he'd hire a Tennessee lawyer and

it wouldn't be no association with book writers before the trial was over.

LEHNER: What book writer did he mention would be associated after the trial?

RAY: William Bradford -- He didn't mention, he just he would -- After the trial was over he said he'd contact a book writer and get his fee.

LEHNER: You didn't ask which book writer he had in mind?

RAY: No, I didn't ask, ask that, no.

LEHNER: And did he say anything to you about about William Bradford Huie on that first time that you met with him?

RAY: Just the fact that him and Hanes had had a conflict of interest, and they were old friends and they were after the money.

LEHNER: Well did he spell out what he meant by conflict of interest?

RAY: Well the conflict would be the book contracts, I got that strong impression by him saying that he, he didn't intend to get any contracts until after the trial was over.

LEHNER: Well when you contracted with Hanes and Huie, you knew that there was a potential for conflict; did you not?

RAY: Uh, well it dawned on me later on and I just had an uneasy, uneasy feeling about getting involved with reporters and book writers, because they want to publish what they have in the newspapers. You know lawyers they, they are more interested

in keeping things secret. That's just opposed to a reporter, everything a reporter gets he wants to write about it, it wouldn't be no point in being a reporter if you didn't.

LEHNER: Well -- One of the agreements that you had with Huie is that he was not going to publish anything about the day of the crime until after the trial; wasn't that right?

RAY: I don't if he ever told me that or not, he may have put it in writing, but I wasn't concerned about that. What I was concerned about was giving Hanes the information and then he was going - Huie was, then Huie would go to the, indirectly to the FBI.

LEHNER: Well what was your understanding with Hanes and Huie as to what was to be published prior to the trial?

RAY: I don't have no clear recollection of that. Huie's said that he's told me now, but I don't remember it. Huie told me that he wouldn't publish anything until the day of the trial begin, but they published two articles before the trial ever begin. I think they published one in October and one in September.

LANE: You never expected Huie to be giving information to the FBI, did you, during the preparation of the trial.

RAY: No, not indirect -- Not, not in that manner. I know they were going to publish something, but I didn't know exactly which. Because the first time I knew that articles was coming out in Look magazine was a, was a Sheriff Deputy, brought it up there to me and asked me if I wanted to buy a

copy of it, it was a complete surprise to me.

LEHNER: Well let me see if I can understand.

When you contracted with Hanes and Huie, was it your understanding that something was going to be published before the trial, or some-, or nothing was going to be published before the trial?

RAY: Well now, that's really dif-, -- Hanes made the reference kind of indirect reference, he said, he said something about, told me he wanted to change my image, but that's more or less telling me that he wanted to publish something before the trial, but on the same time, I'm not sure if he wanted to change my image with the Jury, you know he could of published it the same day of the trial started and that way the Jury could of, you know read it. But I was never come and told and said, well, look we are going to publish an article in September and October, I was never told that, no.

LEHNER: Well, once that first article came out in September did you then tell Hanes that you wanted no more articles until the trial or did you tell him that you did want more, or did you have not no discussion one way or the other about that?

RAY: I -- I don't think -- I don't believe I said anything one way or the other about the article, because the article, uh-uh, I don't know it's just an article I didn't think too much of it one way or the other.

What was hurting -- hurting me with Hanes - Huie, he was giving interviews in the City in Memphis and they were a lot

more prejudicial than the article was.

LEHENR: Let me ask you this, what conversation did you have with Hanes after the first article came out and before the second article, pertaining to the article, or pertaining to Huie?

RAY: Well, I don't think we had too much argu-, directly, direct comment on an article, because in other words I didn't think too much of it anyway, together. All our -- All our disagreements was is these witnesses coming in based on the information that I'd give Huie to write the article.

LEHNER: Well is it, is it true then that you had no objection to the first article and you had no objection to another article coming out before the trial?

RAY: Well, I objected to it on legal grounds. Now at the time we were trying to get, we were trying to force pretrial publicity to stop, like Life magazine and Reader's Digest, and that type of article. And I didn't think we could really get them to stop as long as we were doing the same thing. The article didn't mean much to me one way or the other, just, just the article, like I mentioned it was legal reasons I objected to it.

LEHNER: Well did you state to Hanes that you had a legal objection to the article, the first article, you didn't want a second article before the trial?

RAY: Yeah, I mentioned I didn't think, I didn't think it would be a good idea to publish it on that grounds. And --

LEHNER: What did Hanes have to say?

RAY: Well I think Hanes was interested in the, in the money to-, coming from the article. That was the conflict.

LEHNER: So it is true that you told Hanes that you did not want a second article before the trial?

RAY: I don't think I specifically told him not to come out with it, I just think I told him it wasn't a good idea, you know, since we were trying to get, we were trying to get the other publicity stoppped. And I did write the trial judge and complain about the articles, another article.

LEHNER: Well after the second article came out did you have a conversation with Hanes pertaining to the second article?

RAY: Uh, that one came out in October. I think I did discuss it with him, but --

LEHNER: What discussion did you have with him then?

RAY: It's probably similar to the first one, I don't remember it specifically.

LEHNER: At -- I'm sorry.

RAY: I think I didn't write the trial judge, that's all. I think the record will state itself on that.

LEHNER: Well, as you told us just a few minutes ago if it weren't for the fact that Foreman came to visit you, you would of gone to trial with Hanes; is that right?

RAY: Yes.

LEHNER: And this despite the fact that between the first and the second article you told him that it wasn't such a great idea for legal reasons, and yet a second article came

out and he didn't do anything to stop it. Could you explain that?

RAY: No, I can't even explain it -- Uh, I'd of went to trial with him even after Huie came back and told me that they had a deal to make, keep me off the stand, I would of still went to trial with him, because I didn't know no attorneys in Memphis, the only two attorneys I knew was him and this, uh, Russel Thompson or something, that's the only two attorneys I knew names of them, and along with, he mentioned an attorney named John J. Hooker, Sr. But I didn't think I had any choice in the matter of, you know, firing an attorney, I may get, I may of, I could of got one worse than him. And in addition he'd done got all the money so it would of been difficult for me to finance another attorney.

LANE: Had he investigated the case, or had an investigator look into the case?

RAY: Well he, I was more or less in the dark with Hanes. The first time I knew he had an investigator was he got arrested for - Renfro Hayes for - attempt of Court, that's the first time I knew the investigator. But that was, he had a legitimate reason for that, because on the microphone he couldn't discuss too much with me.

LANE: Isn't it true that he was unable to tell you what he was doing because everytime he'd talk to you the State heard the conversation?

RAY: Yes, that's right.

LANE: At least that was your suspicion.

RAY: Yeah, we use to write things down, yes.

LEHNER: Oh, did he write things to you, Hanes?

RAY: Hanes, yeah we use to write things, notes back and forth, yes.

LEHNER: Did you consider the first two articles written by Huie to be favorable publicity or unfavorable publicity for you?

RAY: Uh I really didn't consider them either way.

Originally I thought they wer unfavorable, but --

LEHNER: Why were they unfavorably written?

RAY: Well, they were restricting us from, restricting our movements. I think we would of went into Court, or if we could of got the contempt of court order against Life magazine and Reader's Digest, but we are playing the same game they are. It's really like, it's really like my situation on this money deal. I don't take no money from the communication industry, and I never have, and I can in, back and sue them, but whereas people like maybe Foreman or Kershaw they take the moneyand it compromises them. But I really can't afford to get compormised.

LEHNER: Well let me see if I understand it.

Is it your position that it was a disadvantage of you to have the two look articles because it restricted your ability to silence the unfavorable publicity because you were doing in effect the same thing as the other side, but that apart from that you did not consider the two articles unfavorable to you

as far as publicity as your defense is concerned?

RAY: Well that would be a legal question for a lawyer to decide. I just considered the articles just more or less a commercial venture. Whereas the, not really hostile either, either way, whereas I considered the Life and Reader's Digest article a malicious against me. They were - They'd of had me convicted before I ever went to trial. I didn't consider the Look articles in that same, in that sense.

LEHNER: So you thought, is true that your - that you thought tactically it was bad to have them come out because it restricted your ability to deal with the unfavorable?

RAY: Yes, I thought that was it.

LEHNER: But the substance of the articles that Huie wrote for Look you did not consider them damaging to you in relation to a possible Jury trial?

RAY: No, not legally speaking. Uh - uh, well under the terms that I was extradicted from England, the only thing they could try me for was first degree murder. I don't think -- The only way they could damage me is mentally because I was getting notes in there from Huie, towards the end, kind of threatening notes, if I didn't say this why he, he was going to publish this. I think I got one letter here, he said something about if I didn't make some type of omissions or denials that he was going to publish something that would incriminate me in the King case.

LANE: Do you have that here?

RAY: Uh, I don't know if I have it here or not. I have

a couple of letter from him here.

LEHNER: Could you check and see if you have that please.

(We paused for a moment for James E. Ray to look for the above-mentioned document).

RAY: Well, I don't have all these letters from Huie, I've got one here, I'll look through it.

Well here, he says on -- Well this letter here is dated, February the, February 11th, 1969, and this is, this is about two weeks after Foreman said that I done admitted, agreed to plead guilty which was false, but nevertheless, on page 2 he says, "it is therefore my hope that there will be no trial that you will plead guilty and give, be given a life sentence which will give you a chance to survive as a human being and give me a chance to help you with what I write." And right before that he says, "... you are certain to be found guilty and sentenced to either death or 99 years in prison." Well here he says, uh, this is on page one, he's talking about his book here, he says "...I'm sure, I am sure you will understand that I can't wait until your trial is underway or until it is over to write my story, if I wait until then I couldn't possibly publish anything until summer, and since books and important magazine articles are never published during the summer if I delay finishing my story any long, I couldn't publish it until fall, and that would be too late to do any good. It would also greatly reduce the income from what I write because I would then run into three competitive books and I suspect that you are going to need all the money you can

possibly derive from my efforts." So, this was -- He was kind of pressuring me to get all the information he could before I went to trial, so I assumed if he wanted the information he wanted to publish it.

LANE: Just on the side, his stating that books are never published in the summer, I'll tell you as an author that it is totally untrue. "Rush To Judgment", the first book I wrote was published in August of 66 and became the number one best selling book in America and 23 other countries, and it was published in the summer. It's not true that the summer is a poor time to publish a book, I don't know why he was saying that.

RAY: Uh this is --

LEHNER: So, will you give us this letter so we could xerox a copy of it?

RAY: Yes.

LEHNER: Now you planned to testify at your-, in your own trial on your defense; is that true?

RAY: That's correct, yes.

LEHNER: What -- What Huie wrote in the first two Look articles wasn't that what you were going to testify to anyway in court?

RAY: Uh-, I made several revisions in it when I gave it to him the first time. The fact is I made two or three revisions on the, the whole thing, because the first article, the first material I gave, I gave to him real fast because he wanted to get - he had a deadline or something. And, he even got the hair color wrong on individuals I was associated with.

But, I think generally, that's what I intended to testify to, yes.

LEHNER: What revisions did you make?

RAY: Uh, I made revisions all during the time you -- I couldn't, I couldn't speci- -- I think, well, you got the copies of those Huie papers, haven't you? I don't know if you've read them or not but they, every once and a while I'd, well I had one trouble, I was in a motel one time and, April the 2nd, neither Hanes nor Huie could find the motel and I think I got mixed up and said I was suppose to meet someone in that motel because I, I'd get the Rebel ho-, Motel or something, and - and - uh - Well, anyway, Hanes and them, they never could find the motel, I finally asked a policeman in jail and he told me what it was. Well this was after Percy Foreman got in on the case and they found out it was the DeSoto Motel and things like --

LEHNER: That was one of the revisions, what, what other revisions did you make?

RAY: Oh, he at one time, the individual I called Raoul I associated with was blond hair and that wasn't the hair coloring, I changed that. I think I changed one time the date I left Birmingham, I had, I gave erroneous information on that.

LEHNER: What -- What information did you give him?

RAY: Uh, I told him I think I think I left Birmingham a certain date when actually I think I left earlier or something.

LEHNER: And what, what other revisions did you make?

RAY: There were quite a few of them, now one thing on these revisions, now, a lot of these, some of these revisions

I gave to Percy Foreman and he claims he lost, he lost his, but - uh - let's see the other revisions, uh, I know I gave him revisions on the, what I was doing April the 4th - uh, uh - renting the room and everything like that. In this respect, when I wrote this material out to Foreman, he told me to write everything just like it happened, except not to admit, not to admit that I rented a room there in the Main Street.

LEHNER: Who said this?

RAY: Percy Foreman.

LEHNER: Right.

RAY: Uh, now that was about April 4th or 5th, he had me write everything out, well he started to write it out and he got a cramp in his hand and he told me to write everything out, but he said, just don't - just leave the part off where you have to, whether you rented the room or not. And I left that off. And, I think Huie got a copy of that. Uh, --

LEHNER: What other revisions did you make?

RAY: Well I know, I know - I know I - I know I revised the April the 4th, plus I give him misleading information on that once. And I know I revised April the 4th, and -- Now this, this, this is beyond what the three, four misleading statements that I deliberately give him.

LEHNER: Well what were the misleading, deliberate misleading statements?

RAY: Well that was the robbing thing Whore House, vs. the Market.

LEHNER: Right.

RAY: And how I escaped from the Missouri Penitentiary.

LEHNER: Right.

RAY: And the bit about the, I was sitting in the car and a guy come out with a sheet over his head and jumped in the car.

LEHNER: All right, you told us about that.

RAY: And --

LEHNER: When did you make these revisions, the ones that, where you had made mistakes?

RAY: I think some of them, I didn't keep no copy of them, but I think when I make them, I'd read the articles that he'd wrote, and I'd see certain errors and everything, and I'd get laying on the bed and start thinking about them and see it was, see it was incorrect.

LEHNER: Now these re-, revisions that you made they were the results of mistakes that you had made in relating the story because of the rush of getting it to him?

RAY: The first ones, yes.

LEHNER: The what?

RAY: The first ones. The first things I wrote to him, yes, that was, they were a big rush then.

LEHNER: I'm not talking about the robbery of the whore house as opposed to the gambling establishment, or the escape from Jefferson City or the story involving the sheet, those were intentional statements--

RAY: Yes.

LEHNER: --where you made intentional misstatements.

RAY: Yes. Yes.

LEHNER: But the other things were just because of the rush of getting it to him you made errors; is that correct?

RAY: That's correct, yes.

LEHNER: And that would revis-, that entails the DeSoto as opposed to the New Rebel?

RAY: I don't really know how that come about. We - We were having trouble - I was having trouble trying to establish where I was at on certain days and that was, I think that was one of the early part of information I gave him, the DeSoto. And, I'm not -- I'm not just sure how those errors come about, all of them.

LEHNER: But these were errors, I think you told us, because of the rush to give it to him; is that right?

RAY: Uh, yes, I think so.

LEHNER: What was the reason for the rush to give it to him.

I believe / ^{they} were, he mentioned to me they were, a magazine had to have, in other words they just go from month to month, they got to know two or three months ahead of time what they are going to publish.

LANE: Some of this was spelled out in the letter; isn't it?

RAY: Uh -, huh?

LANE: Some of this is spelled out in the letter.

LEHNER: I haven't read the letter yet, just ---

RAY: Well, I haven't either, I read --

LANE: He just read portions of it.

LEHNER: Yes, I haven't read the full letter.

RAY: Well that -- Now, he's talking about a book there, but I think a magazine, according to him works on the same principle, they have to have the information a few months ahead of time. And I didn't start giving the information until sometime in, after August the first because I didn't sign the contracts until August the first.

LEHNER: Okay, and that's -- That's the reason why you gave him the wrong date that you left Birmingham, the wrong color of hair for Raoul and those type of things; is that right?

RAY: Now see I didn't make the hair on him the wrong color hair, he made that himself, he couldn't read my writing I guess. And I --

LEHNER: Well what was your writing?

RAY: Well I don't write too plain.

LEHNER: How did you write it?

RAY: I wrote everything in longhand, there was no typewriter there, but I did make the revisions where I noticed they were an error.

LEHNER: But what did you write down?

RAY: What did I write? Well I just wrote what I was doing, and, he wanted me to write a diary and I told him I couldn't remember that good.

LEHNER: Well what color hair did you write?

RAY: Oh, it had a slight red tint to it, I told him that it looked like it might been dyed, and on the, it was dark.

LEHNER: And he mistook that, your letters for blond?

RAY: I don't know how he did it, but he did it. What I think he did, he thought that it was someone that I'd taken to Louisi-, New Orleans that had blond hair was a -- was involved in the case.

LEHNER: Well, I thought that you had just told me that these revisions related to mistakes that you had made because of your rush to get it to the, before the deadline; and you listed those as the motels, the DeSoto, the New Rebel; the blond hair; the date that you left Birmingham, those were the things that you mentioned that you'd made mistakes on. Now, did you make those mistakes or didn't you?

RAY: Uh, I didn't - He made the mistake on the blond hair, that was his mistake, everything else was mine. Now I think the papers would, would substantiate that on the blond hair because I know that was one of the first things I told him, that I wasn't associating with anyone with blond hair.

LEHNER: And you recall that you wrote out reddish tint hair and he just mistook it for blond hair?

RAY: Yeah, I think-- I think I went in detail, dark, dark hair, it may have been - uh -- Now if it was blond -- Now I might of mentioned that it blondish, it was you know, might of been dyed, but I specifically mentioned it was dark hair.

LEHNER: So when you were rushing to give him this material, this was in August; is that right?

RAY: Yes.

LEHNER: And you understood that he was going to publish it in a magazine, because you understood that there was a rush to get it?

RAY: Yeah, it was mentioned that they wanted, they wanted, were in a hurry for it.

LEHNER: So you weren't surprised when it came out in a magazine a couple of months later were you?

RAY: I'm telling you what I know now, see I didn't know at the time that you had to have the material two or three months ahead of time, I know it now, but I --

LEHNER: How long ahead of time did you think he had to have it?

RAY: Well I thought you just got it one day and was on the street the next.

LEHNER: So in August when he told you he needed it quickly you figured it would come out in August in the magazine?

RAY: Well I just didn't think too much about it. I mean I had other things to think about besides --

LEHNER: Well, I'm sure you thought about a lot of other things, but you thought it would come out the next day, you said, so you thought the magazine and article would come out in August; is that true?

RAY: I didn't -- I didn't know when it would come out, I just assumed that something was going to be published and that was it.

LEHNER: Hanes never did -- They never did explain no details to me about it, they just told me when they wanted

something and I'd give it to them.

LANE: You have to understand the circumstances, if he doesn't meet the obligation of the contract his lawyer doesn't get paid and he doesn't have a lawyer for trial. Whatever his feelings maybe about the problems of the arrangement he's going to trial on the murder and he has a lawyer who's being paid because he's giving information to a lawyer to give to a writer, what he didn't know when he entered the contract was that the writer was giving it to the FBI.

LEHNER: Well I just wanted to clarify that he was not, he was not surprised when the article came out because he expected it to come out in a day or two after he gave it; isn't that - isn't that true?

RAY: I wasn't shocked when it came out. I - I just wasn't interested in it at all really, I was thinking about the case versus what, when I signed the contract I knew there'd be books and articles written, in fact I told Huie that. But I was never told what date or anything it was coming out.

LEHNER: Well when Foreman took over you didn't - did you expect first that there'd be a writer connected with him?

RAY: He said after, after the trial there would be, yes.

LEHNER: When did you first find out that there was going to be a writer connected with him before the trial?

RAY: I'd say about, somewhere in January of -

LANE: '69?

RAY: Yeah, but I can't get the date, he was sick. He took him up there and, the first time he mentioned a writer was December of '68, he, he had a deal where, with George McMillian, he wanted to give him, McMillian was suppose to give us \$5,000 and we were, the only thing I would do was just confirm something that didn't have really anything to do with the case. I think it was psychiatric business or something like that. I didn't-- and I disagreed with that, I said you might of just stick with Huie if you are going to get involved with another character.

LEHNER: So, did you know about the one that he had in mind?

RAY: George McMillian?

LEHNER: Yes.

RAY: There was an article in the paper, something about he was writing a psychiatric profile on me or something, and -

LEHNER: Did you have -- Did you know anything detrimental about him at that time which Foreman --

RAY: McMillian?

LEHNER: Yeah, when Foreman recommended him?

RAY: No, I just didn't want to get involved with two of them. If you got one you might as well, why get involved with another one, one's enough.

LEHNER: Well, when was this that, that Foreman suggested McMillian be exchanged for Huie?

RAY: He didn't suggest the change, he just said we'd give McMillian some information and he'd give us \$5,000 for

defense.

LEHNER: When was that.

RAY: Now, I think it was Dec-, December, we had a hearing in December 17th or somewhere.

LEHNER: 19-, 1968?

RAY: But I remember specifically the time it happened, because when it happened Foreman use to always go out the front and they'd take me up the back. Well this particular time Foreman went back in the bull pen with me and went halfway up to the jail and we was discussing McMillian. Now, I guess maybe Jerry would remember that time, but I'm pretty sure it was the December '68 hearing. Now they had some hearing there in December of '68 but I don't know what it was. I think it was when, maybe it was when the public defender came in on the case, I think that's when it was, when they got Stanton in on the case.

LEHNER: So in December of '68 Foreman suggested McMillian be used at a writer; is that correct?

RAY: I think was just the one, one -- I mean, in other words McMillian just wanted me to confirm some type of psychiatric theories he had, I think that's all it was.

LEHNER: And you said to him, why change writers at this stage?

RAY: I told him at the -- I told him if you have to get involved with writers why not, you know, just stick with Huie if you have to get involved with them.

LEHNER: Now, what's your reason for December of '68

sticking with Huie when you had all the time thought that Huie was giving information to the FBI?

RAY: I didn't want to stick with either one of them, see how it is, if you are already with one why get involved with another one and have two people working against you.

LEHNER: Well, the one -- You knew already, in your own mind at any rate, that Huie was working with the FBI, what is the sense in continuing to work with him rather than changing?

RAY: That wasn't the suggestion, the change, he suggested that he add one more.

LEHNER: Well, from what I understood, you told us just now, and correct me if I'm wrong, that Foreman said, why not get this fellow McMillian into it, he could do an article for us, and you said, well if you need a writer, stick with the one we have, what was your purpose in saying stick with Huie if you thought that Huie was an FBI informant?

RAY: Well why get -- Why get two, I mean, if Huie was an FBI informant I think I rather have the FBI on my side than against me, or on my side other than a psychiatrist, that's the last thing I wanted.

LEHNER: Oh, you thought that Huie was turning the FBI around in your favor?

RAY: No, but a psychiatrist and all that crazy talk about being a narcotic addict, and a sex pervert, and a pronographer, uh, that'd be --

LEHNER: Well, I could see you saying to Foreman, look

I don't want McMillian because of what, the reasons you have just given us; and also I don't want anything to do with Huie because he is an FBI informant, but I cannot understand from what you are telling us now, you are saying to Foreman, I don't want McMillian and if you need somebody to write, stick with Huie.

RAY: I didn't say that. I said, if you have to get someone you might as well stick with Huie in order to get, why, why get two of them in there if you can --

LEHNER: Why, why not say have none of them?

RAY: Well that was our agreement when he came in the case, but you know how lawyers are, he got in there and he started thinking about --

LANE: You, you skipped over some of the essential elements, and that is, from Foreman coming in and saying there are going to be no writers to Foreman saying you have to give information to Huie.

LEHNER: Yeah, well I --

LANE: We haven't gone through that material.

LEHNER: Well, let's go right into that.

EVANS: I see --

LEHNER: If -- If Foreman is saying we have to have a writer and you don't like McMillian, why not say get some other writer, why - why do you put Foreman, push him towards the one writer that you believe to be an FBI informant, namely Huie?

RAY: But see I thought there was going to be two in there

all the time. I figured Huie would be in there anyway, so --
I mean, why--

LEHNER: Why did you figure that?

LANE: What was your discussion with Foreman about Huie
at the time?

RAY: Well I think I had trouble with Huie all, all through
the --

LANE: Did Foreman enter the contract with Huie?

RAY: No, well, he was getting to that on the, he asked
me that originally, when, when Huie first-, when Foreman first
bring up Huie's name? That was when he came back from being
ill, I think that was about January the 25 or 6th. He, I think
the first time he, I think time I knew anything about Huie
and him living together was, he brought a check up there,
for \$5,000 and he asked me to sign it, and he also, he had
me sign another document called an Amendatory Agreement, I
think that was dated January 29th, 1969. That got Hanes out
of the contracts and the contracts were in limbo then, that
was January 29th. Then February the 3rd he brought another
contract up there, and that contract give Foreman everything
that Hanes ever had, plus the 30 percent that I was suppose to
have, and, but that contract now, the February 3d contract,
1969, it specified that he would defend me in a trial, the
trial was in Shelby County Tennessee.

EVANS: Ray, can I ask you a question? You, at this
particular time, you were preparing for trial, facing 99 years-

RAY: Yes.

EVANS: -or possible death, and you stuck with Huie rather than McMillian, and you had just given up Hanes who you felt pretty certain was not an FBI but who was acting in your behalf and you still/^{told}Foreman that you thought that if we needed a writer why don't we stick with Huie, although you thought that Huie was feeding information to the FBI who obviously were trying to ensure that you were in fact the assassin.

RAY: Well, what I told Hanes, Foreman, I'm trying to get real specific. I said, if you have to get a writer, I mean, why get involved with two of them, just, you know stick with one of them. But I didn't want him to get involved with either one of them. It was my intention, see, I figured--

EVANS: But you choose one of them, you didn't want him to get involved with either one.

LANE: He didn't choose one, one had been chosen for him.

EVANS: One had been chosen though?

LANE: One had been chosen, it was not chosen by Ray.

EVANS: Correct.

LANE: It was chosen by Hanes, they had a contract. Then Hu-, then Foreman came in with the contract and Foreman renegotiated the contract with Huie, and either Ray goes to trial without a lawyer or he goes with a lawyer who is working with Huie.

LEHNER: What we are trying to get at, is, if you fire Hanes because-, not because you didn't like Hanes, but that you thought he was a conduit to Huie, who was a conduit to the FBI. And Foreman comes to you and says, we need a writer, why

are you not saying, hey, take X-Y-Z, take anyone in the world, but don't take Huie. In stead you say, you don't know McMillian at that time, you just don't like McMillian because he has some psychiatric theory that he is going to advance. And you say to Foreman, I'd rather just stick to Huie. Why didn't you say take X-Y-Z, anyone else you can find, but don't take Huie?

RAY: Well I didn't want to get involved with any of them. I mean you got to, well there's certain inflections of the voice and things, it's difficult for me to try to, you know, to tell you how Foreman acted and that. I didn't tell him to -- well, let's go Huie, Huie's a good guy and all that, we'll get him and he'll, he'll give us the money and everything. What I -- What my intentions was at the time, if you got to get involved with one writer, just get involved with one, why get involved with two. So, I assumed that Huie was going to going be in on the deal anyway because he had contracts with Hanes at that time and it was my intentions to -- I mean why add some character like McMillian on there especially if you already had, if you already had Hanes. But, you know, if you already had Huie.

LANE: If you read Huie's book he describes his meetings with Foreman prior to this time, and his entering into a contract with Foreman, so there already was a contract between Foreman and Huie.

LEHNER: Why don't you continue. What we are interested in is your state of mind and what was transpiring at that time.

: Did you mean it sarcastically?

RAY: What's that?

: When you -- When you said that you might as well just stay with Huie?

RAY: Well, no -- Really what was my intentions to make the statement was that one writer would do less damage than two writers. And I assumed if he was going to get involved with McMillian he was going to be involved with Huie too. So, um, between the two, I don't know, I'd, it's difficult, I really think that McMillian was the most damaging and vicious of the one, between him and Huie.

EVANS: Rather than Huie with the FBI?

RAY: Well, I'm not talking about -- Uh, McMillian he's with the FBI too. I've got a letter right here saying that he looked in the files. Of course I didn't know it at that time.

LEHNER: Well, we're taling about what you knew at the time. We are talking about your state of mind at the time.

LANE: Well, he's told you, he's answered the question about eight times.

EVANS: Yeah, okay.

LANE: You may not be satisfied with his answer, but that's what he says.

EVANS: Yeah, let's go.

LEHNER: Okay, continue.

LANE: Why don't you talk about your relationship with Foreman, did Foreman, did Foreman indicate that he was optimistic about the trial at one point and he had a change and had he talked with you?

RAY: He was very optimistic when he first came into the case. when he first came into the case, as I mentioned, he made these certain agreements about lawyers and everything. And the next day he came up there with a, with these re-, what you call retainer fee. And, I signed the Mustang over to him, and he wanted the rifle, I said, well, it's questioned whether that belongs to me or not, but I've got some equity in the Mustang. He said, I'll get the rifle and the Mustang. I signed that over to him, and I think that was the retainer fee.

LEHNER: Let me just stop you now, it's three minutes to three, our stenographer has indicated that he could use a break, so lets take a short break.

(Recess at 2:58 p.m.).

LEHNER: It's now five minutes after three, we are still at Brushy Mountain State Prison with the same people that were here before the recess.

Mr Lane, did you want to start with something?

LANE: Yes. James Earl Ray would like to testify before a polygraph expert and he would like to have questions prepared also to be submitted to one or more PSE experts, and we wonder when that can be arranged?

LEHNER: Well, what we were hoping to do, is to finish our investigative questions with him here so that we could know exactly what his final position is, so that we know where the areas are that should be probably be subject to the polygraph

concern. So that is something that will take place as far as I am concerned immediately after our concluding our discussions with him down here.

LANE: Well there is a little bit of a problem with that. We have, whatever leverage we have is that James Earl Ray is willing to speak openly and frankly and answer questions in all areas then after he has done all that there is no leverage left. So we would really like that to be arranged prior to the time he finishes. And, secondly, certainly some areas of -- and arrived at already. I mean, you might ask him for example if he shot Martin Luther King, that's an area where the State takes one position and he takes another. So there's some areas which I think very well defined and could be a basis of a polygraph and PSE now.

LEHNER: Well, when you are talking about leverage, he has every right in the world to, to continue to speak to us or to stop, he can demand openly and freely to speak to the Committee or not openly and freely speak to the Committee. Take his own polygraph/PSE tests that you can arrange. However, it is our intention to give him a polygraph, but it is our intention to do it after we have hit every, when I say hit, after we have gone into every area of the case so that we can conduct one polygraph examination that, you, Mr. Lane, could participate in questions that you wanted framed to add to questions that the Committee might to decide to ask him and so that this one test can be the one and final test that we give, not that we do it in segments. So, that

is the present plans of the Committee to finish our inquiries here with him and to give him a polygraph. So when you are talking about leverage, this is all on the record here, you have a copy as well as we. It is not our intention to finish questioning him here and then deciding not to give him a polygraph exam -- so I don't think you have to concern yourself with leverage on that.

LANE: Well I understand that, I know, but I know that you don't make the final decision, and even the General Counsel of the Committee doesn't make the final decision, and may be the Select Committee will say we don't want to give him a polygraph and nothing that has happened up until then can force the Select Committee to give him a polygraph. I think that maybe it would be useful. It may be the closest thing that he's going to have to a trial.

LEHNER: Well -- Well, --

LANE: For a while.

LEHNER: You also realize that we do plan to have hearings in Washington, there will be a final report, and I think you have to, we have to proceed on the basis that both sides, yourself and Mr. Ray as well as the Committee is going to continue to do the things to find out as much of the truth as possible. And we're, and I would suggest that we continue that way. And I can tell you that our intent is to give him the polygraph examination after concluding his interviews.

LANE: All right, and is it also your intention to give us the results of the polygraph test, including the copies of

the tapes, and the analysis made by whoever conducts the tests, whoever does the analysis?

LEHNER: Well, this is something that we would have to discuss. I'll tell you -- I'll tell you why, our rules, I don't if you have a copy of our rules or not.

LANE: No, I participated in drafting them.

LEHNER: In drafting our rules?

LANE: That's right, in meetings with Dick Sprague, in meetings with Don Edwards.

LEHNER: Well, rather than commenting on this I'll just tell you that our rules prohibit anyone from learning whether someone took a test or declined to take a test. Prohibit our publicizing the results of the test.

RAY: You mean for all times.

LANE: Yeah, Committee can't release them, so, but it doesn't, certainly the person takes the test can, there's nothing in the rules I'm quite sure which prohibits the person who is being tested from getting a copy of the test.

LEHNER: I can tell you this, that it is our intention of the Committee to give the results of every test to the person taking the test.

Now, the person then taking the test obviously has the right to communicate that to his attorney. Um, the problem, the problem that we would get into is that an attorney receive the results from his client and then were to publicize these results prior to the Committee holding its hearings, in other words to --

LANE: Let me give you a little bit of what I understand. Let me give you a little bit of legislative background about how these rules came to the Committee actually.

Don Edwards had spoken on the floor of the Congress, he's a member of the House in California and he's was the Chairman, or at least he was at that time, last year or the year before, of the FBI Oversight Subcommittee of the House Judiciary Committee, he made some very strong statements against the rules and procedures which he thought were going to take place by this Committee based upon a story that he read in the Los Angeles Times about a purported interview with Dick Sprague, at that time the General Counsel. And I went to see Edwards and raised these questions with him. He was horrified that hidden tape recorders and little electronic gadgets would be used and polygraphs and PSE's would be used on unsuspecting witnesses. And I talked to Dick Sprague about that and he said that was never our intention, he never said he would do those things, and in fact Mr. Edwards, I got an agreement from Edwards as to what he thought would be just fine in terms of rules and I arranged a meeting between Edwards and Sprague and others. And from that the rules that we are talking about developed, so I'm familiar with the legislative background of those rules and they were not done for the purpose of preventing a person who was being questioned before this Committee from getting the results, they were prepared so that the person who was being questioned couldn't be tricked, couldn't be bugged, couldn't be tape recorded, couldn't have his words analyzed

in such a fashion without his knowing in advance that it is what happened. The rules went very, very far in thorough investigation, in Committees of Congress, probably further than any other Committee of Congress in terms of protecting the rights of the witness. For the Committee, I think that's fine, but they aren't done to limit the rights of the witness they were done to increase the rights, to protect them.

(We had an interruption by the Penitentiary Notary to notarize Mr. Ray's signature on some documents.)

MR. LEHNER: For the record we just had a hiatus when the notary from the institution, Mrs. McPeters came in and notarized Mr. Ray's signature on a waiver of privilege between himself and various counsel.

Mr. Lane, you were talking for the record when we were interrupted.

LANE: Yeah. That's all I have to say, but I think the rules were designed very clearly to protect the rights of the witnesses before the Committee, and I don't think those rules which were designed to protect the rights of the witness should be used to deny rights to witnesses. And I think that Ray is in a very unusual position, of all the the witnesses in this country, he's the only one you cannot force to testify obviously, he's not worried about a contempt citation from Congressmen, he's been sentenced to 99 years, yet he's come forward, he's brought documents, he's signed waiver's, he's

been, on almost all the lawyers who have represented him, he talked to you freely and openly, and I think in exchange for this effort to get the facts out it would be useful if the Committee would say, yes, there will be a polygraph, yes there will be a PSE, yes, we will give Ray and his attorney all of the documents about the PSE and the Polygraph. And if they want to do with it what they want to do with it, they do what they want to do with it.

LEHNER: You know the rules and I think you should also know that we are interested in finding the facts, letting them lead us where they may and that is the very purpose of our coming out here and having these discussions with Mr. Ray. We are going to investigate as much as we humanly can, every aspect of the case that we can, we are planning to at our command.

So, if we could, if we go back to what Mr. Ray was talking about, I think you just finished with his stating that he in his discussions with Mr. Foreman he did not wish the services of Mr. McMillian.

LANE: Okay, before we do that, I'm going to ask you, Bob, that when we meet back here on December 2nd to continue the testimony, that you see if you can to secure for us by that time and agreement from the Committee that there will be a Polygraph, that there will be a PSE of the Defendant, and that the results and the raw material which leads to the results of those tests will be made available to him.

LEHNER: Well, let me tell you that there is not, I do

not think that there will be a Committee meeting between now and then, I don't know if there will be a Committee meeting, it may be hearings that are, that do not require a majority under our rules, there has already been authorization for a polygraph test to be given, so that's no problem. The question of when it should be given is something, that, that we have been discussing here, and as I told you, it is my intention and as I have stated this to the Committee as well, to continue and complete discussions down here prior to that being done so that we know what the issues are. So that we can frame the issues and also I - as I stated to you just a moment ago, I'd like you, Mr. Lane to participate in the planning of the questions. If you have some suggestions, questions, please give it to us and we would then forward that to the polygraph experts.

LANE: Yes I ---

LEHNER: I don't think -- What I'm saying, I don't think there is a conflict between us here and I think that my intent is that we do not have polygraphers coming down more than one time and we that we do it all in one, one session.

LANE: Yeah, I wasn't talking about today, I was talking about the Committee, that it will be done and that we will get the results.

LENER: All right. Well the results, as far as the results, the Committee rules do not entitle anyone to be made aware of it, other than Counsel designated by the Chairman, or by the staff, the staff members designated by the Chairman,

and the subject. Now the subject obviously is entitled to tell his counsel, I think it will be appropriate that he tell you. Now the question is, can there, whether there should be some kind of agreement that counsel and the subject not publish the results until a future date which, which would be after the public hearings. Now, that, that is something that I think we would have to discuss, and I don't know whether we have to discuss it now on the record, and I think I'd be very happy to discuss it further with you and talk to you about the rules and relay any suggests you have back.

LANE: All right, then we would request that December 2nd we get a letter from Congressman Stokes stating that there will be a polygraph, there will be a PSE, the results and the raw material will be turned over to the subject James Earl Ray, and that will happen, it doesn't have to happen before the second, but we would like the letter before the second saying that it will happen subsequent to the original first stage question of the Committee.

LEHNER: It will subse- -- It will be subsequent to it?

LANE: Yeah, it will be subsequent to that, but we want a letter prior to the second saying that is the, that will follow the first stage question.

LEHNER: Well, we've been talking about the polygraph, as far as the PSE we have no expert presently that we have contracted with, and I, as you well know, the PSE can be done from existing tapes and that is something that can be done

independently. I think what we are really now concerned about is the polygraphs, and that's the first thing we want to do, and as far as, I will communicate your requestion to the Chairman and I can tell you that my understanding is that he is away on vacation and will be for a couple of weeks, but I do expect him back before the second. I think he will be back just about that time, maybe the first, so it might require a phone conversation where maybe you and he could be intouch by phone. I could talk - but as far as a letter it might be a difficult thing as far getting a letter to you. But as I told you that there is already authorization by the Committee to give Mr. Ray a polygraph examination.

Okay, can you -- Did you want to continue as to where you wanted to pick up?

LANE: Where were we, James?

RAY: What were we, on Percy Foreman, I think when did he first come into the contracts?

Well I think I mentioned he, I think he brought the first contract up there, Amendatory Agreement, he got Hanes, he got him in, he got a \$5,000 check from William Bradford Huie and he had me sign the check on the grounds that he wanted to use the check for John J. Hooker, Sr. retainer fee.

LANE: Did he ever retain Hooker?

RAY: No.

I believe February 3rd he signed the other-, I signed the other contract giving him everything that Hanes had originally

had plus the 30 percent that I was suppose to of had. I think that's the contract that specified that it would be a trial or a trial in Shelby County and he would defend me at trial. About that time around February 4th or 5th, he brought me some pictures up, some various pictures, I think the one of them I, we looked at either the D Plaza picture and he asked me if I would identify one of those individuals as the, as the individual who shot Martin Luther King, that the FBI would arrest him and bring him up there or something.

LANE: Did he tell you where he got the pictures from?

RAY: He either got them from the FBI or Huie got them from the FBI, but they come, he was kind of vague on it, I'm not certain where he got the pictures. I think on-, the individuals in there, they are most of them, a lot of them were kind of Latin types. I think there was one black and I think the rest of them were white. So I told him I didn't want to get into that type of business. Uh, I think during that time, now, that's around February 4th or 5th. At that time he also had me, he said he was ready to go to trial or he indicated he was. He had me write out everything about the, the offense that I knew, from the time of the escape up until the time I was arrested. Except he had one provision in there that I not write anything about renting a room at 422½ Main Street. So I wrote everything out up until I was in Canada somewhere, after the, after the offense took place.

Uh, as I mentioned I think that was around February 4th or 5th. February 6th, 7th and 8th, during that period he filed,

he had me sign about three different motions, I think I gave you one them. ONE of them was to sell pictures with Life magazine, I think 15,000 to raise funds to go to trial with. And he filed another motion to get William Bradford Huie an interview with me. And he filed another motion to sell the copies of the trial transcript everyday to the news media. I think the judge turned down all three of these motions. I think on February the, February 12th the Grand Jury subpoenaed Huie and they told Foreman by letter that Huie would be a witness for the State, that was on February 12th. On February 13th Foreman brought me another document up there and asked me, wanted me to enter a guilty plea. That's the first mention there ever was on the guilty plea, February 13th. They said I had a, I think a 99 chance of electric chair and a hundred percent chance of conviction. But --

LANE: Did he write you a letter when he --

RAY: Yes, this was a document he wanted me to sign. He wanted me to sign the document signifying that I'd received it which I did.

RAY: Now, I think on February 14 he came back the next day, the next day I'd, well I'd wrote out some reasons why I shouldn't enter a guilty plea, plus I wrote out on another paper, I think we -- I think me and Mr. Lehner discussed this other paper your last visit here, didn't we? The one the guards found in the garbage can, which indicated we was still thinking about going to trial. I think Febr-, February the 18th, he had me sign another paper I think it was. We hadn't,

I hadn't agreed to enter a guilty plea. I think we took that paper from my brothers and sister, and they wanted them to have me enter the guilty plea and I think they refused him. I didn't find out right then, but I found out later.

LANE: That's February 18th?

RAY: Yes. I'd say he went to see my sister February 19th, 1969.

HAUSMAN: Excuse me. Are you so sure about all these dates now, because you refreshed your recollection since our last meeting?

RAY: No, I've had these dates in my mind quite a while because with, I've had suits with contracts, which had nothing to do with the King matter we was just trying to break the contracts. But I'm familiar with all the contracts because I've read them contracts numerous times. Now everything I'm telling you is not contracts but they are associated with contracts, their documents.

HAUSMAN: Are you sure of these dates in terms of dealing with Foreman in relationship to the guilty plea and those conversations?

RAY: Well I'm positive on the guilty plea, February the 13th. Now on the, what I signed the, when he wanted me to look at the pictures I'm within two or three days of them. And I'm really, I'm pretty close on those, yes.

HAUSMAN: What makes you so positive of the February 13th date?

RAY: On February 13th?

HAUSMAN: The guilty plea.

RAY: Well, see, I've read that document several times. Uh, I think I have it in the cell some place.

LANE: During the time he was actually encouraging you to plead guilty, did you discuss - discuss with him what the evidence was in the case?

RAY: Uh --

LANE: Did he tell you that you could -- He gave you a document which he said the chances were what, 99 out of a 100 that you'd be convicted, or a 100 percent you'd be convicted.

RAY: Well, well he --

LANE: Did -- Did he tell you why he thought you would be convicted?

RAY: No, he, he said the news media had done convicted me and he said they'd bribed the witness Charles Stephens, they'd promised him a \$100,000 and most of the news media and the bribing the witness, and there were other, two or three other reasons why we should enter the guilty plea. He acted like he were doing me a favor by going to plea because the business community, the Chamber of Commerce they wanted a plea. And, so, therefore, they were going to do me a big favor and let me enter a plea conviction, 99 year sentence.

LEHNER: Did he enter Stephens?

RAY: No.

LEHNER: Did he know what testimony Stephens was going to give?

RAY: Uh -- No. The only testimony, the only place he could of got that was from the English extradition file and he never

did get it. He made an effort to get it I think February 14th, 1969, but he never did get it.

LEHNER: What was that testimony?

RAY: From the Stephens file?

Well, Stephens give a statement, one of two statements, I heard in England. And he said he - he saw someone running down the, running down the, after the shooting he saw someone running down towards the steps and he said he turned around and he seen a profile that looked like the person that rented a room, which was me. They said he identified the individual, that one of the main characteristics was he had a sharp pointed nose. Well that was my description before I got plastic surgery. And, so, I assumed by that statement that the FBI told Stephens lawyer that I had a sharp pointed nose and use that as a means of identification. Of course, I've got kind of a bent nose now.

LANE: During one of the habeas corpus hearings I think it was, something like that, maybe it was a trial when Foreman was a defendant, when Foreman was questioned about Stephens, who in fact I believe ends up as the only eyewitness for the State against the defendant, he confused him with Mrs. Brewer. Mrs. Brewer and Stephens and he didn't know them apart.

LEHNER: Who confused them?

LANE: Foreman, it was after the trial, after the so called trial, he still was unable to distinguish one from the other, and it is very important, I think, document for you to use in the cross-examination of Foreman. Because in it he says, that he, he admits that he didn't talk to Renfro Hayes who was the

only real investigator that talked to Grace Stephens, and Charles Q. Stephens and many other people. He didn't talk to him, and he said he doesn't rely upon investigators. He got a group of investigators of students, he only relies upon students, and then he said something about he had 6 students, and 8 students, and 10 students, he never could get the number straight. But when asked by the attorney the names of students, he said, I'm too busy trying cases to remember names of students. And then was asked how he got the students, he said it was through a professor, but he didn't remember the name of the professor, and he asked what school they came from, he didn't remember the name of the school but he thought maybe it was only one school in Memphis anyway. That's that aspect. Now Renfro Hayes told me yesterday, and I don't know if this is so or not, he examined the files on the Friday before the trial was to begin, and it showed that the State had not issued any subpoenas, in the state of Cali-, in Tennessee I think you give five working days notice. Yet Hayes to believe on Friday that they were not going to go to trial early the next week although it was set, but it was on Sunday that Forman came.

I don't think there is a single lawyer who was involved in this case or investigator who was familiar with the facts at that time, that includes; Art Hanes, Sr.; Art Hanes, Jr.; Renfro Hayes; and these others who believe that Foreman did anything in terms of the preparations of the case. So, he never -- I think he never intended to try the case.

RAY: I think as mentioned to Mr. Lehner a while ago, I don't know what the Committee is interested in. I mean I --

If the Committee is interested, if they think Foreman -- Well first I think everybody agree there's fraud in the guilty plea except, I think all the judges know it too but they won't reverse it. I think what -- I'd just assume, I don't want to tell the Committee what they, what their, what they are suppose to do, but I think if, if he got me to enter the guilty plea for financial reasons just to make money I don't think it would be any interest to the Committee. Now I maybe wrong but on the other hand if he, his motives was to cover up something I think it would be of interest to the Committee. But I don't know how I could prove whether he was just greedy and wanted money or whether he had something, the Justice Department was putting pressure on him to get the guilty plea.

But anyway, where were we at, February the 18th?

LANE: February 18.

RAY: Uh, I think he took that to my sisters, of course my brothers they were all there, but I never did find out about it until later that he was trying to get them to have me enter a guilty plea.

I think sometime along--

LANE: He was trying to get you brothers and sister to urge you into the guilty plea?

RAY: Yeah, he wanted them to write me a letter and come down and tell me to enter a plea. In turn I give him a paper of why I shouldn't plead guilty. I had on there that I wasn't guilty and that the newspapers while they did have

a lot of influence they probably didn't have as much influence on a jury as they would have on a judge and things of that nature. And, there were four or five other reasons, I can't remember them all right now, but I think he did read them to my brothers. Also at this time, I think, around February 18th he brought a check up there, no, he didn't bring it up there, I think Huie give it to him to give to me and he forged my name on it and I think the Planters Bank cashed it for him. It wasn't too long after that that I think he started bringing the stipulations up there. And then we started arguing over the stipulations. And we finally determined later on that I use to make marks on the stipulations, he'd bring them up there and see if I would agree with them, he'd make pencil marks on them, indicate the ones that I was in disagreement with then I'd sign them and he'd take them down to the Attorney General and say, well Ray wants-, doesn't go along with this that there. Well that was really a delaying action on my part, on the stipulations. I think we argued back and forth, not only on the stipulations but whether we should go to trial or not.

LANE: Were you thinking of firing him at that point?

RAY: No, I don't think I could of fired him.

LANE: Why?

RAY: Because of the prior ruling by the Judge. I think when I fired Hanes the Judge said he would look very critical on any further changes in attorneys. And I think in the meantime he -- I think the Judge had already appointed the Public Defender, Hugh Stanton, Jr. to the case anyway.

So if I should of fired Foreman well I would of had Stanton which would of been just as bad.

RAY: Well, anyway, the stipulations I think, I think ultimately, I signed four copies of them. I think two of them now are on record, I think ones on record in the Shelby County Court, and another different version of them is on record in Federal Court in Memphis District Court. I don't know where the third set is. The fourth set was the one we finally agreed to, and that's the one the voir dire the judge read in the court.

Uh-uh, I think, during - during the end of the period he gave me the impression he was going to throw the case, I guess the psychology that certain lawyers use on certain defendants, try to force them to trial--

LANE: Which is possible.

RAY: Yes. Well, you know, to - in order to keep them from going to trial. During the later stages of it he never mentioned Hooker's name no more after he got the money, he did mention Ben Hooks, he's a, he was a former black judge in Memphis. He was connected with the SCLC, and I thought that would of been a conflict of interest, expecially being an ex-judge. Because it was my opinion that no judge wether he is black or while could be independent of the system and still be appointed--

RAY: Did, did Rev. Bevel come to visit you?

RAY: Bevel came up there about January or sometime early, late January, one of the first trips after Foreman

came back. And he wanted to leave Foreman as co-counsel.

Bevel talked to me on, through the visiting cage area, he talked about 15 minutes and not let up.

LANE: What he say?

RAY: Well he wanted to be co-counsel and he had informaion on the case. And I told him I didn't have anything to do with co-counse, that tha would be up to Foreman, he'd have to decide who would be co-counsel. But I think Formean told Bevel that uh-, Bevel wasn't a lawyer so he could defend anyone but himself. And then later on Bevel wrote me and I wrote him back and told him that I appreciated his help, but I couldn't, I mean I didn't know what his game was or anything like that. I wouldn't get involved with his, whatever type of things he was promoting.

RAY: I just wanted to get it straight with him before he got into the case. And later on I talked to Foreman and he said he was mad about Bevel and he said something about Blacks could absob-, couldn't absorb formal education, but I don't, I don't think - I think it was just directed to Bevel on that because Bevel was raising hell out in the street or something.

EVANS: Did Bevel say he had some information?

RAY: Yes.

EVANS: And did you enquire as to what that information was?

RAY: I don't think he wanted to talk, it would of been picked up on the microphone anyway because we were talking

through a thick door, small screen. But he told me definately that he had information. And he was with another fellow there named Rufford. I don't know if you know him. He's another -

EVANS: Rufford, if he an attorney?

RAY: No he's just like Bevel, he's -

EVANS: He's a black guy?

RAY: Yeah he's a --

EVANS: SCLC?

RAY: I don't know if he's SCLC or not. His name is Rufford and he's a minister, but I don't know if he's SCLC or not. But he didn't do any talking, Bevel did all the talking.

EVANS: Did you tell Foreman that Bevel had some informaion?

RAY: Ah, Foreman heard it. Foreman was standing right beside--

EVANS: Oh, Foreman was there.

RAY: He was standing right beside Bevel, you know.

EVANS: Did Foreman ever relate to you the information that Bevel alleged to have had?

RAY: No, he was, he was kind of angry the next day on account of --

EVANS: Did you -- Did you ask Foreman?

RAY: To get the information from Bevel?

EVANS: Yeah.

RAY: Uh, I talked to him about it and he, he was kind of upset about it for some reason, he didn't want to, well his story was that they were just more or less raising hell

out in the street or something, they wouldn't help us.

LANE: Foreman said that?

RAY: And he didn't want -- Yeah, he didn't want to -- I don't know if he said it in that certain words or not but his, Foreman had give me the impression that, you know creating a disturbance wouldn't help me any in talking about conspiracies. And, he just wanted to forget about it. But I imagine Bevel could, why he's in Nashville I think, isn't he? I think Bevel he's been interviewed by Kershaw, so I think he could probably explain it to you what happened between him and Foreman a lot better than I could. Because the only thing I heard is what -- Bevel and Foreman was out, were outside the thing and I was on the inside talking to both of them.

EVANS: Right.

LANE: One thing I heard which might be of some value to Foreman is that when Renfro Hayes finally got Foreman to talk with McGraw, the taxi driver who said Stephens was drunk just before the shot was fired that Foreman said, don't tell Stanton. He said, don't talk to Stanton. So it appeared that when Foreman got information, he got very little information, but when he got information he tried to get the witnesses not to share that with his co-counsel.

RAY: No, the habeas corpus hearing reflects in Memphis of 1974, Hugh Stanton, Jr. testified that when the news come out and I was going to plead guilty, he didn't know anything about it. The first thing he knew about it was what he read in the paper, or I think the Sheriff called him and said that Percy Foreman was going to enter a guilty plea for me. And

that's the first thing - he said he was co-counsel and that's the first thing Hugh Stanton knew about the guilty plea.

But on the other hand now, Foreman says in this, this letter here, this newspaper article, I think you got a clipping of it, the Tennessean dated - dated October 30th, 1977 Foreman says here, he says, Ray - now I'm just quoting the newspaper now. It says, "Ray has been quoted as saying 'negotiated guilty plea was Foreman idea' and Foreman has been quoted as saying 'it was Ray', but Foreman last week gave credit to the late Shelby County Public Defender, Hugh Stanton, Jr., this was the great contribution of Hugh Stanton, Jr.', Foreman said, 'I never would have wrote this up with the District Attorney General Phil Canale.'" So, here you have Stanton testifying at the habeas corpus hearing that he didn't know anything about the guilty plea until he read in the paper two or three days before the plea. Now Foreman he says that Stanton went to the Attorney General the first day he was appointed to get the plea. So, I don't know how you'd reconcile those.

EVANS: Right. Now getting back to Bevel, you never felt that Bevel had any information that would assist you, would of assisted you in your case?

RAY: Did I think he had?

EVANS: Yah.

RAY: Well he didn't tell me, and he said he had any, and he made statements in all the newspapers he did, so I assumed he had something because he was--

EVANS: But did you ever find out from Foreman, or did you ever instruct Foreman to find out what the information he had, Bevel had, and whether that would of, would or would not assist you in your case?

RAY: Well I asked Foreman but he didn't want any type of involvement with Bevel for some reason. He just wasn't interested in talking to Bevel, he was he seemed to be concerned that there was going to be trouble in the streets or something, so he wanted, he didn't want to get involved with what Bevel had to say.

LEHNER: Was there anything further you wanted to say?

RAY: About Percy Foreman? Uh, well I think, you know, we never did enter the-, finally enter the agreement until I, I mentioned he brought Hooks, and we started discussing it February 7th or 8th. And I think February 7th, my brother John Ray come down and said that FBI told him that if we didn't enter a guilty plea why they might arrest my father or something and put him in the penitentiary. He was on escape from Ft. Madison, Iowa. And Foreman had done mentioned to me previously that they might arrest my other, my brother Jerry Ray for a conspiracy. I think they were --

EVANS: An informer?

RAY: Huh?

EVANS: You are saying--

RAY: Percy Foreman-

EVANS: Oh, Percy Foreman. Oh, Percy Foreman.

RAY: -informed me that they might arrest Jerry, my brother Jerry Ray, for conspiracy. I don't remember just what date

that was, it was a couple of weeks before the pleas. I think he was looking - what evidence the FBI was going to use on that is I think there was information that the individual who brought the rifle or someone with him there looked like my brother, it was a Latin type, and my brother's a, he's consid-- looks more Italian, he's considerable more dark than I am. I think they were going to charge him with Raoul or something like that. Anyway, that was Foreman's story.

Now, we never did decide to plead -- we decided to plead guilty March the 9th and he brought two contracts down there and he revised them and promised to give my brother \$500 and my brother would use \$500 to contact another lawyer to open the case with. And these were written contracts.

LANE: During this time also didn't you, weren't you told that the FBI broke into your sister's house?

RAY: Uh, no, I don't think I learned that until later. She was scared to go - I mean, she, I think she was worried about the FBI taking her kids away from her or something so she wouldn't say anything about. And, later on I - the FBI had less, less influence so we mentioned it.

EVANS: But, did this have any reason, anything to do with your pleading?

RAY: Ah, yeah -- my -- Well, it was an accumulation of things not one thing. As I mentioned I didn't find out about my sister until later on.

EVANS: Yeah, but you'd already pleaded?

RAY: Yeah, after my sister. But my, the threat, the threat on my brother and I think my father that had some bearing

with it. But there's no one thing, usually on something like that it's an accumulation of things built up. And I can't - I can't just pick up one thing say well this is the reason why I entered the guilty plea.

LANE: I'd -- I'd just like to ask you, we'll probably do this in a motion for a new trial here, but I think the Committee can consider the effect of someone being in a room with bright lights on them 24-hours a day for eight months, the affect of that. No Nazi war criminal was ever treated that badly, ever. And I don't know if anybody in the State of Tennessee was ever subjected to that prior to that time. But I think there have been studies which psychologists have made regarding brain washing techniques, theses various methods. And I think that the general agreement with that is that the key methods, which over a period of months, totally destroy the will to resist. I think it would be a good thing if we consulted with some experts in the field in terms of what affect that means of being in a room with that on for-, they did bring a motion, which was denied, they also asked that a blanket be put up so that it would block the light when he slept at night, the answer was no, it was on for eight months. I don't think -- I don't think the Defendant himself has the faintest idea what affect that has on you, that's what psychologists say, that the Defendant doesn't not even himself know what affect that has.

RAY: I was going to mention that.

LANE: It has a very decided affect.

RAY: I was going to mention being in this lockup. Now, I don't like to complain too much about lock up anyway, certain conditions, because if they think you are weakening they'll just put more pressure on you. But I was locked up here five months, I just got out two days ago, but you really don't notice this thing because you gradually get weaker and weaker, but once you get outside you do notice this. I know I went outside the first day and I run around-, walked around about two or three times, and lift a few weights about 10 minutes and I went to sleep 6:30 that night. Whereas usually I go to sleep at 11:30, so it just shows you get a weakened condition. But you don't notice it because you never do any work in the cell, you just lay around and you do less and less exercise, but once you get outside then you notice how-, what affect it has on you.

LEHNER: Do you have anything further you wanted to bring up before we continue on?

RAY: The only thing I have is this one other thing here. Uh, I've-, I've written thos SCLC member in Chicago two or three times, his name is, Marcel E. Randolph. And I've written to him about getting these things released, the things this Judge Smith in Washington sealed. And I junderstand that there is a lot more onthere other than just personal things. And he's, he's, and I've agreed to destroy anything on there that would pertain to Martin Luther King in, of a personal nature. But, and he's agreed to it, but there's other people, I think they are white politicians that won't agree to it.

But, now, in relation to this I've always had doubts myself about this, if there were anything in there that were scandalous. Now, like I know a column here by Jack Anderson, dated 10-, Nashville Tennessean dated October 10, 1975. And he says they made a thorough investigation of all these tapes, and he says there's not one thing in there detrimental to Martin Luther King, but he says there is something in there that may be detrimental to other people. So apparently that's just all a sham about this, you know, putting all this material under seal under grounds that it's privacy. But I think, I think I told the Committee behind that I, that was my main concern to get this material unsealed. And if they could, why I would anybody's word for it that it was just scandal and as far as I'm concerned I know - I guess I'm the only one that would have a legal interest in seeing it not destroyed. But if it was just scandalous they could go ahead and destroy it. But on the other hand if there is anything with assis-, with assistance or possibly could develop leads then they could give it to Mark Lane or the attorney representing me.

But I don't know --

LANE: Do you have access to all FBI material at this moment?

LEHNER: We have access to some FBI material. I think through the Freedom of Information Act there is certain materials that are accessible to non members of our staff.

RAY: Well, if it's under seal I think that would be difficult to get out, wouldn't it?

LEHNER: Well we're not talking about -- Well, Mr. Lane just talked about FBI materials in general. The materials you are referring to are in the Archives under seal.

LANE: Do you have access to that.

LEHNER: No we don't.

RAY: Well that's where everything is, because you know the FBI is not going to put everything - would help me under seal, say it is something else.

LANE: Do you have access to material showing whether King was under surveillance by the FBI that day, early in the day, when that ended, and under surveillance, 24-hour surveillance by the FBI all over this country, and that Oswald--, during that whole period, everywhere he went. Except, evidently, at the time he was shot.

LEHNER: This is matter, a matter that we are looking into, but I have no such information now if he was under surveillance on that date.

LANE: Uh, yeah, well when did it end?

LEHNER: I-- I do not know. It's a matter that we have interest in.

EVANS: It's a matter that we are still pursuing as to who was doing the surveillance.

LANE: Isn't it a little odd that you are both relying upon the FBI to conduct the investigation and trying to get information from them which they won't give you which is extremely relevant, isn't that a very serious conflict?

EVANS: Well we're conducting the investigation, we're

not relying on the FBI to conduct the investigation.

LANE: No, Bob earlier said that well, you know, I forgot what the conflict was between what James said and the information he had, and he said he'd gotten this from the FBI.

EVANS: No, what --

LEHNER: Are you talking about the names of the two women in the car?

LANE: When he checked into a hotel in Canada, he said he--

LEHNER: Oh. Yeah. Well -- Well, Mr. Lane, what we are trying to do is try to get information from every source. We are trying - We are not relying upon the FBI but we are trying to use their information to help us in our investigation. When I told you that the FBI report has him, had him in that Ossington Street address on the 8th of April, he's saying he got in there on the night of the 6th.

LANE: Right.

LEHNER: I'm asking him to help us with it, but obviously we are not relying upon any, any particular thing, but we are using everything to help us in our investigation.

LANE: But how, how can they not give you, if you are investigating a murder? How can the FBI not give you information relevant to the murder?

LEHNER: Well, you are talking about different, different matters. When you are talking about the tapes that are sealed, the King tapes, that's now sealed under a Judicial order, no longer a staff matter from the FBI and they don't have the ability to do that at the present, to give us that access of

material that is, that is subject to Judicial order.

LANE: That's true. But all of the information regarding the surveillance that Dr. King had been under, all of his later years of his life, including the last moment of FBI surveillance before he was killed, that's extremely relevant obviously.

LEHNER: I wish -- I wish to assure you that we are attempting to secure all of the information that we think would be the remotest, remotest, have remote bearing upon the case. We are mindful of just what you were telling us.

LANE: Could you send to me all FBI material that you that you can send to me. And I think anything which you have under the circumstances when you can send it to me, okay. But, I mean, to request to bring an action under the Freedom of Information four years from now and get an answer saying that you are not very high up on our list is not very useful.

LEHNER: Well, let me tell you what, what my understanding of our role here, and maybe we could use these few minutes to air that. We have a mandate to investigate the Martin Luther King investi-, death. We are attempting to see information from any source that we can. Obviously included in those sources would be; any investigative agency that originally investigated the case, the Memphis Police Department, the FBI, any other agency; as well as individuals, the individuals that they spoke to, eyewitnesses, witnesses of any sort. Part of the independent nature of our investigation includes the fact that we are not going to divulge to other people what we learned.

So I can not tell you now --

LANE: Excuse me.

LANE: Okay.

LEHNER: Okay, your tape is now working.

So, I cannot tell you now that I am going to give the interview of X-Y or Z because every one that we speak to, we are speaking to them hoping for them to reveal the facts to us, and hoping to conduct a thorough investigation without giving the impression to potential witnesses that we are going to reveal what they say because we haven't revealed what past witnesses said.

LANE: I appreciate that.

LEHNER: If we interview a witness, and the next day that interview - that interview is in the paper, the next person we speak to might not be as open and candidate with us as we would like.

LANE: I appreciate that, and I would like for you to get all of the information and release it at the appropriate time, but on the other hand I know that -- and that's my main concern, that's why I worked for a long time talking about the establishing of the Committee. But I'm also representing James Earl Ray, he's been sentenced to 99 years in jail. Any evidence which you have, which may exculpate him in the motions which we're about to file for a new trial, I think you are honor bound to give to us.

LEHNER: I was just about to go into that, and I've gone into it in a phone conversation to you and on the other hand, if what is commonly called Brady material comes into our possession,

material that exculpates your client, I would then as I told you on the phone, immediately go to the Chairman, tell the Chairman about it and ask for his permission to release it to you since you are --

LANE: Well you must of found of course--

LEHNER: -defending Mr. Ray.

LANE: You must have some of that already.

LEHNER: Well, when you say some of that already, there are matters in the public record, matters that you have published in your book "Code Name Zorro", that from your writing you indicate tend to exculpate the defendant. These are matters that we are looking into, matters that you brought up in your book, just as in other books, Mr. Weisberg's book amongst others, there are materials that are brought up if found to be true would tend to be helpful to Mr. Ray's defense. Now, you understand that we are a Congressional investigative agency. Our intent is not to keep things secret, our intent is to reveal what we find to the public at the appropriate time. And the appropriate time would be after we interviewed all of our witnesses, and so that we had a professional investigation without leaking information and without losing the confidence of potential witnesses.

So, withink those rules we have to operate. I understand your position, you would like to know it as soon as possible. You would like to know it yesterday because you want to --

LANE: If we bring a new motion for a new trial, Bob, and that motion fails because we didn't certain information, then

we are ever foreclosed as bringing that motion again. And then sometime next winter you issue a report saying that it was a conspiracy and there is no evidence that James Earl Ray was involved in it, he'll be very happy about that, but during the next 90 years that he has to spend in jail, it will give him little comfort.

LEHNER: When you say -- When you say you would not be able to raise that motion again, what, what factual scenario do you envision?

LANE: Well, let us say that we raise a question, we exhaust it, we, it's denied because of our inability to present certain evidence which we are not familiar with that is not as a matter of prejudice and we can therefore never raise it again. And then you come forward with a report next year with information which if we had it would have resulted in a new trial.

LEHNER: Well would that -- Would that information under the scenario that you are positing, wouldn't that information that you learned from you be then newly discovered evidence and wouldn't that entitle you to a new motion. That's on the one hand. On the second hand, I've told you that if there is Brady material I will go to the Chairman and will ask the Chairman to release it to you.

LANE: Then you must have some material by now which will be useful to the defendant. I cannot believe that in this investigation that you have come across nothing which would be of any value.

LEHNER: Well, when you say of any value, that is not understanding what brady material.

LANE: Well, see, unless I have a chance to look at it and argue before a judge how are you going to know.

LEHNER: Well, as you know you have --

LANE: We have different disciplines in determining what is brady material; right?

LEHNER: Well, no. I was -- I don't know what your discipline is and I won't get--

LANE: As a defense.

LEHNER: I won't get into it.

LANE: I'm a defense lawyer.

LEHNER: I understand, yes, and brady material is something that a prosecutor has to deal with on a daily basis as to whether it is or not. I should tell you --

LANE: Sometimes overruled by a judge.

LEHNER: I should tell you that I am very much aware of it, and I have read the recent decisions involving brady, and so I am aware of brady. We are not bound in my opinion by brady because we are not a prosecutorial agency. Nevertheless, I feel as an attorney bound by brady and therefore that's why I have told you as I have told Mr. Kershaw in the past that if I come across material that I consider brady material, I will go to the Chairman and ask that it be released to the defense attorney.

LANE: And you are telling me that you have come across nothing so far?

LEHNER: Well, I have told you about matters that are of public knowledge. Now, you can consider your book as well as all the books that have been printed. And you will, there will be matters that you will consider barady material, I'm sure, in those areas, so those are not areas that are, that you're--

LANE: Take the FBI report for example which tells something about Holloman or somebody else which I don't know--

LEHNER: Tells about who?

LANE: Holloman, Frank Holloman, at that time the Director of Fire and Police in Memphis. Which gives information about him which is, although I've talked about Holloman, I've interviewed Holloman, he hasn't told me everything, but there's some material about him which would be useful to us, merely because I've talked about Holloman and written about Holloman doesn't mean I know everything about Holloman that you may of found out.

LEHNER: Well --

LANE: I'm sure you must of --

LEHNER: I think that if your, if, if what you wish would be to to be a part of our investigative team so that you would you would have our daily reports and then you would be able to evaluate whether they are helpful to you or not. I think you are going to have to rely upon the good faith statement that I'm making and --

LANE: I do, and I --

LEHNER: And I am making it in good faith.

LANE: But you have uncovered no evidence at all which would be useful to the defense in this case?

LEHNER: I'm not making that statement to you. I'm making--

LANE: That's what brady material is.

LEHNER: I'm not -- I'm not going to be put in a position Mr. Lane where you are going to be interrogating me. I am in - I'm in a position wher I am stating to you that we are coming down here to speak to Mr. Ray. We are asking him questions. We are - We are investigating what he is saying. We are attempting to arrive at the truth. We are investigating matters wholly apart from him, and that that if there are mat-, materials, material comes to us which tends to exculpate him in a brady sense I will make that motion to, to the Chairman to have it release to you.

LANE: All right. But I would just ask --

LEHNER: And -that-- That is the sum of my statement. And I don't think that anything further is going to be beneficial.

LANE: But to say it may be in somebody's book some place that's no bar in a trial to brady material. You can't say no I didn't turn it over because it was in a book published in a book 14 years ago. That's no grounds for refusal to turn over brady material. To say, yeah we have some stuff but it's been published already.

LEHNER: Well if the matter that I have is from a book you have the same access to it as I do.

LANE: If it's from book, but if you went directly to the source and a statement about that, a firsthand account,

that's different from my reading a book by Harold Weisberg. So, if it's in Weisberg's book it doesn't mean to me that it's true, if you have an FBI report that says this is true, that's something else.

LEHNER: Well, I think, I think the record is clear of what, of what we both said. I think it's clear that we are intent on publishing our findings. We are intent on having public hearings before the published findings. As you know our mandate runs out the end of 1978, so our final report is due before that. Of necessity our public hearings must be prior to that and I let the record stand as it is. If you wish to have further dealing with the Committee I suggest that you take the matter up with the Chairman of the Committee who you are known to.

LANE: Okay. I've raised this question already about the ballistics.

LEHNER: Okay.

RAY: That's uh, this other thing you might be able to find that somewhere. So I'll let you take that picture.

LEHNER: Are there any other matters you wish to bring up?

RAY: I'd just like to say one more thing about Foreman, that would be. I think I've told you before, one of the officers there in the jail told me that every-, all the police officers within four miles of Martin Luther King of when he was shot had to make a sworn state of what they was doing that particular minute in order to clear them in case the police were involved in the offense. Uh, Percy Foreman he, he had

information on this too but I don't know where he got it, so, I think Memphis, now the Memphis Police Department they've destroyed all their files, but I think the Sheriff Department has the files. I think Percy Foreman has some information about them too, so --

EVANS: Where did you hear this from? Who told you this?

RAY: I think the two policeman who were guarding me in there, they were talking, I don't think they were talking, they wasn't talking directly but they were talking at me, but indirectly. They were talking about these four mile statements. And they were talking about they had to make them and everything.

EVANS: In order to, in order for what, was that during the course of the investigation or -- where you do you get the part that they said this was to clear them? Did you hear them say that or did you just summarize that?

RAY: No they said that.

EVANS: They said that?

RAY: The reason, they were required to make the statements in the event later on the Memphis Police force or the Sheriff's Department were accused of being involved in the murder. And they said, they went into it in some type of detail. And they also said that, you know, they var-, the version of the case was being printed in the newspapers by the prosecution was incorrect based on statements they had made. So, now I wrote to Chief Lux, when he was the Chief of Police there, and tried to get the statements, and he forwarded to the Attorney General, Phil Canale, and the Canale never did ask me-, never

answer, but Lux, Chief Lux did indicate by his letter and I have it somewhere that there were, all these police did make these statements. And the Sheriff had a copy of them, plus the Memphis Police Department had a copy of them.

EVANS: Are these officers that were engaged in this conversation that you overheard-

RAY: Yes.

EVANS: -were they in the cell with you, outside the cell, in the lunch room or where?

RAY: No they were right inside guarding me.

EVANS: Were these guards that were constant companions of your's?

RAY: Yeah, they were in they 8 hours a day.

EVANS: Do you know their names?

RAY: No, I know, I would know -- I would know one of them's appearance, he was a short dark fellow, he looked like a French man or Italian, he was the smallest one in there. But if you ever get the list--

EVANS: He was the smallest guard of the group that guarded you?

RAY: He was dark, sort of short and dark.

EVANS: Were they in a pair, I mean were they always paired off, did --

RAY: Yes, they were always paired.

EVANS: In other words the same two guys continually worked together during that whole five month period?

RAY: Well usually one of them, now one of them I say he

bugged out, he had to quit. And then there was about 18 or 20 of them in there and sometimes they have a day off and you have a different one in there. But usually I'm pretty sure the same two would be together in there.

EVANS: Okay.

LEHNER: Is there anything else you wish to state to us?

RAY: No.

LEHNER: Mr. Lane is there any other questions you wish to bring up?

LANE: No, No, but I wonder if you could tell us what you would like to talk about on December the 2nd, because you know James has a lot of files and things to go through.

LEHNER: Yes. We'd like -- We'd like to speak to James about from the time of his escape from Jefferson City to the time of his arrest in London, get all of the details.

RAY: I better write that down.

Well, when will you be here, so, I'm going to start -- I'm going to start writing this stuff down, because I think I'll have the Huie papers by then, and I'm going to have --

LANE: December 2nd.

RAY: Huh?

LANE: Well I'm going to have to rely on --

You are getting papers from Lesar is that what it is?

RAY: I sent him the \$15.

LANE: If you would, perhaps you could call Jim Lesar when you get back. I don't know what your relationship is with him is, it's probably not too good. And ask him if he's

sent the material to James, and if not if he would?

LEHNER: What material are you referring to?

RAY: That's all this Huie material.

RAY: That's the same material you got from Jerry Sommers.

LANE: If you could do that, the soon he gets it the more complete he'll be prepared.

LEHNER: Um, were you shown some photographs by Mr. Auble, the reporter?

RAY: Yes.

LEHNER: How many photographs did he show you?

RAY: I've got them here do you want to see them?

LEHNER: Yes, if we may.

(A brief interruption while Mr. Ray located a photograph).

RAY: This is the only picture he gave me. I tried to get it -- I ---

LEHNER: And do you recognize the person who is shown in this photograph?

RAY: No. I think I mentioned before the one he -- I believe I've give a description - the individual I give a description of, sort of an indian type. And I think I went into detail with the Committee. That individual could be a profile but that's too weak to --

LEHNER: And who is this picture referring to?

RAY: And individual I was in Mexico driving a car in October, August, 196-, '67.

LEHNER: And you say this person who you just showed us a photo of could be that person?

RAY: The only thing different, the profile is similar except the individual I saw was heavier, more was dark, a bit more heavier and his hair wasn't that long.

EVANS: So this is not the guy then?

RAY: I couldn't say oneway or the other. He did, the guy looked to me, he looked like he was heavier. This guy here looks like he's ill. This guy I saw from - I just saw - I think, I saw a profile, I think the car turned and handed me the car keys out of the door or something. I just saw the profile. He looked like he was a Mexican but he was, he had Indian features.

LEHNER: Well, if I could I would show a group of photographs and ask you if you recognize any of the people in the photographs.

RAY: All right.

LEHNER: I place the book in front of you and each photo has a number and I ask you if you could recognize those people?

HAUSMAN: Let me just state for the record that that is Volume 7A of a group of photographs that the Committee has prepared as an exhibit.

LEHNER: Let's try one at the time if we could. Okay, this is number one, do you recognize him?

RAY: It looks like I seen the picture some time but I can't recognize him.

LEHNER: All right, number two.

RAY: That's my picture from years ago.

LEHNER: Number three?

RAY: No, I've never seen that.

LEHNER: Number four?

RAY: No, I've seen pictures of individual that look like him.

LEHNER: You've seen what?

RAY: I seen individual that looks something like him but I can't place him.

LEHNER: Number five?

RAY: No.

LEHNER: Number six?

RAY: That could be something about the profile, this fellow I was talking about.

LEHNER: Which fellow?

RAY: I don't think that's him though. This could be a profile of an individual I saw in Mexico, but I can't, sort of an Indian profile.

This is a picture I had in the passport.

LEHNER: That is number seven you just referred to; right?

RAY: Seven?

LEHNER: Yes.

RAY: Yes that's the passport photo.

LEHNER: Number eight?

RAY: I don't know who that is.

LEHNER: Number nine?

RAY: That's my brother.

LEHNER: Which brother?

RAY: Jerry Ray.

LEHNER: Number 10?

RAY: I've never saw that one.

LEHNER: Number 11?

RAY: Now that's a, that's a picture of one that I mailed out about 15 of them.

LEHNER: Where did you mail those to?

RAY: That's the one I took with the Polaroid.

That's right before I had the plastic surgery I had that one made.

LEHNER: Where did you take that photo?

RAY: In ah, Los Angeles.

LEHNER: Number 12?

RAY: That's the one I done - I viewed it before several times.

LEHNER: That's a photo that you had viewed where?

RAY: Uh, Percy Foreman. I first saw it with Percy Foreman.

LEHNER: And do you recognize the person in this photograph number 12 from having never seen him in real life?

RAY: No, I think I testified that was a striking similarities but I can't be positive.

LEHNER: Similarities to who?

RAY: To Raoul.

LEHNER: Number 13?

RAY: No I haven't seen that.

LEHNER: Number 14?

RAY: Uh, this is a picture I had, this is composite, I think you call them, one of the drawings, official drawings. I was suppose to have been me.

LEHNER: Was this a picture of you?

RAY: It would if my eyes are closed. I think the --

LEHNER: Where was that photo taken, number 14?

RAY: This was taken -- The one with the eyes closed, the composite, I think that was taken in a bartending school in Los Angeles in 1967 or '68. I haven't saw that one, 15.

LEHNER: Number 15 you have not seen?

RAY: No.

LEHNER: Number 16?

RAY: That's my brother John Ray.

LEHNER: 17?

RAY: That looks, that looks similar to this other one over here, I don't know that could be a profile view.

These are front pictures, I'm just trying to look for a profile, I don't know if that's the same individual. I've never seen anyone from that, from the front point.

LEHNER: I'm sorry.

RAY: I've never seen anyone from a front, frontal position.

LEHNER: You are talking about the, the associate of Raoul in Mexico?

RAY: Yes.

LEHNER: And what about number 17, do you recognize him?

RAY: Well, it could be possibly a profile, but --

HAUSMAN: The picture's a frontal picture do you think--

RAY: Yeah, well, that's why it difficult. I'm trying to look at his nose and try to determine.

LEHNER: It, it -- It's a possibility that he is the person who is with Raoul in Mexico?

RAY: Well, just, have, there's a similarity in the profiles and all I'm saying. I couldn't make any --

LANE: You're guessing at the profiles?

RAY: Yes. I --

LANE: You can't see the profiles.

RAY: Yes. I'm -- More or less like this one here basing it on the nose, except --

LEHNER: You're talking -- You are pointing to Number 6 now?

RAY: Yeah, 6 and 17. The only thing I'm saying is, the guy I saw had longer hair than 6 and shorter hair than 17. 18 --

LEHNER: Or 18?

RAY: I never saw that one.

LEHNER: 19?

RAY: I seen an individual that looked like this but I can't place him.

LEHNER: Number 20?

RAY: 20 I never saw him.

LEHNER: As far as the person who you are designating

Raoul, are any of these people Raoul?

RAY: No, the closest one I've - that I've ever-, I could identify I think I done mentioned number 12, that would be the closest similarity from a frontal view.

LEHNER: Okay, thank you.

Well is there any thing else you want to state to us before you finish today's session?

RAY: No, the only thing I didn't want to keep bugging, you know, bringing this up again, but I don't, I don't, I think if it's not possible for the Committee or someone to listen to those , uh-uh, material under seal I don't think we'll ever, I don't think we'll ever resolve anything. Because I've read several articles where they put considerable material in, under seal that that has nothing to do entirely with Martin Luther King's personal life. It's just things that the FBI don't want published under the possibly the Freedom of Information Act.

LEHNER: Well, as I've stated previous time when Mr. Kershaw was here, I think it's something that we would like to get to look at, there's probably, legal problems that we will be in touch with Mr. Lane as well in order to work out some arrangement where maybe this can be viewed by someone to determine whether there is any material that would tend to be helpful to your case.

LEHNER: I never did get an answer; can you send me the FBI Freedom of Information stuff that you have, just the stuff that is not classified any longer or not made available just to your staff but which is available generally, because I don't

think I have most of it.

LEHNER: Well, I will take that request back to Washington with me and I'll be in touch with you, I would appreciate if you would call us later in this week and would could talk further.

Okay, if there is nothing else anybody wants to put on the record, we will close the record, it is not 4:17 (pm).

(End of Seventh Interview With James Earl Ray).

EIGHTH INTERVIEW WITH JAMES EARL RAY AT THE BRUSHY
MOUNTAIN STATE PENITENTIARY ON DECEMBER 2, 1977, BEGINNING
AT 9:55 AM.

LEHNER: Okay, it's now Friday, December 2d, 1977,
it's 9:55 am, we are in the conference room of Brushy
Mountain State Prison. Present are Alan Hausman, Edward
Evans, myself Robert Lehner, plus Louis Hindle our
Stenographer who is typing on stenotype what I'm saying
now and is going to record everything that is said in the
room stenographically, also present is Mark Lane, and
James Earl Ray. Both Mr. Lane and ourselves are tape
recording this conversation as well.

Mr. Ray, when we left last time our plan was for you to
read and study some of the materials that you say you received
from your brother Jerry, and starting from the Brushy-,
from the, I'm sorry, the Jefferson City incident right up
to your capture in London. So, I'll give it to you and let
you start in if you'd like.

RAY: Well, first I made some notes on the, before I've
just been testifying spontaneously on memory, I've made some
notes, and, now on these, these papers I've told you I tried
to get to help me on my memory, these papers I give William
Bradford Huie, I've been trying to get them for four or five
years. I think the Committee's got of them, I believe you got
a copy of them from Mr. Sommers from Chattanooga, Jerry Sommers?

(221)

LEHNER: That's correct.

RAY: Well I, I, I had my brother send Mr. James Lesar who formerly represented me \$15. And then, Mr. Lesar, now he claims that he don't want to send them to me unless an attorney sends the \$15 rather than me sending him the \$15. So --

LEHNER: Do you think Mr. Lane could, you could handle that since you are the attorney?

LANE: I could send him \$15, I don't know how many he needs.

RAY: Well this, I mean, this could go on indefinitely so, I'm, I think I'll just try and sue him, sue Weisberg, Harld Weisberg through Detinue and try to get them. Of course, I've been trying to get these four or five years now, and probably if I, I think maybe if you could give Mr. Lane a copy of them I might --

LEHNER: Well the copy we have we certainly would xerox a copy for Mr. Lane. Maybe before we leave we could ask you to write a letter to both Mr. Lesar and Mr. Weisberg and we'll hand deliver it to him since they are both in our area, in Wash-, Washington area, and see how successful we could be.

RAY: Well here's a copy of the letter dated November 15th to Mr. Lesar and I'll get a copy of it made and give you a copy of it, so --

LEHNER: Fine. If you'd xerox a copy of this and also if you could write a short note to Mr. Weisberg we'll also hand deliver that if that meets with your approval.

RAY: Yeah, well, I don't know if it does any good, I've wrote so many letters and I've never got any satisfaction from them.

LEHNER: Well, I can tell you we will definitely make the attempt and if, and report to Mr. Lane once the success we have. And we certainly, we certainly would give a copy to him.

LANE: Okay, that's fine.

Do you want to raise those other questions and explain it to them?

RAY: Well, I've raised -- I've raised these questions before the Committee, but Mr. Lane wasn't here then. But, these people the Committee might interview Harry Avery, he's, I think he's about 80's years old and he had some type of letter from Gov. Ellington, this, I think apparently they got this letter before I even entered the guilty plea on what type of confinement we would be held in. He tried to put the letter into evidence before Judge Willian E. Miller, that's a federal judge in Nashville, in 1969, and Judge Miller wouldn't permit.

LANE: Avery offered the letter at that time?

RAY: Yes, to justify his conduct in handling me in the prison.

LEHNER: What letter was that Mr. Ray?

A. Apparently the letter was from Gov. Ellington to Mr. Avery on how to -- Apparently, Gov. Ellington sent Mr. Avery a letter before I even entered the guilty plea on how

to handle me and all that stuff once they got me into prison. So, I think both, both Avery and Ellington spoke of conspiracy and I thought maybe the letter referred to that or something. That's conspiracy in the King case.

Now, the other thing is a 1974 deposition Percy Foreman gave to the, in a habeas corpus hearing when he referred to various phone numbers and addresses, but I don't know whether the Committee's deposed Foreman now or not, but -

LEHNER: We have spoken to him once, we plan to speak to him again.

RAY: And he's 76 years old.

And the -- The other individual that I, I don't know if I ever mentioned him to Committee or not, his name is "Cliff Hagen", he's 36 of 306 S. Cleveland, 62 Memphis, Tenn.

LEHNER: 306 South Cleveland Ave., I guess?

A. Yes.

And 62, then Memphis, Tennessee.

I think -- I think, Mr. Hagen, he wrote me a letter saying that he'd interviewed, he inferred that he'd interviewed Judge W. Preston Battle's widow. She's a - Judge Battle was the trial judge, he's the Judge that give me the 99 years.

LEHNER: So, Mr. Hagen told you that he interviewed Judge Battle's widow and what, did he tell you what she said?

RAY: Well she said the government or something handling his death or something because he wanted to reverse the case after, after I plead guilty I wrote him a letter and wanted to

get the case reversed, and he wanted to and I think either the government or Gov. Ellington didn't want to. And, I think Hagen says he has the story, but he wants to give it to me personally, but I've never have had an opportunity to talk to him personally.

LEHNER: He's a writer, is that the --

A. He's a reporter, he said something about he had some type of statutory protection from the government or something.

LANE: You mean, he was talking about pressure being brought on Judge Battle, right; is that what he was talking about?

A. He said that Judge Battle's widow told him that.

LANE: Well, I -- I have talked to Judge Battle's neice, and she said great pressure was brought upon her uncle, she wasn't going to go into any more details at that point. This might be something worth while to look into. James didn't make an application for new trial before the Judge could act it, because he died.

RAY: What do you, you just want me to read off what I, I don't have everything wrote down, but just generally tell you what I did from the time I escaped until my arrest?

LEHNER: Yes. You have before you some papers, could you tell us what you have.

A. Well, they are just notes on recollections of various things. They are based on what I've, notes I've saved and a

few letters I've read. They are based on everything except the papers I gave to Huie and I've never been able to get the Huie papers. And, in several incidents here I think they'll have to be alternatives. And somethings I've testified before the Committee before I've deliberately left out some things because I didn't think it was relevant and, but I've come to find out if I don't refer to them I can't testify, I'll have to leave out something farther down, down the road. I've talked to Mr. Lane about this a while ago and there's a couple illegal entries or something like that, and he, he says it best not, to just refer to what I got in the entries but don't refer to the entries.

LEHNER: Would you say -- I'm not quite catching what you are saying about entries.

LANE: Well, I was talking about the possibility of his having committed a burglary while he was a, after he escaped from Missouri Penitentiary, for example, he may have gotten some clothing as a result of a burglary, and then if you ask questions later on about where he got this new clothing from, he'd rather not go into all the details of the burglary.

LEHNER: Well, let me just say this that the statute of limitations is long run, is absolutely zero chance of anybody interested in prosecuting on such a minor --

LANE: Do we really know that? Do we know that it's really run?

LEHNER: Well, I'm --

LANE: I don't know.

LEHNER: Well I'm sure there's five, there's a five year statute of limitations on, on felonies, federal felonies I know, and I'm sure as a practical matter that, I'm just saying this as sure a layman's opinion that nobody's interested in prosecuting on burg-, a 10 year old burglary. We are talking about 10 year old burglaries when Mr. Ray is facing some substantial incarceration on other things.

LANE: We expect to have a trial, this year we are expecting a trial this year, and expect that problems down the road, and one of them that I see is one of the problems is that time is still owed Missouri Penitentiary. And if there are burglaries in Missouri, and if we are asking for a pardon, if he tried and acquitted for the murder of Dr. King, which I think will happen here, if that happens and he still owes a lot of years in Missouri Penitentiary, but if he's already 10 years here which he shouldn't have, I think there will be a moral demand for a pardon, and if it's going to be complicated by well he committed several more burglaries in Missouri that can be somewhat of a problem.

LEHNER: Well, if he, what we are interested in, is his time, his time and his contacts and where he was and who he was with for determining if we can whether or not there were people that aided him in connection with the King case -

LANE: Right.

LEHNER: - that's what we want to know. So, maybe, maybe we could handle it that we are not going to get into the minute details of the burglaries, but we could allude to

them enough so we would know where he was and who he was contacting at that time, that would help us in our, in our investigation.

LANE: Yeah, well --

LEHNER: And we certainly are not interested in any burglaries, and we certainly are not going to be turning over any of that information to the local authorities for their prosecution, we are interested in only to determine what relevance, if any, it has with the King case.

LANE: I appreciate that, and he'll speak very fully and factly about all the details except the specifics of perhaps the burglary, but we will tell the results of it as you talk to us.

RAY: I'd like to distinguish between insignificant, you know, offenses and major offenses too. Not just burglary, if I would of got 10 or \$15,000 that would be significant, but if you get a pair of pants and shirt -- But, I'll refer to it, but the only reason I want, if, if it ever becomes a question of when I escaped from Missouri and whether I walked on the railroad tracks six days and then went to Chicago, I think then maybe tell about the burglary then because they can check on it and see if there was burglary.

LEHNER: Right.

RAY: So, I'll just refer to it.

I escaped April 23d, 1967, from Missouri State Penitentiary, and I escaped from the manner as follows:

Now, Several days prior to the escape I fashioned a board

approximately three by four feet which would fit into a bread box, and in addition I made several holes in the lower side of the box with a hammer and nail.

Thereafter, on April 23d, 1967, I entered the prison kitchen where I worked afternoons, I worked in the bread box-, in the bread room in the afternoon, at approximately 8 am I entered the Kitchen. Later I entered the bread room where I worked in the afternoons and where the bread was loaded into a box to be trucked to a outside Honor Farm, the Renz Farm. Sometime after entering the bread room I got into a box in question and covered myself with just, with a three by four board. Thereafter, a prisoner filled the box with bread and later the bread box was transferred downstairs by elevator to a platform. This platform was used by trucks to pick up items in the prison for transfer to outside the prison. Shortly thereafter the box with me enclosed was placed on a truck. The truck was then proceeded through a prison gate where a guard searched the box by rising the, rising the box lid and viewing inside. In other words he didn't go all down in the bread. After passing through the prison gate I got out on, I got out of the box. After the truck crossed the Missouri River it stopped while turning into the road entering the Renz Farm. When the truck stopped I disembarked. I then crossed the highway turned right and followed a dirt road until it came, it crossed several junked automobiles. And, I stayed in one of these vehicles until dark. I think left the vehicles at dark, crossed under the Missouri River Bridge, that's the

same bridge that I had previously crossed in the truck, then, then I made my way to a railroad track. I'll stop right here just a second. Now, on this, on --

(Interruption just a second by guard).

LEHNER: Yes, continue.

RAY: Okay. Uh, I was right in here. Yes, I told, I told William Bradford Huie from a, going through a, going over the wall there by the, the same place I went through the tunnel. Now this was possibly, actually there was three different ways you could escape from there, I, we determined, or I determined. And, the reason I told Huie this was that possibly some convict would of been prosecuted if I give him the right, right answers, and in addition why the possibility of a guard could of been, two or three of them could of been harrassed.

LEHNER: What did you say, what was the additional opinion that you --

A. Well, a guard or something like that. No guards helped me, but they usually look for a scapegoat when someone's escaped just like they fired this out here when we escaped over the wall, so I thought it was best just to tell Huie that the other alternative that, you know, I could of escaped over the wall like I told him, but I didn't. So, I decided to tell him that to, you know, to protect the prisoners that did help me escape, and although no guards helped me, I thought that I had some obligation to, since they didn't do anything to hinder me I thought I had some obligation to all the parties.

LANE: How many people did help, or how many people knew about it?

A. Not very, probably one or two at the most.

Q. Was it one or two?

A. Two probably.

Q. Two.

LEHNER: When you say the guards didn't do anything to hinder you, what do you mean by that?

A. Well that, that might of been a misstatement.

I mean, they didn't, they just did the same thing they always do. Usually the guards have a routine and you watch them after six or eight months, and usually if you have a relief guard on, you don't try to escape when he's on because he might do something to hinder you, you know, he might go and make a more thorough search or something. Usually anyone who follows a routine a certain length of time, just like I go to bed a certain time every night. There was no collusion or anything between and any of the prison officials.

Q. How would it be of -- Well let me just ask you this, did any guards conveniently look the other way because they knew that you were going to be escaping?

A. No, they didn't, they just followed the routine they always did.

LANE: You don't really know, right, you were in the box.

A. Yeah, well, I heard them lift, I then lift the lid when I was in the truck and they dropped it down, so, it was a heavy lid, so I know they looked in it, but they didn't feel in all the bread and stick his arm down through the bread or

anything, so --

LEHNER: You mean someone lifted the lid of the box that you were in?

A. Yes.

Q. While you were where?

A. I was in the bread box.

LANE: Well you got a board over your head and bread on top the board.

A. I had a board on me too, but the box was about four high, I was down underneath of it, I put a board on me and then there was two or three layers of bread criscrossed on top of it.

LEHNER: Now this, the box on a loading platform or was it on the truck at that time?

A. It was on a truck at that time, but it was going through a tunnel, and it's, it's a, the tunnel is hemmed in, there's door on both sides of it. While both doors are closed on each side the guard comes down the steps or something and gets in the back of the truck and shakes everything down plus looks underneath the truck.

LANE: Now did anybody pick up the box after you were in it, pick it up physically by hand?

A. No, it was trucked downstairs on the elevator and then two convicts set it on the platform, and then another convict, two convicts they pushed it off on a, slid it off on the truck. See, the truck backed right up to the platform, it's even with the truck bed, they just slid it off on a truck

and that's it.

LANE: Well it must of been a lot heavy with you in it than it would of been otherwise?

A. Well, if you are sliding it might sound a little heavier, but I guess, I don't know what convicts carried down, they may of knew I was in there, but it wouldn't of been amatter of lifting it up, it would just been a matter of sliding it.

LEHNER: Well that truck was coming in delivering bread to the institution?

A. No, they, they -- See we bake the bread in the institution-

LEHNER: Yes.

A. - and the farms they don't have no bakeries, and they send, they send in bread boxes every day to pick up a certain amount of bread.

LANE: The farms are also correctional institutions; right?

A. Yes, they are just trustees.

LEHNER: So at your institution the job of people involved with this particular aspect was suppose to load bread into these boxes?

A. Yes.

Q. Now, were you one of the people that was suppose to of load bread into the boxes?

A. Well there's two shifts there, if I was working the morning shift, then I would be loading bread in the boxes

but at that particular time I was working the afternoon shift so the only thing I come in the morning would be to have breakfast and usually after breakfast I would go on ahead on back to the cell block. But you had a privilege if you worked in the kitchen or a bakery, rather than going into the dining room you'd come directly to the kitchen and have your meals.

Q. Well, what was your job at that time?

A. Working in the bread room.

Q. But your job was not to load the bread into the boxes?

A. If I'd been on the morning shift it would of been. But on the afternoon shift all you do is just take care of bread for the institution.

Q. How was the the escape planned.

A. Uh, well I watched the, I watched the -- I watched the bread going out and I could see that -- I'd watched it leave the platform, and I know, the only place it could be shook down would be in between the, in the tunnel. So that's just a chance you take, it could be very well, you know you could be caught in the tunnel, but, you know, it's worth a chance, six months or whatever.

Q. How many people did you plan this with?

A. I think probably one or two. I didn't plan it with no one, I think, I just told them what I was going to do. I think probably two people at the most knew and, Uh, I think one individual he told a, an informer that I was

going to hide inside the prison and the informer told the Warden and then that way they wouldn't be looking for me too quick.

Q. You told this informer - You told the prisoner to tell the informer?

You know it might be easier if we use names, this thing happened so long ago.

A. But -- But I can't --

Q. Certainly the statute of limitations on this has run.

A. But I can't remember these prisoner's names, I don't want to get in that stuff.

Q. Well the statute of limitations has run on this anyway.

A. Yeah, well, this, this has caused me more trouble in the King case, this --

Q. Why?

A. Well, referring to other people's names. But it's been such a long time anyway and --

Q. Well is Mr. G involved in this?

A. Who?

Q. G

A. G, is he a convict? Q. Yes.

A. I've never heard of him, no, or a G

Q. Who are the people that are involved in this?

A. It's just too long and I don't have the memory to get all these names. I may --

LANE: I think one of the problems --

A. I may give you wrong name, and another thing, I was in the bread box, it was dark in there, I was in there with this box on me for 20 or 30 minutes, and someone come in and put the bread over me, it could of been any one. One person could of told another one go in there and cover up Ray in the bread box. But --

LEHNER: Well, what I'm getting at is, is, if this happened, you had to have some people helping you, because if you got into the box you had to have other people put bread on type of you and then you had to have people lift the bread box onto the truck, right, knowing that it weights a lot more than just bread?

A. No, here's, here's the procedure, you bring a truck there, it's a, you bring the truck in the bread box, in the bread room.

LEHNER: Yeah.

LANE: The bread box.

A. Oh, I've got -- Okay, you got a small cart, you got this box sitting on top of the cart. I rolled that on myself it put it beside the bread machine and when the guy come in the only thing he had to do was cut the bread and stack it over there in the box, and the box is already on the cart. Once he got it filled up, close the lid, pull the cart down to the elevator, take it down to the, to the platform and just pushed it off.

LEHNER: What --

LANE: How big was the box?

A. It was about, I would say, three by four or maybe possibly four foot. I think, I would guess it would about--

Q. How high?

A. I would say about, uh, three and a half or four foot, four foot high.

Q. And three by four--

A. Inside, yes.

Q. Well you took up a lot of that room, right?

A. Well, you have to double up and --

Q. I understand.

A. -when you put the, you put the board in on top of you when the guy covers you up. One person could take a hold of the whole thing. But I think, the only problem with another person besides this one, was I think the other one, see a lot of informers you know they are informers but the prison officials don't know you, they don't know what you know. So, you can tell them things and when they go tell the officials will think they are bonafid.

Q. Did you say that an informer told the Warden?

A. He told a prison official the way I understand it.

Q. Before you left?

A. After I left. See, I escaped once before, tried to escape, and I'd hide in the prison and they thought that was my modus operandi I guess, so this one guy told the informer that I was in the prison the informer told the

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A. After I left. See, I escaped once before, tried to escape, and I'd hide in the prison and they thought that was my modus operandi I guess, so this one guy told the informer that I was in the prison the informer told the

prison officials and consequently they didn't notify the police on the outside until 24-hours later and by that time I was 30 or 40 miles down the railroad track.

LEHNER: The fellow that told the informer, is he same fellow that loaded the bread on top of you or is he a different fellow?

A. I think he was a different one, yes.

Q. And the fellow that loaded the bread on top of you is he the same one that who helped drag the box down the area way to put it onto the truck?

A. I, I couldn't be certain, he could of told someone else to do that, but, I assumed he did it because I couldn't, you know I was covered up with bread I couldn't see anything.

Q. Well, how many people did you ask to help you? You had, you had, you had a couple of things that you needed to be done: one, bread was put on top of you; two, have the bread box loaded onto the cart; and three, have the informant notified to tell the Warden about your escape, your escaping inside the institution and hiding in the institution? How, how did you go about this plan?

A. Well, there couldn't been more than two individuals because you know the least people that knows about anything the better chance of success.

Q. Well, how many people did you tell of this plan?

A. There couldn't been over two, I'm positive, unless they told someone else. But personally I never told over two, two individuals.

Q. Well who are these two people?

A. Well I - I just can't remember the names of the two people.

Q. Could you give us the first name so we could, we could go about it that way?

LANE: Let's --

A. Could you check on the box?

LANE: Let me just try for a moment. I think there may be a problem which is not being stated. James is living in a prison, he may be living here for the rest of his life, I hope not, but he understands that that is a real possibility, and I think it's clear that everybody knows what happens to informants in prison. Now I think this is, I think this is one of the problems that James has in his mind now. I don't know how to deal with it, I mean, I would like this information to get out because it maybe, and one has to consider the possibility in this case that James was actually released so that he could be eventually setup as a person who would be involved in - I understand that and it's very serious, but there is also the other problem that James may spend the rest of his life here and he's concerned about that.

HAUSMAN: The situation is, James has been a stand up guy for almost 10 years now, and, not only for the escape from Jeff City but as you go on and he comes in contact with more people, it would be much easier for us to verify his story as the truth in what we are trying get if he gives us names to check it with, and for most of these people we are not trying to get them in any trouble related to James' escape

where a statute of limitations may of run anyway, but try to get to the truth involved in the King assassination.

LEHNER: I can say this also for the record that we have interviewed people there and one person has already admitted helping Mr. Ray in the escape delaing with the bread truck.

LANE: Could you give that name today?

LEHNER: Well, I've given, I, I don't want to put words in his mouth, I'd for the story to come from him.

A. Well, if you'd give me the name I'll confirm it and if he says, you can show me a statement where he says he did I'll confirm it, but I --

LEHNER: I have brought no statements with me, I can tell you that. And, --

A. I'm interested in burning any bridges or anything on it.

LEHNER: Well as Mr. Lane has indicated there is a body of thought and there are people who are speculating that this escape was a part of, of an overall plan to kill Dr. King. And part of our report will deal with, part of our final report will deal with his escape just on that issue. Now, you claim it has no connection as far as you know.

LANE: And I say if it had a connection he wouldn't know anyway.

LEHNER: Well, but the -- But the point is, if he gives up the information we can check it out and maybe we could find out.

LANE: Right.

LEHNER: I don't know that would definitely but we have a chance to do it.

LANE: I --

LEHNER: Now I can tell you this that --

LANE: I would like for him to tell you everything but I don't have to live in this prison everyday, see, I go home at night, he has to stay here.

LEHNER: Well, let me tell you this.

LANE: I would really like -- I would really like for him to tell you everything.

LEHNER: Well let me tell you this -- I could give you this assurance then Mr. Lane, that prior to his public testimony it will not be revealed, he is going to be asked this in his public testimony and that's down the road a little bit, but we will just use it for investigative purposes and not --

LANE: If he tells -- If he tells you now, let's be frank about, but if he tells you now and then during his public testimony he says I don't want to talk about, he may very well be confronted with this statement and will become public by it.

EVANS: By whom though?

LANE: By you all, by --

EVANS: Once we know, once we have been about to establish the facts, we're not going to, we don't want to hurt him or have him hurt. I a former prison guard, I know what the situation is. But in order for us to verify his story to conduct a thorough investigation, I mean, we are talking about--

LANE: You're a former guard?

EVANS: Yeah.

We're talking about 99 years.

LANE: Then you know his problem?

EVANS: Yeah. We are talking about 99 years though.

So, we are therefore not going to come up and publicize the fact that there is a guard --

LEHNER: I've got a solution I think that might be - a compromise that might be acceptable to you. We want the names now so that we can investigate, but I'll give you this assurance on the record, we will not cross-examine him on the stand using his statement here as to the names, so if he gives us the names we can investigate it so we won't use that to cross-examine, the names, we use them to cross-examine him in public session.

LANE: How do you feel about that.

RAY: Well, see, I know for a fact one of these individuals is still in the penitentiary. These Wardens and things they are very, they are kind of klanish and they are vindictive on us.

LEHNER: We have been interviewing a lot of inmates. We are interviewing them not just for this but for other aspects of the case as to what you said in Jefferson City, as to, as to, as to finances, your finances. This is rather minor compared to the finances and to what you may of said in Jefferson City, but it is important for the reason that Mr. Lane mentioned and that I mentioned that there is speculation that this is connected with the King case.

RAY: Well let me ask you this--

LEHNER: Why-- Go ahead.

RAY: I don't know I assume various people, especially informers like Curtis and Billy Miles and that type. They said various things that I was suppose to of said. Will we have any opportunity or me, you know, in the immediate future to be confronted with what they said against me?

LEHNER: Well, I'll tell you this, just as we are not telling anybody what you are saying, we are not telling you what other people are saying, but that doesn't mean that you won't get to know it, because if they are going to be called to public session, that will matter for public record and so therefore you will know about it and therefore will have opportunity to comment upon it, if, if they are called.

RAY: See, this informer business, it's, it's not so much to protect someone else, it's a personal thing with me. Because I'm never, I'll probably testify to this under oath, I've never been any informer, you know, for the FBI or prison officials or anyone.

LEHNER: Well, I just told you, and I put it on the record--

RAY: The implication--

LEHNER: -and Mr. Lane has, is obviously taping this as well as we are, that you give us the names and we will not use the fact that you gave us these names to cross-examine you in public session but, but we will further our investigation and use it for our own investigation and we wont report it

that you gave us the names.

RAY: I think there's another way to substanti-- to--

LANE: Substantiate.

RAY: - substantiate the way I escaped without going into these names, but one name I can't remember anyway, but I assume that, again I don't want get off have you keep asking someone else, but I assume that if you questioned the prison officials and took statements from everyone that worked in the kitchen when I escaped, so if anyone helped me in there it would be most likely, if he's told the Committee or he's, either that or he don't want to tell the Committee.

LANE: I think that sums it up.

RAY: So if he don't want to tell the Committee--

LEHNER: You know, this happened more than 10 years ago.

A. That's correct but I know one of the individuals he's in another penitentiary now, and I think the other one he might still be in there.

HAUSMAN: Do you remember who they both are?

A. Huh?

Q. You remember who both are?

A. I think I remember the one, but I don't remember his name. But he, he may be in Missouri now.

But the other one I recall his name but he didn't help me escape or anything, the other one didn't, he just planted the false story, but --

Q. Jimmy, this is going to be indicative of what's

going to be happening through this whole session of up to today and I guess another day or so, your whole story, if we want - If we can be -- want to be able to verify the truth we are going to have to find some of these people that can confirm what you say about activities with them and how you obtain money, if these, ah, as it turns out out as we discussed earlier, that's the way it is going to have to be confirmed.

LANE: I don't think it is going to be a long range problem. Because I think, I think it is basically, James is basically is talking about people who are in prison now.

RAY: See on the money, now, I want to take a polygraph on how much money I sent out of prison and how much money I carried out with me, I think we might be able to settle that that way. But --

LEHNER: Well, Polygraph is one thing, and, but investigation is another. We are planning to do it as thoroughly as possible and certainly it is no intent here of giving to any local authorities verbal information, escape information, they are not interested in prosecuting a 10 year old escape, you can see how, how much activity they did in trying to apprehend you. It's, it's just so minor compared to what we are trying to do to determine whether this has any part in the connection of the assassination of Dr. King.

LANE: Well I think he's willing to talk about the burglaries, I think the problem is talking about somebody who is still in another prison.

LEHNER: Well, Okay, -- We will -- I will put this in

the record, we'll make it very clear, we are not in anyway going to - going to indicate through public cross-examination of you or from any report that you gave us this information, but we are going to question these people as well as everybody else, and we've already, I can tell you this for the record, we have already spoken to one person who admitted helping you. Now, sometimes people admit to helping for vibrato sake we don't take everything everything everybody says as gospel, so we try to check these things out.

RAY: Well, could you give me his last initial?

LANE: Well, I, -- I have a suggestion at this point. would you write down his name on a piece of paper, if you'll do that, just, I won't show it to James, show it to me, I'll ask James to write the names of the people and if it's the same I'll tell you. That way James is protected--

LEHNER: Well, Mr. -- Mr Lane, I don't want to put in a position where, where you are an intermediate, you have an advocate role with Mr. Ray and you have a confidentiality with him that I don't want to get involved with.

LANE: No, no, I'm saying this in front of him, it's obviously going to be with his permission or not at all.

LEHNER: But -- But in the future you have a duty I think to discuss everything that happened in the case with your client. I don't want -- I don't want us to do that. I'll tell you the first initial of the name of the fellow who spoke to us, so --

RAY: I don't know the first name, I know the last name.

LEHNER: The first letter of his last name -

RAY: Yes.

LEHNER: -is G.

RAY: No, that, that wouldn't be it.

LEHNER: Well, then as I -- This might be a case of vibrato, someone trying to --

LANE: Is this the name you mentioned a little while ago?

LEHNER: Yes.

LANE: G

LEHNER: Yes.

RAY: G , no, I never heard of him.

LEHNER: Well --

LANE: It didn't help.

LEHNER: Well, I'm telling -- I'm telling you --

RAY: There's just going to be two, a couple of incidents where I can't testify -- Well, when I go, if I testify public, and I don't know if you are going to have public hearings, but there's been allegations that I've been an informant for the FBI and everything. And it's my position that I'm going, I haven't been an informant for anyone, the Committee or anyone else.

LEHNER: I don't think anybody is ever going to accuse you in 1977 after spending from 1968 to 1977 in prison of being an informant, I don't think that's going to be any accusation that any, any sensible person is going to make or to, or pay any heed to. I can assure you of that, I think

Mr. Lane would agree with that, with that analysis?

RAY: Well, I, I think later on we may be able to get to this issue of names because probably I could contact them in some way. But I, I, I'd rather not go into them right now, but I will say under oath that the person you asked me, I, I don't know anything about him.

LANE: Could I, can I suggest this, if you are not going to suggest names now, would it be all right if I, would you give me the names and give me permission to contact the people and ask them if it's all right if you reveal their names?

RAY: Yes, you can do that, yes. That wouldn't take too long.

LANE: How about that, it doesn't resolve it for now, but--

EVANS: Did you originally plan this or was this an idea that was brought to you or was it something that you conceived?

RAY: Uh, I think it was just talked about, usually escapes, people are always looking around for escapes, but they never do, they just talk about them, they never do take any action on them.

EVANS: All right.

RAY: And --

EVANS: I mean, but a good escape or a new method is something that is jealously guarded, that information is jealously guarded?

A. No, not particularly because people talk about them all the time, like I say they never go though with them, they just, it never gets beyond the talking stage, but --

Yes, I thought about this for quite a while because I use to, I use to, I worked in that job for three or four years. In fact, one time I attempted to escape while I was on that job and then when I, I was locked up for six months, or nine months and then when I got out I asked to get back on that job thinking that ~~it~~ was a possibility that I might be able to escape from that position. Not exactly, not particularly in the bread room, but there was another way to escape too from the kitchen, but that's really the reason I asked to be transferred to the kitchen the second time.

Q. In other words though this was your idea?

A. Yea.

Q. And you brought the other two people into it?

A. Uh, yeah, you usually got to have some help on something like that. so --

Q. Yeah, but you solicited them, you went and asked them to help you with this?

A. Yes, that's correct.

LEHNER: This is clear in your mind, and I want this to be very clear, that this is your idea and you asked two other people to help you, is that; is that true?

RAY: Yes.

Q. And what did they say when you spoke to them?

A. Well, I, I knew them - knew them for quite a while and they agreed to help me.

LEHNER: Well, let's call them number one and number two.

RAY: Yes.

Q. Can you tell us what the conversation with number one and number two was and what each one did to aid you?

A. Uh, well number one, let's say he's the person that put the bread on top of me. I didn't know him too well, I knew he wasn't an informer and that's the thing I knew about him.

LANE: You knew that he was not an informer?

A. Yeah, from his associates.

Uh, of course, I'm not, I couldn't take an oath on top of me, he could of sent someone else in there to do it.

LEHNER: Well, he, in the plan he was suppose to put the bread on top of you.

A. Yeah, he -- Yeah, he was suppose to come in and when he seen the bread box sitting there and me go in and after five minutes me get in the box or something and he was suppose to come in and put the bread on top of me and close the lid down and transport it down to the loading dock.

Q. And he had access to that area because he worked there?

A. Uh, yes, that's correct. He worked in the kitchen, yes.

Q. In the kitchen - in the bakery part of the kitchen?

A. Uh, he just worked in the kitchen that's--

Q. He could be in the bakery or --

A. It could be in the bakery or kitchen. There's not too many people that works in there now, I think it's about 35 or 40 people. But you'd, you'd have to be assigned to the bakery or kitchen to get in the bread room.

Now, number two, the individual--

Q. The bakery or the kitchen, you say?

A. The bakery and the kitchen are combined. It's a -- it's just all one big, one big room except there's a side, a side, a small side, like there's a small side room in the bread room. Then there's another room that houses the bakery and then there's a larger place that houses the kitchen. If you - You've probably been in there, but I'm trying to give you --

Q. I have not personally been there, no.

A. Well, let me show you on this, say here's, here's the bread room, here's the bread room, here's the door here. And here's the --

Q. Why don't you put -- Why don't you put BR in the Bread Room, and put door where you just drew the door?

(Mr. Ray draws a diagram of the bakery/kitchen area).

A. Here's the -- Here's where the, here's where the bread, bread racks, and there was a door here. This here is a bakery. This is a, here's the store room. This here's all the rest the kitchen. There's a table here.

What I did, I sat here after breakfast, went back in the bread room.

Q. You sat at the table you just, that you just drew?

A. Yeah. I ate breakfast here. I went back here to the bread room, when things were clear I got, there was a, I don't know if I took the truck back or not, the truck, plus the truck and the bread box.

Q. The truck, are you saying is a truck that, that has boxes on it?

A. Yeah, you put a truck that has wheels on it, and you just roll it back--

Q. A cart?

A. A cart, a cart, some type of truc-, cart. I rolled it back there and got underneath, I got in the bread box, put the 3x4 board on me and then a few minutes, this guy he was sitting there, he was watching me.

LANE: Where was the box when you got into it James?

A. It was sitting in the bread room. Because the bread room --

LEHNER: Who -- Who walked -- Who walked the cart with the boxes to the bread room, was it you or one or two?

A. I don't know. I think, I'm pretty sure it was me because I knew where I wanted to sit and everything like that. I wanted to set it right in front of the bread machine so the guy could cut, slice the bread. There's a bread machine there and you slice the bread and lay it right on top of you. So, as soon as I got in here well this guy he seen me going in, he give me four or five minutes.

Q. That's number one you say?

A. That's number one.

Q. He had been sitting at that table; right?

A. Yes, that's it, that's the table right here. That's the --

Q. Why don't you put where number one was, just put the number one?

A. Number one.

Q. And the plan was for him to wait until you got into the box and you covered yourself with the, with the board?

A. Yes.

Q. And the plan was for him to cover you with bread; is that right?

A. Yes.

Q. Where was the bread to come from?

A. There's a bread machine right here. Bread--

LANE: What's a bread machine?

A. Bread slicer.

LANE: Oh.

EVANS: They don't package it?

A. No, it's just whole loaves, they cut it and --

Q. They cut it and they just sit it right in?

A. -they sit them up.

Sometimes they, for the guards now, they package them for the guards, but the prisoners they just throw in the box.

Q. Oh, they prisoners they just --

A. So, uh-uh, he come in and sliced the bread and put it in on top of me. And, uh--

LEHNER: Well that -- That you heard him operating there, and did you see him also?

RAY: I didn't see him I had a, I had a thing on top of me.

Q. But, you, you assume that it was number one because that was the plan and it happened according to the plan?

A. Yeah, either number one or he told someone else. But I can't see him telling anyone else though.

EVANS: How did you get the board down, how did you get the board that covered you? Was that hidden somewhere in the, in the bread room?

A. Yeah, it was just laying in the bread room. What I did I got a saw and sawed, measured the breadbox and sawed it down to the right size and fit it in there where you could--

Q. Well, when did you do this, that same morning?

A. Oh, no, I didn't saw it down then. I worked on that for, I had to drive nails in the bottom of the box where you could breath and everything else, that all took two or three weeks. You can't do things in front of, you got to wait till you get what you call a show down, the guards not around, and then you take --

Q. Um hum, yeah, but you drove nails in the bottom of the box; right?

A. Yes.

Q. So that means there was a particular box that you had selected?

A. Yes.

Q. And how was this box, how did the box remain in the bread room?

A. They'd bring it in every day from the farm.

Q. Is that the same box?

A. Same one. They just have one box, yes.

Q. They just have one box?

A. Yes.

Some of them have two boxes but there wouldn't be no problem there, you just knock a hole in two boxes, but some times they alternate a box. But usually they always have one box. They bring it out there, they take the bread when they get it out to the farm, I guess, and put it in a pantry or something. And then the next morning they send the same box back in and fill it up.

EVANS: All right.

LANE: Let me ask you, how much bread was generally put in that box? Was it enough to fill up the whole box?

A. They usually send an order in, sometimes they'd order 30 loaves and sometimes 50. But then whenever, whenever they'd order they'd give you an order and then you put that in there. But they didn't count them or anything like that. If they ordered 30, you could put 50 in them and then go on out. They just told you what they wanted, the minimum they wanted.

Q. Would 50 loaves fill up the whole box?

A. Uh, I think the box would hold, I think it would about six or seven layers. I think I had about three on top

of me. Six layers I guess you would get about 15 layers on each-, 15 loaves on each layer, 12 or 15. So, six times twelve, whatever that is, is that 72?

EVANS: Well, did you considere though, that when you were in the box and there were only three layers of bread that that would not of been sufficient bread, in fact, when you got out of the box I assume that the bread was strown all over the back of the truck?

A. No, I just kind of -- When I got I kind of got out where I raised my shoulder up on one side where the one side dropped and the one side rised up, and not bread dropped out or anything, it was just --

Q. All right. Well, you left the false panel, the false bottom was still in there?

A. It was still in the bottom, yes.

Q. All right, when the bread got to the farm, whoever was at the kitchen there, they obviously would of been short of bread?

A. I don't know how much they ordered that morning. I wasn't assigned there, but if they do short of bread they wouldn't, it wouldn't be no big deal, they just, they usually have a little bread left over anyway, and if they run out they --

Q. And someone there at the farm would of discovered the false bottom, I mean in other words of they are use to getting six or seven shelves of bread and there is only three in there and they remove those three, and they say, hey,

you know, where's the rest of the bread, and of course then they examine the false bottom.

A. No, they wouldn't think -- In the first place convicts take care of all that, that's the trustees, they unload the bread and count it and put it in the shelves and everything. On a, usually on a Trustee, the convicts does more-, does more on that place than they would the inside. But it would be no problem there at all. Un, for one reason they usually have all this extra bread. And two, if they don't have enough all they got to do is send a truck in and get some more. And, I think they, -- I don't re-, I don't ever, ever recall of them sending in to get more bread except maybe if we were short in the bakery or something. But, there's not problem there.

Q. All right, but --

LANE: The point is, wouldn't they, when they, when they opened the, looked in the truck and they found there wasn't all that much bread, some of it probably got crushed by your getting out and there's a false bottom there, wouldn't the people who unloaded realize that there is something strange there?

A. No, they wouldn't think that.

Q. They wouldn't?

A. Convicts anyway.

LEHNER: Well, you mean the convicts would, would notice it was strange but wouldn't say, is that what you are saying?

A. No -- No, they probably would say if they was on the farm, but that's not what I'm saying. They just wouldn't pay any attention to it because they wouldn't think somebody

had been in the box. But as far as the panel being in there, they wouldn't think anything about that, they'd thought somebody just threw a panel in there and left it laying in there.

LEHNER: Were you wearing shoes when you were in there?

A. Yes.

Q. When you got out did you step on some of the bread and crush it?

A. There might of been a little of it broke up, but that bread is kind of hard anyway, it's not --

EVANS: Yeah, but Ray, you and I know that one thing the con can do is they take bread back into the cell. Kitchen people make their sandwiches and that's barter, they use that for barter. And if you are in a situation where they are trustees and they are on a farm, now you know they are living high on the hog; right? That means they've got bread, they've got, they've got sandwiches ---

LANE: Can you just wait one second?

EVANS: Okay.

(Mr. Lane had to switch tapes).

EVANS: And of course if they are light on bread, even though they may not want to expose anyone, but they are going to say, hey, you know, this is spokey, somebody got out. They are going to make a request for bread, for more bread; right?

A. They may -- See, now, I don't know if they made a request or not, but I know they always kept extra bread out there, because they always order more than they want too.

And, there's really no problem there, because I know, I know they have extra bread out there, they don't wait until they get down to the last slice and say, well, send me out, you know, thirty or forty more loaves.

EVANS: All right. But did you consider this in the escape plan, did you consider the fact that once it got to the farm that they would discover this was -- Say, for instance, if you didn't have any contact with the trustees that they would automatically discover how you got outside of prison, so, therefore, they wouldn't of spent time looking inside for you?

A. Yeah, well, you know there's always a risk involved in escape, I never thought about that. My main concern was getting outside of the walls, you know, and -

EVANS: Just getting out.

A. -and I didn't -- I didn't, I mean you can't trust trustees anyway. Of course, I don't mean they are all informers but I would never rely on one of them not to say anything.

EVANS: Okay. Now the two boxes, they had one box come to the prison each day, and that was the box you drilled or you nailed holes into the bottom?

A. Yeah, I took -- took some nails and drove them.

Q. All right.

And you did this while you were assigned to the, to the kitchen or the bakery?

A. That's correct, yes, yes. That was --

Q. In other words then this, suppose the other box had

come that morning instead of the box you were planning on?

A. Well, see, there were, there were three farms, there was three farms came in there getting bread. There's the Renz Farm, "Algoa" Reformatory, and then I think there's another farm, but I can't think what it, well, it may be number two farm.

Q. So that would been three boxes?

A. On the truck altogether?

Q. That would of been three different boxes coming?

A. Yeah, but I wasn't going out on those boxes.

See, the "Algoa" and these other farms, I wasn't concerned about those boxes because, uh, well they were different type boxes anyway. For instance, "Algoa" Farm they didn't even sliced the bread, they just threw it in a box and carted it out, so you couldn't of got in there. On the, and the guard came in with them on "Algoa" Farm anyway. But, now, now on this --

Q. The box you were concerened with was from which Farm?

A. That's the Renz Farm.

Q. The Renz Farm?

A. Yes.

Q. Okay, and they had two boxes?

A. I'm not positive, they may of had. But I know one of them farms had two boxes because they'd send a different box in once and a while, I guess --

Q. Yeah, well, which one, how did you select the box to nail, to put the holes in?

A. Well that's the one that came from Renz Farm all the time. I'd filled that box up probably a thousand times with bread, so, it was no question of where it went or anything like that.

What they do, when they bring the bread box in from the farm, the guard would, he'd, he'd bring it up, the guard would bring it up there some times. Sometimes they'd send a convict to bring it up there, in the kitchen. And then once it got to the kitchen then we'd take over with it. And then the guard he'd, in the truck, he might go around picking up other things.

Q. When does that --- When does the box come up, what time in the morning?

A. It would be in the morning, but usually when they start to work but sometimes probably about, I'd say 8:00.

Q. About 8:00 the box comes in?

A. Yes.

Q. Okay.

What time did you get in the box?

A. I'd just guess about 9 but I couldn't be certain on that, probably 9:00.

LEHNER: You were telling us that you were in the box and a couple of minutes after you got into the box and had the cover over you, you felt and heard the bread being put on top of you?

A. I can't hear it now, but I know that's the procedure, yes.

Q. What happened then?

A. Uh, I heard the rolling downstairs, I heard, you know, the truck moving.

Q. The cart - When you are talking, when you are talking about the truck, you mean the cart where you were--

A. Yeah the cart was rolling, someone was pulling it downstairs. And, then the next thing I knew it got on the elevator and I could feel it going down on the elevator.

Q. Now, was the person who was wheeling the cart saying anything to you, such as everything's okay, all's cool?

A. I didn't hear anything. Couldn't hear -- I couldn't hear, heard it anyway through that.

Q. What was the plan as far as after number one was suppose to load the bread on top of you? Was number one the one that was suppose haul the, the cart with you in it down to the, to the truck?

A. I -- I don't know. I wouldn't of made any difference. He, I assumed he did. But it really wouldn't of been important because once I was on the truck that would of been it, because--

Q. Well I'm talking about - When we are talking about truck, I'm talking about cart is one thing and truck is the-

A. Yes.

Q. -is the vehicle-

A. Vehicle, yes.

Q. -that, that took you to the farm.

What was the plan as to what was suppose to happen after one loaded the bread on top of you and you were in this area where the near the blood-, bread slicer in, in the box that's on the cart?

A. Well, the plan was for, this is an assumption, I think, I assumed that if one would, I would assume that one would of took the bread down on the cart, took it down on the elevator and pushed it out on the dock and then once it was out on the dock he, he would of probably helped the trustees from the farm push it on the thing, or he might of did it himself from keeping the trustee from getting suspicious about, you know, being kind of heavy, sort of heavy.

Q. What -- I'm --- My question is directed to the plan, what was the plan as to what was to happen, I realize that you were inside a box so that telling me what exactly happened might be a little more difficult for you.

A. Well, then, I think that was the plan, you know, just, just get me in the box. Then the guy, number one, would push it down the elevator, push it, then take it down to the dock, scoot it off of, off of the cart onto the platform and it, then the truck is is already, probably already being backed up there. Then maybe number one could just push it on the truck or get the trustee that, the truck driver had, he had a, they usually had a trustee driving the truck sometimes. They'd just both push it on the truck.

Q. Wouldn't that trustee realize that there was more weight in that truck than it should be?

A. Well, I, I assumed number -- Yeah, I'm pretty sure number one would put that on there hisself because, although they wasn't lifting me on there, they just slid it off, I don't think that number one would of believed that, would of trusted, would of trusted the trustee, yes.

Q. So, it is possible for one person to just slide that box with you in it without being ex-, an extremely strong person that would have to do it?

A. No, it wouldn't been no problem at all.

Q. You didn't have to lift the box, you just had to, could slide it onto the truck; is that right?

A. No, the only boxes you had to lift were on "Algoa" and that's why I wouldn't get on them because they had three boxes and you had to put one on top of the other and all that stuff.

Q. So the plan was for number one to do all this, to cover you with bread, to take the cart with your, with your box in it down to the loading platform and then to push the, the box that you were in on the truck, is that correct?

A. Yeah, I assumed he did, he did most of that, yes.

Q. Well, when you say most of it, what do you mean by that, "Most of it"?

A. Well, I'm just assuming, I assume he did all of it. Let's put it this way, I assume he did everything. Although I don't know.

EVANS: Was that the plan though? I mean, you wouldn't-

A. That's, that's the general plan.

A. -of gone though with the if you were going to assume, I mean you either had to know it or you didn't know it. You had to know that the trustees weren't going to --

A. That was the plan, but I didn't know if that was the way it come out. But that's, that's--

Q. That was the plan as --

A. Yes, yes.

Q. It had been fully discussed?

A. Yes.

LEHNER: Before you go any further with what actually happened, tell us what the plan was. What Number One's assignment, what's Number Two's assignment and how it's suppose to go off. Because as you are indicating to us, you put some thought into this.

A. Well, yes. Well, number one like I say, that was his, I can't recall all of the conversation now, but he was suppose to fill the box up and -- Now I assume he was going to, I assume he wouldn't let, go out and tell somebody else to do it. I mean, I assume he wouldn't go out in the kitchen and say, well, Ray is in that box. Take him downstairs and load him on the truck, I assume he did it, but I don't know.

Q. I'm talking about the plan now, you are getting --

A. That was the plan.

Q. You are getting into the action, I'm just saying what was the plan? You went down --

A. I just like to testify what I know, see, --

Q. If it happened ideally what was one suppose to do and what was two suppose to do as far as your plan?

And you conceived this plan is that true?

A. Yes, I --

Q. They didn't have any part in conceiving it?

A. That's correct.

Q. Okay, tell me what the plan is.

A. Well, I think the plan was, I would get in the box, cover myself up. Number one would come in, slice the bread, put it on top of me. Then push it down on the elevator and onto the dock and push it off onto the truck. Now, Number Two, uh, I'm not positive now. Number Two knew something about it, but I don't know if he was suppose to, now I told him something about it, you know, telling an informer creating a little diversion. But I don't know, number one he also might of went and told number two that I had successfully got threw the gate, because I mean, I assume he watched the gate and then when they didn't drag me in about five minutes after I got in there why he'd assume that I went ahead and got out.

LANE: Did you have discussions with Number One and Number Two together?

A. No, huh huh. No.

LEHNER: All right, so what was your discussion with Number Two, what was he suppose to do?

A. Well he was just suppose to tell an informer, and an informer would, there was an assumption that he would tell, there was a guy named Major Poury there, he was the head of Security, this --

Q. Major, who?

A. Major Poury, POURY.

And the assumption was that the informer would go tell Poury that I was hid inside, and, it was really

simple, there wasn't nothing complicated about it.

Q. When was number two suppose to tell the informer?

A. I think once it, it was established that I was outside.

Q. How was number two going to know that?

A. Well, if they didn't bring me in through the gate. If I'd of got arrested the prison would know I've been caught and it would been on the so called grapevine.

Q. Well, was number two going to see you loaded onto the truck or was was he going to wait to hear from number one, what was the set plan?

A. No, he was, no, those things get around. If he'd, if, if I'd of been caught it would of been within a half an hour after I got through the gate and everyone would of knew about it in the prison, so, number two he didn't work around there anyway, so --

LANE: He didn't work in the kitchen?

A. No, he didn't work in the kitchen, so --

LEHNER: Did number two know that number one was going to help you?

A. Uh, I usually don't tell someone else if it's not necessary. I don't know if, I think, I think I may of told number one to tell number two, I just -- I mean, say me and you -- Well, say me and you embarked doing something, I wouldn't necessarily tell you, I'd just tell him to go tell you that I was going and that would be enough. He wouldn't have to, he wouldn't, it wouldn't be necessary for me to go into details

on what to tell you.

Q. Well, the question that I'm getting at, did you tell number two to tell the informer at such and such a time, and what was that such a time?

A. Yeah, I --

Q. When number one tells you I'm out, when you hear it through the grapevine that I'm out, uh, what was number two's instructions that you gave him?

A. Uh, I think if, if I would of been caught it would of been shortly, and if I hadn't of escaped or anything, well, then I could of seen number two when I come back from the kitchen. So, there's really no problem there. Now, also, I may have told number one to go tell number two that if I'm not caught within a half hour or something, why, you know, see the informer.

Q. So, num-, number one was someone that you told to tell number two to tell the informer, but number two you didn't tell that number one was going to be the one that was going to tell him?

A. No, number two wasn't -- I would -- I'm positive I didn't tell him anything about number one.

Q. But number one you told about number two?

A. Yes, I, I think I would of.

Q. Why was number two used, why didn't number one do the telling to the informer?

A. I, I don't think he had contact with the informer. Number two was an old timer around there and he knew who was

informers. A lot of times you can find out who an informer is through a guard. Uh, Guards don't like informers either.

Q. Well, which is the one that you think is in Missouri State Prison now, number one or number two?

A. Uh, number one.

Q. And what about number two, where is he now?

A. Uh, well, I'm not positive, I'm going to talk to Mark and then we'll find out if we can locate him possibly.

Q. Uh, after your, felt yourself being put onto the truck, what happened next?

A. Uh, after I got on the truck I went through a tunnel. I heard the, in a few minutes I heard the lid raise up and drop. The lid was up two or three seconds, I guess he was just looking in there. And then the next thing I knew I was started off again, and then I started to get out. I had a little trouble getting out because I didn't want to throw bread all over and everything, and I moved my shoulder where one side could come down and one side could go in. And once I heard, I know I went through two or three stop signs, and I didn't get out of it, I think I got somewhere around the bridge which was quite a ways from the prison, probably eight or nine blocks. And I didn't get out and get situated real good until I got, until I crossed the bridge. I wanted to go, get out on one of those stop signs.

LANE: Did the driver of the vehicle look into the back of the truck where you were?

A. No, I don't believe he could. I looked to see if he could, but he, I think it was just a small, I think he had a rear view mirror on the outside. But, anyway, I couldn't see anything. I looked up there and I never saw anything.

Q. Was it an open truck or closed?

A. It was a, I think it had a -- I think it had a canvass top on it but the back end of it was open except for the tailgate. And, then once I got across the bridge he slowed down and turned into a driveway. I guess that went to the farm. I don't know how come he stopped there, because I don't, I could see him stop, you know, and wait for cars to come by and he pulled off on this gravel road and he stopped and when he did I jumped off. I acted like I kind of waved when you see any cars coming by, you know, I figured --

LEHNER: You waved to who?

A. Well, I just faked a wave or something like I was just getting off. But I didn't get around where he could see me in his rearview mirror. And I crossed the highway and that was it.

LANE: Why did he stop there, do you know?

A. I don't know, I don't think there is any, any stop sign there, I don't know what he could of --

LEHNER: Who'd you wave to?

A. Huh?

Q. Who'd you wave to?

A. Oh, it was just a fake, I thought maybe some cars going by or something on the highway or guarding him or

something, and --

LANE: You were making believe that you waving to somebody in the truck who had dropped you off?

A. Yeah, just waving him off, yeah, I guess.

HAUSMAN: What were you wearing at the time?

A. I had a pair of dark clothes, I had a prison clothes on on the outside, but I had a pair of dark pants that I'd, Well, I think they came from the band room and I also--

LANE: Band?

A. Band room, yes. They'd --

Q. Musical band?

A. They use to dress them up, yes.

And I think they had a white mark on them, and I think I'd got the white mark off through a marking pencil. So, I had a pair of black pants on.

Q. Stripe down the side of them?

A. Yes, I think that's the way, some kind of a stripe down it, I think I - I blanked it out with a marking pencil.

HAUSMAN: You wore that under your prisoner pants?

A. Yes, that's correct. I may of had a sweat shirt on or something, but I'm not positive.

Q. Well, when you jumped out onto the road were you wearing your prison clothing?

A. Uh, I don't know if I -- I -may of -- I may of took them prison pants off and was carrying them or something. I may of put them in a sack. Because I had, I think I had a sack, and I think I had a few candy bars. I think I had, I

know I put some bread -- I put a little bit of bread in there, not too much.

Q. But when you got into the bread box were you wearing your prison clothes?

A. Yes.

Q. Did you take your --

A. I'm not a hundred percent sure on this, but I'm pretty, I know I had two pair of pants.

LANE: You were wearing two pair of pants in the bread box?

A. Yeah the box, yeah, I think it would been prison clothes on the outside, yes.

Q. Well, the minute you jump off the truck and you are now standing in the middle of the highway, are you wearing prison clothes?

A. I'm not, I'm not a hundred percent sure on that, because I don't think it was, because see prison clothes they had a green, they're green pants with black stripe down them. And I think I took -- I may have took them off in a, in a truck and put them prison clothes in a sack.

LANE: The sack is a paper bag?

A. I can't -- Yeah, I can't remember that clearly, but I think that's what I would of done, I know if I had to do it over again I would do. So, that's why I'm testifying on what I think I would of done. But I know I had some bread and I know I had some candy bars.

EVANS: Did you have a -- What would of happened if

the truck hadn't of stopped?

A. I think I would of been in trouble if it had, if it went to the Renz Farm, unless it slowed down for a curb or something. But I'd never been to that farm. So, and I'm not even certain that that gravel road lead to the farm, but I'm assuming it now because he turned off the highway and probably a couple blocks from the bridge. He was going across the bridge and he slowed down and turned left, he turned into a gravel road. And, then for some reason he stopped.

LANE: Was that being driven by a trustee from a farm?

A. I'm not positive, sometimes it rotates, sometimes it's the trustee or sometimes it a guard. But I think, I think on the inside of the prison the guard drives it, and once he gets outside the gate he lets the trustee drive it. So --

LANE: What was --

A. They got some kind of rule like that.

Q. What was your plan about when you were going to get off the truck?

A. I was going to get off at the stop sign but I got hung up getting out of the box and everythink, and it wasn't, it just stopped about twice before I ever, I really got situated, I guess I wanted to get those pants off and things before he was crossing the bridge.

EVANS: Yeah. How did you know about the stop signs?

A. Well, you make certain assumptions. And then, I know he was stopping because I think before I ever started getting out of the box I heard him stop once. It wasn't

too easy to get out of the box. It was, it wasn't too much -

Q. I mean, how did you know he was going to stop anywhere? How didn't you know that he didn't just get right on a high and just, zoom, he's gone?

A. Well, there's certain assumptions you have to make. I mean, you can't -- I didn't -- I wasn't 100 percent certain that he was going to stop. He could of, in other words, he could of took me from the prison right straight to the farm and jumped out whenever I --

Q. Yeah, well, this is a consideration.

A. Yeah, that's just something you have to take, you have to consider.

LEHNER: What did you do with your prison clothes?

A. I apparently, I evidently threw them away. I know it was know kind of cold out there, it was in April, and I think, I ultimately threw them all away, but I think, for a while I used, I used them until I got some more. I know I got some more clothes out of a, of a illegal entry into a place, and then I got some more clothes out of -- I think I got one other garment out of a illegal entry into a fishing cabin, which I've already testified to before.

Q. Fishing, what?

A. It was a fishing shack or something. It was a trailer with a, with some wine and eggs in it.

Q. When did you remove your prison clothes?

A. I kind of think I took the pants off in that truck. I don't -- I don't have no clear recollection of that because usually when you get, you are kind of excited

you can't remember everything afterwards.

Q. So where were the pants when you got off the truck?

A. I know I didn't leave them in the truck so they must of been in the paper sack.

Q. Or you were still wearing them?

A. Now, I'm positive I wouldn't of jumped out of that truck with that black stripe down them, not that close to prison with guards driving up and down there.

Q. Where was the paper sack?

A. I would of carried it in my hands most likely.

Q. Did you later on hear how the, how successful you were in, in getting that rumor back to the, the prison officials?

A. I read somewhere where they, they said they had some information that I was read in the prison and they got a State Highway Patrol right outside the prison, he's for prison breaks, as soon as you escape they notify them and they block off the roads. But they said, they prison officials said they didn't block off the roads because they had information that I was hid inside, so --

Q. Where did you learn that from?

A. I read some type of an interview or something.

Q. When did you first learn that?

A. Oh, this would of been years ago. I forgot about where I read it or anything else.

Q. Before your arrest or after your arrest?

A. It could of even been before my arrest, I don't know.

Q. Where would you of read that before your arrest?

A. I don't know, I just, I just have a vague recollection of that. I read somewhere where they didn't, they waited 24-hours before they reported me missing, that's all.

Q. Would that be in 1967 that you learned it?

A. No, I, uh, -- No, I don't think I would been '67 because, you know, there wasn't no big deal on it in '67.

Q. Was it before the assassination of Dr. King?

A. No, it would of had to been after because there wasn't notion, there wasn't no, like I say there wasn't no big issue of me escaping until after the King murder.

Q. But did you learn that the informant actually told the warden what you had hoped he would?

A. No, I never did learn that, no.

Q. But, you suspect that, that he did because of what you read later on?

A. No. I know how they operate, I wouldn't regard what I read as significant, but I know how prison officials they consider informers with a holy writ or something, whatever they tell them. Especially, you know, if he's a good one.

Q. Yeah. What, what I'm saying is, do you assume from what you've read that the plan worked, that number two told the informer and the informant told the prison officials and the prison officials considered that you were hiding in the institution?

A. Uh, it could of been that way or it could of been

another way. I , I didn't hide in the institution one time. And then, the fact is the informant might not of even went to him, I don't know, but I did hide in the institution one time. But I don't think they would rely on that too much, because there is different ways to escape, I don't think they would just assume without any other evidence that I was hiding in the prison and therefore not inform the highway patrol.

Q. But you think that they did assume that you were hiding in the prison, right?

A. Yeah, I think they'd have to have something to corroborate. I think they would need an informer to say well Ray is hid but we don't know where he's at, but we know he's hid.

Q. So, you're, you're judgement is that the informant actually did go through with it and did tell the prison officials because of the fact that you were not looked for right away?

A. Well, let me tell you, let me say this.

Q. Is that right?

A. Yeah, let me say this, but when you start trying to put yourself in another person's position, based, trying to figure out what his judgement is, you can get in a lot of trouble. You know, I've tried to think sometimes, well, how is the judge going to rule, I know he rules differently, I mean that's just, I don't like to try to figure out how a Warden is going to think. And --

Q. Well, who was the informant?

A. I don't know, I don't have any, any ideas who he is.

Q. Well, how did you know that number two would be able to tell the informant?

A. Well, he said he knew certain parties and things like that. He -- I mean, I wouldn't inquire, you know if he told me -- If he told now I'm going to tell Smith over here that, you know, if you escape.

But I just don't ask anything, you know, that wouldn't interest me.

LANE: James, one and two evidently really assisted you in this, so --

A. I think the guy was from St. Louis though, the informant.

LANE: Uh, one and two are sitting-- One and two didn't get anything out of this, right?

A. Other than the satisfaction of me beating them, that's all.

Q. Is that unusual in the prison, that two prisoners will help a third one escape and take that risk without getting anything for it for themselves?

A. Yeah, it's not -- I would rather rely on somebody like that rather than pay someone, because if you pay someone--

Q. I can see where you would, but I mean is this--

LEHNER: Why -- Why would you rather rely upon them than paying someone?

A. Well, if you pay someone that's kind of a mercenary,

he, the warden might pay him more. But if he just does it because he want's to do it--

LANE: Is this unusual thought?

A. I, I don't think, no, I don't think it's too unusual. If you know some one, you know, 7 or 8, 5 or 6 years, I think it might be if you didn't know them too well.

EVANS: What kind of time were these, were they doing, one and two?

A. Uh, well they wasn't doing considerably light.

Q. Well, what were they, I mean, what were they--

A. I think they were getting out, they wasn't doing no life sentence, I think -- Well, they were serving a sentence where by now they would be out, legally, I think.

Q. By now?

A. Yeah, if they didn't loose no good time for helping me escape.

Q. Yeah, but what was there, what was there bit, what were they doing time for?

A. Uh, robbery, that type.

Q. Robbery?

A. It wasn't no moral -- It was -- In otherwards it was a crime for money. It wasn't murder or rape--

HAUSMAN: Did they have two years ahead of you or ten years ahead of you?

A. Well, they would, I think both of them would of been out by now.

Q. You say at that time they may of had ten years ahead

of them?

A. Um, I'm not sure if they'd of had enough time to escape on, or anything like that. Some people --

LEHNER: Didn't have enough what?

A. I don't think they would of had enough time to escape themselves.

LANE: No motivation to escape because they didn't have a long time to serve.

A. In other words they wouldn't try to move in on me and go out. Well, they wouldn't of been, I don't think one of them would of done that anyway.

LEHNER: Because you think they were short timers?

A. Well, that depends on what you consider short.

Q. Well, what do you consider short?

Not, not now, I mean, then?

What did, what did you , about how much time did they have to do?

A. Well, if I had six or seven years I probably wouldn't escape, it would be --

EVANS: That's a short time.

A. Yes.

Q. If you are doing more than a dime it's long time; right?

A. I believe, yes, I think that -- For me, some people it would be one.

LEHNER: So, were these two people doing less than 10 years?

A. Well, I'm not certain. I think they were doing under 20, let me put it that way and they had ---

EVANS: Oh, okay, but what was their, you know, in prison there are groups of people, I mean you have the robbers, the bank robbers and you have the petty, the burglars, and then you have the con men, there's a, there's a structure inside the jail, these guys were in what class, were they muggers or were they bank robbers or were they--

A. No, they were just robbers, supermarkets, and things like that.

Q. Supermarket people, right?

LEHNER: Were they both friends of each other?

A. No, I don't they knew, I don't think they would-- they would of probably knew one and another but they weren't friends, they didn't associate.

Q. They both were supermarket, market robbers?

A. Well, I don't know, I just saying they are robbers, I don't know if they were robbing a supermarket, but, I don't go into details, I know if -- If somebody mentions he's robbed something, I just don't go into details with people of what they do. I know, I would know if they were robbery or murder or rape or something like that, but I wouldn't know all the details unless they told me, and neither one of these individuals I never did ask them anything, although one of them I knew 7, 6 or 7 years, but I never did ask him,--

HAUSMAN: You knew him for seven years and you didn't know what he was there for?

A. Yeah, the other ones I didn't know too well. The fact is, I don't, I couldn't, I'm not positive of his name even. But, I knew, yeah I knew he was in there for robbery, the one I knew 6 or 7 years, but I don't know, I don't know the specifics of it.

Q. You were in for robbery also; right?

A. That's correct, yes.

Q. In the course of a six year friendship you never discussed different robbery techniques or what types of establishments you would hit?

A. No, not too much, no. I mostly discussed how to get out and things. I probably discussed this but I don't have any recollection of this.

LEHNER: Well, let's, let's move on to, as far as number one and number two they helped you and you are reluctant to, to tell us their names, as far as the informant, he didn't do anything to help you, in fact he was someone who was helping the prison officials, so you have no reason to protect his name; do you?

A. I don't even know him.

Q. Well, if you were using number two to aid you to, to escape wouldn't you make some inquiry of number two as to, hey, are you just shooting the breeze about telling me you know someone who has a line to the Warden, or is there such a person? Wouldn't you make some kind of inquiry?

A. We probably -- We probably discussed a couple different people. Usually in a prison there's a, there are certain people,

informers like I mentioned that have been there a long time, but, I mean, the Warden or the -- I think the best thing, I, I don't know his name. I imagine Poury, Major Poury the Warden would know, who the informants is and who isn't. Uh, I mean, I - I can't, I think different from you thinking, I just can't explain these things. Because I know this one one individual, number two, now he's known people that's been undercover informers for years and years, and he wouldn't come and tell me, because it, you know, it wouldn't be any of my business and I really wouldn't want to know. But, unless something, if something happens when I'd want to use him, I'd say hey, you know some guys that's informers--

EVANS: Yeah, Ray-

A. Huh.

Q. -you know the most important thing in jail is to find out who the stoolies are, and that's everybody's concern to know who the stoolies are, because as you say your mind is always working about getting out, right? And of course you don't want to spook any plan that you've made discussing it with anyone, or discussing it with anyone that's even friendly with an informant, right?

A. Yes.

Q. So, this guy number two or number one had knowledge of an informant, he wouldn't tell you, he's your friend, he's helping you escape and you wouldn't inquire of him as, well, who's the stoolie?

A. Well, no, well, the first place I wouldn't the

people I was associating with on escape, I knew the one guy a long time, and the other guy I didn't know a long time, but we know he's all right. Now, on the -- About the informers, a lot of times someone will come up and tell me, say, that fellow over there is no good, that's usually the term they use. And, that's enough for me, he don't have to tell me he's an informer or anything, so I just --

Q. All right, but right away when a guy says, that guy's spooky or that guy's no good, right away he's marked informant, right?

A. Yes.

Q. So, but I mean if a guy says to you, I know who an informant is-

A. Yeah.

Q. - right away you, I, I would think reason would say to you, con reason would say to you, who is he?

A. Yeah, I could, I'm not positive about that, I just could-

Q. I mean, that could get you in a lot of trouble; right?

A. Yeah. Yeah, well, I mean he wasn't going to tell an informer or anything until after I got away, so --

Q. Yeah, but, I mean wouldn't it seem natural that you would want to know who the informant is, say this plan didn't work, say that the box didn't come in with the nails holes in it that you were looking for; right?

A. Yeah.

Q. All right, say that occurred, wouldn't you still want to know who the informant was in case you had other plans, or you had other things that you were into?

A. No, I don't -- I don't think so, no, that, that would of been too far ahead of time for me. I think different, I look at things different, I wouldn't of ---

LEHNER: In this insti- In this institution do you--

A. The only thing I'm thinking -- Huh?

Q. In this institution don't you want to know who the informants are? Not, not because you have an escape plan in the next day or two, but you want to know, don't you?

A. Well, somebody might say something about, he makes inference against someone. I'm not really too concerned about informants anyway because I don't associate with maybe five or six different people, but --

EVANS: Yeah, well wouldn't you even want to know whether those five or six different people were informants? I mean the best informants in prison are the people that are on inside.

A. Yeah, but you can always try and find out, it's difficult for an informant to hide himself because there's certain things that gives them away and if you talk to him and watch him right close, you can, I mean there's reference has been made that you can smell them, but --

Q. Yeah, I know. But some of the best people in, the best informants inside are the people that are in business, the people that everybody respects and says, oh, that guys

all right, --

A. Yes, yes.

Q. --he does this, he does that, he may be even running a little drugs or a little swag.

A. Yes.

Q. He's buying his way, he's doing his thing and the Warden's making use of him, we both know that; right?

A. Yes.

Q. And if you are in that circle, or if you are on the per of that circle you still would want to know, hey, is Joe Joe who is suppose to be a stand up guy, is he an informant, and I mean, tha't important information for inside.

A. Yeah, I think you could, but I don't think you could make a big issue out of it. --

Q. All right. In this instance though you just didn't do it?

A. No, I didn't know who, I didn't know who they had told. But I know there were a couple of guys from St. Louis who were informers, but they were accepted, but certain things they weren't told about.

Q. Right.

A. In otherwards, for instance, a drug addict, you might tell him a certain amount of things, and I'm not saying that I'm involved in drugs, but I say you might tell him a certain amount of things and you know he goes to the Warden, and you might have asso-, certain association with

him, but let's just say for instance you were going to get a bunch of drugs in prison, well, you would never tell him when they were coming in or anything like that, but you would, you know --

Q. In fact you'd give him a false lead?

A. Well, I don't know, I don't know if you would do that or not, you might be giving yourself away, but it might be, come a time when you could give him a false lead, but --

EVANS: Okay.

LEHNER: All right. Now, you told us that you told Huie that you went over the wall because you wanted to protect the guards. What --

A. Well, the convicts, the convicts mostly. And, I know prison officials they like to use scapegoats on guards, just like when -- Well I'll forget about this place. But anyway they do use, there's no point in getting, I may come back to prison myself, there's no point in getting guards down on you by, you know, putting the heat on him.

Q. So, therefore, because you thought you might be going back to Missouri State Prison some day you told Huie that you went over wall rather than you went through the bread room?

A. Yeah, there's two reasons. There's one reason about, you know, being an informer and, you know, putting the heat on someone else. And there's another reason, I'm just, uh-uh, I just feel bad about them personally. I can't explain that.

Q. You what?

A. I just have -- I'm sort -- I'm sort of hostile to them for personal reasons, I can't explain it, but --

Q. Hostile to who?

A. Informers, I don't know. I mean informing on someone, a close associate or something like that, I'm just opposed to it.

Q. Well, what I'm trying to --

A. I think it's short sighted.

Q. Well, what I'm trying to understand is, how does it helps the guards any if you, if the story is that you went over the wall as opposed to going out the bread room?

LANE: Well, first of all he said that he did it for two reasons.

LEHNER: I'm asking him about this reason.

A. Well, well, for instance, what if they would of suspended the guard where I went through the tunnel at? And they also suspended the guard in the kitchen?

Q. What about the guard of the area where you went over the wall? Isn't that something that the guards are, are more, more at fault at if they let someone go over the wall, they are sleeping on the post, as opposed to a guy in the bottom of a bread box?

A. Yeah, but that would of been a different situation. They would, they very well could of suspended him but he would of been suspended -- Well, I think it would of been a false charge and, but they could of suspended the guard on the wall.

LANE: Well, there was no guard at the area where he went over the wall, because he didn't go over the wall, so how could they locate the guard that was involved?

A. Then they could of suspended the guard on the tower.

LEHNER: Then you are telling Huie a story that you went over the wall, you say one of the reasons is to protect the guard, but how does that protect the guard?

A. The one that didn't let - he let me go through but he didn't.

Q. What do you mean by that?

A. Well, I went through there but there was no prearranged plan or anything, so, being he let me go through there, well, I figured I had some type of obligation to him whether he knew it or not. I mean, I, that's the way I look at it. I look at things different than, possibly some other people. Now --

Q. You wouldn't mind the guard on the wall getting hurt because he didn't let you go through, but you wouldn't want the guard who let you go through on the truck get hurt because he did let you go through.

A. That's the way I look --

Q. Even though neither of them knew any thing about your escape?

A. That's the way I look at it. I mean if there's a choice of which one's going to take the consequences, I'd rather the one that, that inadvertantly helped me not take the consequences.

LEHNER: Okay, could you put your name and the date

next to this diagram that you drew? And today is December 2d, 1977.

LANE: You want to keep that?

LEHNER: Yes, I'll ask Mr. Hausman to put his name on it to witness it.

EVANS: You want a copy of it?

LANE: I want a copy of this.

LEHNER: And, I'll also state that we'll send you a copy maybe we could xerox it during the luncheon recess and I'd ask Mr. Lane if you would put your name underneath Mr. Hausman's.

LEHNER: I'll further ask Mr. Hausman to put Exhibit #1 above where Mr. Ray signed his name.

Okay, I'll -- I also suggest that we take a break now and let the stenographer rest for a few minutes.

(A recess was taken at 11:21, am).

LEHNER: Okay, it's now 11:28, am. The same people are here at Brushy Mountain State Prison.

EVANS: Yeah, I just have a question. James, on this escape, on this escape you had two associates, two helpers; right? On any other escape that you had, or any other escapes that you attempted did you have any assistance from any other people?

RAY: Well are you, you talking about Brushy Mountain here too?

Q. Well, Brushy Mountain we know about, what about the other escape attempts?

A. I was going to say on Brushy,-

Q. Here at Brushy--

A. I still have an appeal and everything on this.

Q. Yeah.

A. Uh-Uh--

Q. Not your latest escape at Brushy.

A. Let me say, the first thing on escapes I don't have long, I don't, contrary to popular opinion I don't have a long history of escapes. The only time I attempted to escape was Missouri, but prior to Missouri -- Well, first, I was 24 years old before I got into the penitentiary. And prior to Missouri I never made any attempts to escape. Now, in Missouri I made three attempts, I believe. Now the first time --

Q. Is that Jeff City we are talking about?

A. Jeff City, yes.

Q. Right.

A. I think the first time I, I tried, I attempted to escape from the, from the dry cleaning place. That was a Trustee place and you couldn't trust anyone there, and I didn't, no one knew about that - Uh, let's see, what was the next time, the next attempt to escape I made was, it was the same prison but it was - I think that's when I went out the back of the cell house and attempted to escape. No, no one assisted me there. I think that's the only - I think that's the only two escapes. The third time I did it, that's, that's the extent of my escapes, my attempts, three times.

Q. Did you have an attempt -- Where, where was it that you went down into, you got out of the back of your cell or the top of your cell?

A. Yes.

Q. Is that the one you--

A. That was here, yes.

Q. Okay, and that was single, I mean that was --

A. No, me and the plumber went to the hole for that, for 30 days, a guy named Jake Morlock. He's out and he lives in Oak Ridge now.

Q. Jake Morlock, he lives in Oak Ridge.

A. Yes. Yes. They said I got tools from him or something, he was in the cell with me then.

LEHNER: He has been paroled since that time, is that what you mean?

A. I think the case got reversed and he's out altogether.

Q. While you were in Jeffereson City did you send any money out of the institution?

A. During all of the period I was there?

I would say may be a \$150, and I think 50 of that was sent to lawyer in Kansas City that represented me on a habeas corpus case. I can't recall his name. That would of been it. Plus I sent about maybe \$80 out to me sister under a stationary company.

Q. What stationery company was that?

A. Uh, Albert J. Pepper Stationery Company, it was a false front. It was all legal, I got the money legal, but

they had a rule in Missouri where, in otherwards, one inmate couldn't give another inmate a check from an account. Like another inmate owes you a small amount \$20, he'd have to give it to you in cigarettes, of course, most of them in there are always broke anyway, or he'd have to order you something from the outside, legal paper or something of that matter; or, so the way I got around that four or five times, I think someone owed me \$20 , two or three times, maybe three or four times, but just have them mail a \$20 check out to a stationery company which happened to be my sister--

Q. Ordering some stationery that would not be delivered?

A. It would never come back in, yes. And she would get --

Q. And your sister would put it into your account?

A. She'd just send the money back to me, yes.

Q. That would be Carol Pepper?

A. Yes.

EVANS: What -- What were the occasions or how did you happen to, what did you do for them to owe you the \$20. It might be a gambling debt or -

Q. What did you play?

A. Cards.

Q. What kind of cards?

A. Well, you play poker or anything you want to, it's just everything is legal in there.

I'm not saying it was a gambling debt but it was something insignificant, it was no small, it was no large amount of

money. And I think all the checks went to a bank, her, in her account and they wouldn't of been more than three or four checks totally \$80 all during the seven year period that I was in the penitentiary.

LEHNER: Who's the people that send money to the Pepper, is it Pepper Printing Company?

A. Uh, yes.

Q. Who were the people that sent checks?

A. I don't recall who they were. It's just, it's just one, it wouldn't of been over three or four at the most.

Q. Do you know a fellow by the name of John Kenneth Hurtt, HURTT?

A. Hurtt, I heard that money, but I don't know if he sent any money out.

Q. You've heard what?

A. I believe I've heard this last name, I can't recall, he's no associate of mine or -- Well --

Q. Did you explain to, to the people who made the money orders out that this was the only way you could get money to you?

A. Uh, they knew it. If someone owed me money, see, you couldn't draw too much money up there. I think the maximum was \$20 a month. Well, nobody wanted to, to give their \$20 because they wanted to spend that in prison. So, if they had money on he account rather than giving you \$20 they'd rather give you a check where you could order something from the outside, and then they could spend the 20.

Now a lot of times -- Now, I think probably the way I got this, a couple of these checks is buy them. A lot of times on the in, like I mentioned they could just spend \$20. A lot of times if you give someone \$10 and, you know, he had to get quite a bit of money and he'd give you a \$10 check for ,say, \$10 worth of cigarettes. That's probably where I got a couple of those checks at. I'd probably give someone, say, \$10 in green or \$10 worth of cigarettes and he's giving me a \$20 check, figuring they'd send me the \$20 back in and I've made loan shark.

HAUSMAN: You -- Did you smoke at that time?

A. No, I never have smoked?

Q. You compile them?

A. No, but they use cigarettes for - No I never have used cigarettes.

Q. I mean you steadily used it as a means of exchange?

A. Yes. Yes.

Q. You would just get the cigarettes you had and use them to deal in but you would never the substance?

A. No.

LEHNER: People were let -- in the institution were allowed to spend as much as they want on the outside as far as, as far as sending checks to the outside?

A. If it was legitimate. He could order legal paper, you send it to a lawyer, and he could send it back to you. Of course, that's paralel- to send it to a lawyer and ask him to send it back, so --

Or you could order - at certain christmas times you can order certain amounts of things so, but it, it was kind of limited, there wasn't no ordering a bunch of, just anything you wanted to, it had to be something on an approved list. And legal paper, legal paper and pocket novels was the things to order because you'd sell the pocket novel.

LEHNER: Were you trading in any goods in the institution in Jefferson City?

A. Uh, what, what type of goods?

Q. Well, that's what I'll ask you.

A. Uh, no, I can't think of any goods that I was trading in. Most of the things, I was working in the kitchen, a lot of people would take things out of the kitchen but I never did want to do that because I didn't want to go to the hole, except, the only thing I wanted to go to the hole for was escaping. And, at one time a guy asked me to take some food, real small items from the kitchen to the hospital, and I was working on the the hospital cart and I wound up 10 days in the hole on that nonsense. That's the only instance where I ever dealt and any type of prison contraband, you know, stealing food out of the kitchen. But I did, you could make money other ways, gambling or running card games, or, I know I sold, I use to rent books out at one time. I never did do it myself, but I would purchase them and let someone else do it.

Q. But it, would let someone else rent books, how, now do you mean that?

A. Well, for instance, you could order four or five pocket novels and you let someelse rent them out for you. Because I didn't like to do that type of thing myself.

Q. Is that what you did?

A. I have did that, yes.

Q. How many books did you have that, that you amass in the institution?

A. Three or four hundred probably.

Q. Well where did you keep them?

A. I didn't keep them nowhere. Another guy kept them, the guy that rented, the guy that was renting them out would keep them in his cell.

Q. And he would work for you; right?

A. Yes.

Q. How much did you make a month on that?

A. About 15 or \$20, that's all.

Q. What did you do with that money?

A. I spent it.

Q. You have -- You have, you have overhead in prison, you got to pay for your laundry, if you want to buy, you got to have food because you don't, you don't get too much in there. You don't get all you want in the kitchen, you don't get what you want. And, you got to pay for haircuts, if you want clothes you got to pay for them. So, it's not, it's not a matter of making money to salt away in a bank account, it's just to keeep, keep going from one day to the next.

Q. How many total books did you amass while you were in Jeffereson City from '60 thru '67?

A. Uh, well, this book business you are talking about I wasn't in that for -- I think someone owed me some money one time, \$20 or \$30, and he just give me the books, and I let someone else rent them out for about a month, for about a year or year and half until I got some of my money back plus maybe a little interest, and I sold them to him. But, I don't want to give you the impression that I was in the book business all the time I was there. If I was in the business it wouldn't of been over a year and a half.

Q. So when you escaped you didn't have any books at that time?

A. No, that's why I don't get, like to get involved in these long range deals because you get distracted from more important things.

Q. Who was the fellow who was renting the books out for you?

A. I can't remember his name now, he's a --

Q. Is this something where you legitimately can't remember or you don't want--

A. Yeah, it's legitimate, I know he --

Q. Or you don't want anything, to implicate him as well?

A. No, I'll, he's got, I know he had a, he had the shoke treatments, I know he didn't have now hair on each side of his head but I can't recall his name.

Q. What was he in there for?

A. Light complex guy.

I don't even, I don't even know that. A lot of people don't like to rent these books out, just certain kinds of people wants to do that type of thing.

Q. Was he there when you escaped, was he still an inmate?

A. No I don't believe he was there, no. I never had any type of personal relationship with him.

Q. When did he leave the institution?

A. I don't know.

Q. What year?

A. I don't know, he may still be there.

Q. He was still there when you escaped?

A. He was, he was in K Block, yes.

Q. When you escaped he was still in K Block?

A. He may have been I don't know. I didn't -- He was no friend of mine, I was just associated with him in a business deal for --

Q. What years was it that, that he was renting books out for you?

A. I don't even know that.

Q. Well --

A. I know it was in K Block.

Q. -was it in the beginning of your tour, of your tour there, or in the middle or the --

A. No, it would of probably been 1964 or 5.

Q. What was he in there for?

A. I couldn't say, I know he'd been in Fulton once.

Q. Could you describe him?

A. Yes. He was, I mentioned his hair, he had light hair, I'd probably know his name if I heard it again, and he talked a lot.

Q. You say he had light hair, and there was something wrong with him you say?

A. He had shock treatments and he had hair along side of his head was thin on, when, the electrocudes or whatever they call him attached to him.

EVANS: Where they'd shaved off for the electrodes?

A. Yes, I think it kills the nevers or something.

LEHNER: Was that for some mental disorder that he had?

A. I think a shock treatment.

Q. And how would you describe him physically?

A. About five foot nine, a hundred and forty-five pounds, light hair, light complexion.

I would probably know his name if I heard it again.

Q. How tall is he?

A. Five foot eight or nine.

Q. How old? Say in 1965.

A. It's difficult to tell, 27 or 8, I guess.

Q. And what was he in there for?

A. I don't have no idea.

Q. Was there narcotics being sold in the institution?

A. Uh, you talking about controlled substances or narcotics.

Q. Well, tell me everything that was sold in the institution, from narcotics down to marijuana or, or pills or anything else?

A. See, I don't know too much about things that doesn't concern me. I do know that -- At least I never heard of any narcotics being in there, I'm talking about heroine and cocaine. There's so many pills in the penitentiary that --

EVANS: Uppers and downers?

A. Huh?

Q. Uppers and downers?

A. Yeah, all that, tranquilizers and, I know the drug store there, it had a large drug store and all these pharmaceutical companies use to send their drugs into give the prisoners, more or less experiment. I know if you come up there with a headache or something they put you on one of these pills and you may be asleep 10 minutes later, that's just the type, type of drugs they had in there, you never knew what they were. But in a big prison like that you could sell, sell those type of pills, but I, I never did work in the drug room so I don't know what kind of trans-, transactions was going on.

Q. You had no connections with any type of pills or marijuana in the institution?

A. Uh, no, up until - Up until 1965, I think I got mono, mononucleosis there or something. Up until 1965 I

had never been in the hospital maybe two or three times in all the, in the six years I'd been there, the five years I'd been there.

Q. Who dealt with drugs in the institution when you were there?

A. I couldn't tell you who dealt with drugs.

Q. Who dealt with uppers and downers or marijuana when you were in there?

A. Uh, I never heard of any marijuana being in there. But who dealt with the uppers and downers, I don't know, that would be just rumors.

Q. What were the rumors?

A. I couldn't say who the rumors was.

Q. You don't recall, or you don't want to say?

A. No, I wouldn't --- I wouldn't say, or I wouldn't- I don't recall anyway because it would just be speculation because if someone was dealing this unless i was involved in it personally they wouldn't tell me anyway, so it would just be scandal, you know, rumors.

But a big prison like that there's usually --

EVANS: You know what a mule is?

A. No, I never heard of a mule at all.

Q. Did you ever do any carrying, or did you ever do any hauling or holding of narcotics or uppers and downers in jail?

A. I neve held anything. I worked in the cell block one time about, before I escaped, I worked five or six blocks.

A lot of time somebody will give you a, a dollar or something, say take this to another cell, where it might be a fence or it might be dope. It's just who ever gets the dollar and that would be it, so I --

Q. Did you ever do it?

A. No, I never was interested--

Q. All right. Do you know a guy by the name of Bradey or Bradley in Jeff City?

A. Uh, I think that's Jim Bradley you are probably talking about.

Q. Yeah, do you know him?

A. Uh, no, I know he's from St. Louis and I know him when I see him, but I don't know him personally.

Q. All right, do you know what he did in Jeff City?

A. Uh --

Q. All right, let me get -- Inside there is always a structure, there's a social structure inside, right? Where did Bradley come out in that social structure?

A. I don't know what Bradley, Bradley, he's a -- He was locked up, they kept him locked up, I think that's the guy they kep locked up quite a bit. I believe he was locked up when I escaped.

LANE: You mean solitary?

A. Yeah, he wasn't doing anything. You don't have to do anything to be locked up --

EVANS: Yeah, but where was he at in the structure, I mean how did he rate?

A. Well, I don't think he was an informer if that's what you mean.

Q. No, I mean was he top con or was he running the business, or did he have connections, or --

A. I really don't know what, what his business was, I never did ask him, but I know who you mean. I know, of everyone in the prison I probably know 15 or 20 on sight, and if you mentioned their name I would recall because they'd been there a long time. And Bradley I recall him mostly because he escaped and he swam the river and they shot over his head or something and forced him back to the walls, but that's the most I, I recall him, and he lived close to my relatives or something.

Q. All right, do you want to give us an idea of what the structure is inside, or what the structure was inside of Jeff City as you know it? Who was dealing, uh --

A. The individual?

Q. Yeah.

A. No, I don't know anyone about - on the, you talking about narcotics or gambling?

Q. Yeah, narcotics. Who was, who handled the gambling?

A. Well--

Q. Who handled the favors, who could get you jobs, who could get you details?

A. I don't think convicts could have anything to do with jobs. They might -- I wouldn't be no money deal, in otherwards, if you wanted to --

Q. Favors?

A. Well, if you wanted to get a job a convict boss might go tell a foreman that, you know, get you a job, but there wouldn't be no money involved in it, you know, he just knew you. But on the narcotics, like I say, I'm, I'm 95 percent convinced that there was never any heroine or cocaine in the prison. But the pills, I guess, whoever got their hands on them were, you know, they bought them from them. Uh, of course, I guess someone might, you know, salt someone or some click might jump on some other local or something.

Q. All right. Who were the leaders of the clicks?

A. I really don't know about that, I don't know -- Now, you mentioned Bradley, he may have been but I don't have no recollection. But, I don't think, he was just, in Jeff City there was two groups, the St. Louis Group and the Kansas City Group, and there was no big mafia boss amongst them, they were just all friends and that was it.

Q. All right. Well, who was incharge of, who would, who was recognized as the head of the St. Louis Group?

A. I really couldn't say who, I don't think there was any certain individual there. Uh --

Q. Which group did you associate with?

A. Uh, both of them when it was my financial interest. But I never did, I never was involved in any bigtime financial--

Q. Had your brother John been in Jeff City?

A. No, Jerry was.

Q. Jerry was in Jeff City?

A. Yes.

Q. John had ever -- Had John been in Jeff City before you got there?

A. No, he hadn't, no.

Q. Did you run into anybody in Jeff City that knew your borther John?

A. Uh, no, John -- I don't know John too well myself. Uh, John was --

Q. John's your brother.

A. Yeah, he was in, he was in "Bernard" he never was in Jeff City. Jerry was in Jeff City for two years in 1955 or something for robbery. But John was in "Bernard" and that's a, from what I understand, it's an entirely different prison from Jeff City. Jeff City is more or less gangsters whereas Bernard is a bunch of different types of prisoners.

And John was in Bernard--

LEHNER: What do you mean by the difference? What is Bernard like?

A. Well, rustlers and things likethat, that's southern Illinois. People from Southern Illinois in there for stealing chickens and rustling cows and things. I think, I think John was in there for a long time for breaking out of jail and stealing a car, something he did from 1953 until 1960. And before that he was in some prison in Indianna. So, I don't know, but I know nobody in Bernard-, in Jeff City would of knew him unless when he got they knew him on the street where he was, I think he wrote from St. Louis somewhere.

EVANS: Were you protected inside?

A. Prison?

Q. Yeah.

A. Uh, no, I --

Q. I mean, when I say protected, I mean, you know when you go inside you belong to one group or another. If there are clicks in there you usually have to decide with one or the other? Were you ever confronted with that kind of a situation?

A. No, they don't -- They usually don't, I don't, I never been threatened anywhere. I knew people, usually it concerned whether you were an informant or not, the main thing.

EVANS: Right.

A. But I knew -- Well, first, first, after I was there about 18 months I attempted to escaped and they assumed if you are trying to get out you are not --

Q. You'll all right.

A. -trying to get out some other way. So I never, I never had any, much trouble with the convicts because I never was involved in any narcotics or the muggings or homosexual bits, so, that's usually most of the problems coming to that.

Q. All right. In that structure where would you place yourself? In a click, a leader of a click, a sub-leader or--

A. No, no, I just -- there's a lot of people in there that really are not in clicks, I never was, I knew people but I never was -- Well, you're talking about a click, talking about a gang that will catch some guy and work him over or something --

Q. Work him over, bang him, a number of things?

A. No. No I never was involved in any of that because usually that --

Q. All right. Who did you hang out with in the yard, when you went in the yard, who did you, which side of the yard did you sit on, which area did you usually gravitate?

A. Uh, I don't know. I was associated with two, or maybe seven or eight people in there I knew, but I, I don't like to give their names because --

Q. Yeah, all right. Which click did they belong to, which group did they belong to?

A. Uh, most of them were from St. Louis.

Q. All right--

LEHNER: Did you know a guard there by the name of Smitty?

A. I might know him if I seen his picture, because I probably knew all the, the guards there were more, they're not, they're more standoff. You know, you don't have as much association with guards there as you would here, this is a small place, but I can't remember Smith, no.

Q. What about Dude?

A. Dude? NO.

Q. Did you get money sent into the institution for you, while you were in Jeff City?

A. Very little.

Q. Who sent it in for you?

A. Probably Jerry, maybe John once or twice, that would of been it.

Q. What amounts would that of been?

A. Oh, very, very small.

Q. Like what?

A. During the seven year period?

Q. Yes.

A. It couldn't of been over a hundred, hundred dollars over the seven years. Because I never asked for any money, if I'd of asked for it it would of been different.

Q. How much money did you send out including these checks to the Pepper Stationery Company?

A. At most it must of been 200.

Q. Who visited you before you escaped?

A. Uh, it was John, uh, well it was one of my brothers that visited a couple of days before I escaped.

Q. Which one.

A. John or Jerry, I'm too positive now which one it was. It was, I believe it was John, I'm not certain.

Q. What happened during that meeting?

A. Uh, nothing.

Q. Did you tell him that you were going to come out?

A. No, I didn't tell him anything. That would of been illegal.

Q. Why not?

A. Uh, I don't know. I don't -- I can't remember all what I told him, but I mean they all knew, both Jerry and John knew that I was thinking about escaping. So, it wouldn't of been no revelation if I, if I would of mentioned something

about escaping. But there was no prearranged deal where he would be outside waiting in front of the prison and I'd jump out and jump in the car.

Q. Well you told us that he was not boy scout, he's been to a couple of prisons, didn't you want him to know that you'd be around so that he'd, you could get a little help on the outside, you'd been in for seven years, you needed some help?

A. Uh, well, the first thing I couldn't get involved with John because in St. Louis and the police all know me there. I had other people to go to anyway.

Q. Who'd you have to go to?

A. Well, uh, people I knew. Well, there was a, well Jerry and I, he's a long ways from St. Louis, he's in Chicago, I could go to him. I could of went to, in fact, I did go to one guy named Jack Goins and --

Q. How do you spell that?

A. He called him, this individual called himself a Catman or something, I don't know how you spell his last name, it's --

HAUSMAN: How, you pronounced it?

A. I knew him as a Catman.

LEHNER: Well, what was the last name?

HAUSMAN: What was the last name?

A. I think it was, I'm not positive, I think it is GOINS.

Q. GOY--

A. GOINS.

Q. GOINES?

A. I.

Q. NIS?

A. GO--

LANE: GOINS.

A. Goins, GOINS.

LEHNER: NS, oh, Goins.

And where is he from?

A. Uh, he knew my brother Jerry. He's a -- I knew him a short, I knew him for a while in 1959, when he was living up on LaFayette Street, I think in St. Louis. He's a burglar or something, I'm not positive.

HAUSMAN: Was he a fence also?

A. No, he was just a small time burglar, he's not a fence.

LEHNER: You were planning to ask him to help you?

A. Uh, when I escaped I did go to his place and he wasn't there or something, he was sick or something.

Q. Did you know -- Did he know that you were coming out?

A. Uh, no, I don't think I would of told him. I had his phone number and I knew where he lived at. But he didn't have no phone number but he had a place where you could get phone numbers.

Q. Did you see him when you were out?

A. Yes, once.

Q. When was that?

A. I had all this wrote down here. That was in, uh, that would of been sometime in, in July.

Q. Oh, al-, we'll get to it then chronologically.

A. Yes.

Q. Why don't you pick up from, from -- Do you have a question?

EVANS: Yeah.

How many times did John visit you when you were in Jeff City?

A. John Ray?

Q. Your brother.

A. Oh, very seldom. He came down there about - I usually get most of my visits from Jerry. I, I don't think John was down there over twice probably the whole time. But I think him and Jerry use the same pass or something, and, I think --

Q. So he was there once before you escaped and he was there once previously?

LANE: You just before this --

EVANS: Yeah, just before you escaped?

A. I'm not --

LANE: He wasn't sure whether John or Jerry.

A. I'm not -- I'm not a 100 percent sure about this because when they come in there they look something alike and I'm just, I'm, I think if I had to say I'd say it was John, but I'm, I wouldn't say a 100 percent it was.

EVANS: You -- I mean, you know the difference between

your brothers, you just can recall whether it was John or Jerry?

A. I don't recall a 100 percent. But I say if I had to take an oath one way or the other I'd say it was John who came down the last time.

LEHNER: Well, would it help you remember if we, if we reminded you that it was Jerry that saw you before the escape here from Brushy Mountain?

A. Well, John's in jail I know he couldn't be --

Q. I'm saying that if, you know, you escaped from Jefferson City, you escaped from Brushy Mountain. Now it was Jerry that saw you just before you escaped from here, isn't that right?

A. No, it wasn't just before, it was a --

Q. It was a week before wasn't it?

A. I don't know, a couple of weeks.

EVANS: It was a Friday.

A. Uh, Jerry was in Chicago when I escaped and I think when I escaped from Missouri or Jerry --

LEHNER: No, what I'm -- What I'm getting at is, you might of thought of the coincidence that Jerry was, had seen you just before you escaped from Jefferson City, and shortly before you escaped from here as opposed to John the first time and Jerry the second time, and I'm thinking about it in that context, do you recall who it was that saw you just before you escaped from Jeff City?

A. I would say it was John, but I wouldn't say, I wouldn't

say it 100 percent because it's been 10 years, I'd never give that too much thought.

LEHNER: Okay, we'll take it chronologically, we won't get into Goins now, why don't you tell us what happened after you got out of the bread truck?

A. Uh, I'll just make a note there, I mean, I can remember that very, fairly easy. But, the only thing I get mixed up in is when it's repetition, but -- So, I'll -- But I'll go ahead and read the notes.

When I crossed the highway, right across, directly across the highway from this road, I don't know if it's directly, but it's almost directly, there's a dirt road. I turned right on it going towards the river, that's the bridge I just crossed. And after I went down there a certain piece, I don't know just how far there was some, I came across several junked automobiles, but I stayed in them until dark, I got in the back. When it got dark I got out, went underneath the bridge and made my way to a railroad track. I don't know how far this is, it may be a half mile. And, then I walked down there, I know I didn't walk on the railroad track far but I came to one of these sections where it separates the railroad tracks, one from the other, and I crossed it. Now, it wasn't very far and then I got on, started walking then on the regular tracks. I walked about three days, I was walking in, I was walking at nights and sleeping days. Now, I think I should back up just a second. When I got out, when I escaped I took, I think I had, I had a radio, small transistor, I had between, say, 250 and \$300, I had a social security number and under the name of John Raynes,

and I'm pretty sure I had a phone number on this Jack Goins where I could contact him. Although I may have got that phone number later from Jerry but I don't think so.

LANE: Where did you get the radio?

A. In the prison commissary.

Q. Did it have any identification on it?

A. It had a -- It was a plastic radio and they put your name on it when you purchase it. But I'd sanded my name off with sandpaper.

Q. Was there any number on it?

A. Well, my prison number was on it, yes, but it's sanded off.

EVANS: When did you sand off your name?

A. Uh, probably the day before I escaped?

Q. Why?

A. Well if I -- I was thinking about taking it with me I know that, so I probably kept, if you were arrested on the outside or something, there just would be no point in having your number on there.

Q. Well why did you want to take your radio?

A. To listen to news broadcast, you know,--

Q. On the -- On the escape?

A. Yeah, up in the mountains or wherever I was at, yes.
To see if --

Q. Yeah, that was a portable, right?

A. Yeah, it was small and it was about the size of your Sony mic there.

Q. And then you sort of you attempted to erase the prison numbers?

A. I did erase it, yes, with sandpaper.

Q. In otherwards you erased it so that you couldn't see it?

A. The number?

Q. Yeah.

A. No, no one could see it. It was, it was sanded off, the number was. It was just put on by small engraving machine and then you could sand it off fairly easy, but if you got caught sanding it off in the prison why you could lost the radio plus you went to the hole.

Q. Right.

A. Approximately the third day out --

LANE: You have the radio, you have possession of the radio?

A. My brother has it.

Q. Your brother has it?

LEHNER: How did your brother get it?

A. The Memphis Police give him certain things back and kept certain things, and I told him to keep everything they gave him back. For instance, they give, they give my watch that - I'd been rolled in California for my old watch and I bought a new watch and anyway I had the new watch on when I was arrested and they give it to my brother and I told him to keep all that stuff, because it may be needed for evidence later on.

LANE: Does your brother have it now?

A. He says he has, yes.

LEHNER: The radio?

A. Yes.

Q. And the watch --

LANE: Is this --

LEHNER: And the watch that you say was taken from you in Los Angeles, in 1967?

A. Well, the one was taken from me and I got a new one, and the new one the Memphis Police give it to my brother Jerry Ray and then he give it to my father, so my father has the new watch.

Q. That's the new one, where did you buy the new one?

A. On a, a watch store on Hollywood Boulevard. That's the day after I got mugged.

Q. What other things did the Memphis police --

LANE: Look on the question of the Radio, if I can, I'm -- I'm going to try for arrange for Jerry Ray to surrender the radio to you so that it can be tested at least. If that is the radio which was found in the suitcase, which I presume it was, which was in the possession of the FBI on April 4th, 1968, I think it would be relevant to find out whether or not even though James says he sanded off the name and number whether it could be determined by any kind of a test.

LEHNER: We thank -- We thank you, if you would be able to get that to us Mr. Lane.

LANE: Okay, I'll see if I can get that.

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LEHNER: What -- What else did the Memphis Police Department give your brother?

A. Uh, I didn't find out until quite a bit later, he said they gave him the spare tire. And, it was probably flat. They took the floorboards and the, the things off of the floor covering, out of the Mustang, they give me floor coverings out of the Mustang.

Q. You mean in the front portion of the floor there are mats?

A. Yes, floor mats, yes.

Q. Okay.

A. And they give him some food items.

I think they give him a tire tool or something.

Q. A what?

A. A tire tool?

Q. What food items would that be?

A. I don't know what that would be.

But, I think there is a list somewhere, I think maybe I have a list. But it's kind of odd items, especially the floor mats.

Q. Do you have that list with you?

A. Uh, I got so much junk over there it's difficult for me to remember everything I've got, I could look in it, and I think I also wrote -- I think Jerry signed for the things he gave me. I know, I know there's a list somewhere around what he gave him.

Q. Has he maintained all these things as well as the

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radio?

A. Well, I didn't -- I didn't know he had that stuff untill later and he got rid of some of it before I could tell him to keep it.

Q. What did he get rid of?

A. Well I think he got rid of the tire and floor mats, and, but you know when I found out what he had I told him to keep the radio, whatever he had left and the watch. I don't know if he has anything else now, I imagine the food would of already been perished. So --

Q. Did he sell the floor mats and the radio?

I'm -- I'm sorry the floor mats and the, and the tire?

A. I think he said something about he threw them away or something. He may of give someone the tire or something, but --

Q. Who did he give the tire to?

A. I don't know, I questioned him about it, when I found out about it, but I didn't pay too much attention to him, but I just told him to keep whatever he had left and --

Q. What year did he give the tire away?

A. I assume it was right after he got it.

Q. Why did he give it to someone?

A. I suppose he would of, he wouldn't of had no use for it.

Q. Did he give it to someone without a car that he could use that tire?

A. I don't know, I didn't, I didn't even follow him very close on that.

Q. Was that tire a flat tire?

A. Yes.

Q. What was wrong with it?

A. I had a flat, I had a slow -- I had had a flat tire two or three days before that.

Q. Where was it flat, what portion of it was cut?

LANE: Excuse me. Two or three days before April the 4th?

A. Yeah, two or three days before April 4th.

LEHNER: What was the damage to that tire?

A. Well, it was just a slow leak is all the damage was.

Q. Where was the leak?

A. I don't know where it was at.

Q. And the person he gave it to that person patched it up or it wasn't when he gave it to him?

A. No, it wasn't patched up because I tried to get it patched up in a filling station a couple, in a service station a couple times. It wasn't patched up, and I imagine, but it was plum flat by, but it had a slow leak in it is what happened, just driving and it'd gradually go down, so --

Q. Well, when Jerry gave it away did it still have the slow leak in it or was it patched up?

A. Well, if it was patched up I didn't do and I'm certain Jerry didn't do it.

Q. Well, when did he tell you that he gave it away?

A. Well we just had the conversation and, and I don't know how come it come up and he started telling me -- We might of been talking about the Mustang, he started telling me what they gave him or something and I asked him what they gave him back and he started talking about all these crazy items that they gave him back; floor mats, spare tire, tire tools, and food. And I told him to, whatever he had to just keep what he had and, it might, you know, it might be evidence or whatever you call it.

Q. What year about was this that you had the conversation with Jerry?

A. That's been quite a while ago.

Q. Approximately?

A. But I've told him two or three times since that time to keep the radio so I know he's got it.

Q. But you know -- But you know at the time that you had spoke to him that he had already given away the tire?

A. Yes, I know he had given --

Q. About what year was that you started talking--

A. That must of been a year or so after, after he, after he had got it.

Q. Was it a friend of his that he gave it away to?

LANE: He says he doesn't know.

A. I don't know, I could him, but I can't, I can't -- It might of been his brother-in-law or someone.

Q. His brother-in-law had a Mustang?

A. No, I mean the tire might of fit --

LANE: Certainly a Mustang could use a tire which fits a Mustang.

A. Yes.

LEHNER: Well, I'm asking do you know what kind of car it was?

A. Yeah, I don't know, I, I don't even know who he give it to. The only thing I know is he said he gave some stuff away and he threw some stuff away. What he threw away and what he gave away I don't know.

Q. Well, do you think we can retrieve that tire?

A. You probably, you might get the rim. It depends on who he gave it to, it's been --

LANE: Well, why don't you, why don't you ask Jerry, I'm sure--

A. Well, I can -- I can get the watch back and the radio, but I don't know if I can get anything else back or not.

LANE: Well, I'll ask Jerry to see if he can locate everything that he got. Of course, he'll testify if you want to.

LEHNER: Did Jerry tell you why the Memphis Police gave him these items?

A. No, he, I think he -- To the best of my recollection he was in there to see me, I guess, and they asked him if he wanted some of my personal property and he went, he went ahead and took, he, he took it.

Q. Was this after you had gone to Nashville, you were already in, in Nashville Prison?

A. I think it was the same, same day. And then the next day, it might of been the next day.

Q. Okay, why don't you continue with what you were telling us?

A. Well on the third day I came across a trailer, it was probably a fishing cabin by, I think it was by the river, I'm not positive, and, I - I entered it. By that time I'd done ate up all the food, the candy bars and what few slices of bread. I entered -- I entered the fishing cabin and I may of got an item of clothing out of there, I think I didn't, but I don't know what, I don't recall what it was now. I also got some eggs out of there, about a dozen eggs, and a, and a half a fifth of wine. And then I drank, I mean, I recall drinking wine and going to sleep and waking up to the rain.

Two, a couple days later, it would of probably been about the fifth day or fourth day, I, it was raining again and I got under neath of a, I was on a track, by that time, the 4th or 5th day I was walking days and nights because I was out of the line of fire so to speak. And I got a, a, I got under a tussel I guess you would call it and built a fire and two indiividuals came along with a handcar and checked on a fire, I told them it was raining or something and I was drying off, and they went ahead and said it was all right.

Probably about the 5th day, the fourth or fifth day, I'm a, my shoes wore out and everything, and I made and illegal entry into a small store or something.

Q. Where was this, in what town?

A. I couldn't say.

I'd done discussed this with Mr. Lane here, the counsel, and he says just go into it.

What do you want me to do, go into the--

LANE: Well you mentioned the town.

A. It's a -- It's a small town probably the population wouldn't of been over 150. It was on the righthand side of the road going towards Kansas, towards San-, Kansas City, on the righthand side of the railroad tracks.

LEHNER: Well, how far from some point that we could get a --

A. From Kansas City? I can only speculate. I would say it was about 35 miles from the prison going toward Kansas City on the righthand side.

I think I got some food out of there --

Q. What was this, a store?

A. Yeah, I went through the back end of it, it was a small store, yes.

LANE: General Store?

A. Yes. I got some -- I think I got some food out of there and a pair of shoes and maybe a couple other items of clothing and that was it.

HAUSMAN: How much money had you taken out with you?

A. Did I take out of the prison?

Q. Yeah, before you left.

A. Somewhere between 250 and 300 I'd guess. I'd say

about 275. And, well anyway after I got out of the store I remember it was just about daylight.

EVANS: How much did you, how, how ere you able to accumulate that much money?

A. Over seven years?

Q. What was the -- What was the carrying money inside, I mean, what could you carry? How much could you carry?

A. You couldn't carry any inside, so --

Q. All right.

A. Uh, you had books inside, but there's a lot of green money in there, you --

Q. Yeah, I know, all right.

And what demominations were the bills?

A. Uh, they were, I think I had a couple of small ones and the rest of them were big ones because I had them all in my shoes.

Q. Yeah, big ones meaning? Hundreds, fifties?

A. Yeah, I think there were 50's. I remember I had a couple of small ones, a dollar or something in case I needed it. And the -- Then I think I had 20 or 30 cents in change.

Q. Go ahead.

A. Uh, well after I, after I made the entry into the, into the stores, I know it was about daylight when I came out and I believe it was either the next day or the day after that that I came to a city, where I could see a city, that was the first, the second city, the first city was where I

made the entry, the second one was, I could see it but I didn't want to go in there until dark. When it became dark I entered and I went to, I went to, uh-uh, a pool hall or something and got some, I think I got some coke or a can of beer and some sandwiches and went back down to the railroad tracks and ate those and sometime later I caught a train out of there, just the opposite of the direction of where I was coming.

EVANS: You caught a train, you mean a freight?

A. I don't know if it was freight, it, it seemed kind of odd, I don't, I'm sure whether it was a freight or a--

Q. Was it a work train or was it a passenger train?

A. No, it wasn't a passenger, but I don't think it was a freight either, because it wasn't quite long enough, and I think it had a passenger -- It was dark when I got on it, but it might of been some kind of a special or something.

Q. Where did you secrete, I mean, where did you ride on the train?

A. There was a coal car and, sort of a coal car and --

Q. Is that the coal car that we normally see in the back of the engine or, which coal car?

A. No, it was just a regular car, it wasn't nothing in it at all.

Q. Uh huh. How far removed was this from the engine?

A. Not too far, because if I remember correctly it wasn't, it didn't appear like a regular train or something, it appeared like some kind of a special, or maybe a half, you know you see some of these trains they have a passenger

on it and then they'll have a coal car or something on it.

Q. Well how did you catch this?

A. Well, when it slowed down, when it started out why I just, it was dark there at the tracks and I just jumped on it when it started running.

Q. Is this a chance thing or was this, had this been part of your plan?

A. No, no, it was just a chance thing. I was just -- I'd been there all day and I thought that would be a good place to catch a train or something.

Q. Why did you think that was a good place?

A. Well, it seemed a little bit bigger than the average yard for a small town and I assumed it would be trains coming through. Because I had an opportunity once before to catch a train but I didn't think I was far enough away from the prison, I thought maybe they'd be shaking them down. But, anyway, I got the train and I think I arrived in St. Louis about, it was dark, and I'm not positive just what time it was.

HAUSMAN: Excuse me.

Did you have any idea when you got on the train where it was going?

A. Well, it had to be going to St. Louis because the tracks just run two directions, east and west.

Q. No spurs where it could turn off and headed towards another city or another town?

A. Well, it could of but I don't think it would of.

I know I crossed these spurs once, but I think there were just short spurs that, in other words, they didn't go to another town, they'd just go to another track going the same direction.

Q. Well, did you know you had to get back to St. Louis to meet someone?

A. No, I was just trying to get away from the prison, that's the only thing I was trying to do. Uh-uh, I could of just as well went the other direction, it was no, there was no significance in going any direction, it was just putting as many distances between me and the prison as possible. But it would of been advantage in going to Kansas City because I'm not from Kansas City and they probably wouldn't of been looking in that area as much as they would in the other direction.

Q. So why did you go towards St. Louis? You said before--

A. Well, if --

Q. -that the St. Louis Police knew you.

A. Yeah, well if the train would of been going to Kansas City I'd of got on it in Kansas City. But, you have to take a certain amount of chances, so, I could of been there for a week waiting for a train to go to Kansas City, so, there's no, there's no significance to it. The main thing I wanted to do is -- Usually after three or four days they quite looking for you and then you, I could probably walk through Jeff City three or four days later if I'd went through there quick it'd been all right.

EVANS: So you rolled into St. Louis on a train?

A. That's correct.

Uh, this is when I'm, first went to the guy they call, the individual who called himself the Catman, Jack Goins, I believe his name was. He wasn't there and --

LEHNER: Where did you go to look for Goins?

A. He had a room up there on, not too far from my sister's house, I'm familiar with the neighborhood pretty good but I don't know, I think, I'm not for certain the name of it, it's, I think it's 11th Street, the name, the number of the street.

Q. 11th and where?

A. Just 11th.

Q. And what's the intersection?

A. It's a funny street, there's a main street going up and down there, I think it's a, I don't know the main street, but if I've got a map I can point it out real easy. there's a main street and then when you come off of the main street there's a little side street that comes around in a half U-turn, and then you go down about, about after you get around this U you go down about a block and Goins had a room in one block and my sister had a room in the other block.

EVANS: Where did your sister live?

A. She lived in the other block.

Q. What block was that?

A. I don't know what block it was. I think the address was 11 something, so Goins must of been 12 something.

Q. Well, what street? Eleven something, what street?

A. Just 11th Street is all I know.

Q. Eleven something, 11th Street.

A. Let me show you or draw you a diagram here.

Q. All right.

(Mr. Ray draws a diagram of the area).

A. Here's the main, here's the main street, it runs on an angle. I know this street as well as I'm sitting here but I can't think of it. Now there's a street that comes off --

LEHNER: Let me just put that, the main street that you are referring to so that we have a record of it.

A. I think it's a French name to it.

There's a street comes off here, it goes around like this. Here's a street, my sister lives here, and Goins, he lived down here somewhere, he lived on this block.

LEHNER: Now, do you know any of these other streets, the one that comes off the main street or the one near your sister or near Goins?

A. Well, I, I know, now Park Avenue sits down here about five or six blocks, I know that because I got arrested for robbing a supermarket down there.

LEHNER: Put an arrow in the direction of where you are pointing and put Park Avenue there, so --

A. All right.

Q. Where's 11th Street within this framework?

A. This might be 11th here.

EVANS: Okay, that's 11th Street.

HAUSMAN: She lives on 11th Street, just off 11th?

A. That would be on 11th. But St. Louis has got funny streets they, they circle around. Now, here you come off this street and you get on this one, now my sister's house is here and Goins' is here, and you mentioned Jim Bradley, his mother has got a tavern down here a little farther.

LEHNER: Why don't you put an arrow towards that and put his, "Riley's" Tavern?

A. Well, I don't like to write the name Bradley, I'll just put a tavern down here and --

Q. Who is, who's the owner of that tavern?

A. I think that's Bradley's mother.

Q. Bradley?

A. Yeah, Bradley's mother, yes. But I don't know her and I've never been in the tavern.

EVANS: In otherwards, Goins lived on the same side of the street that your sister lived on only he lived in the next block down?

A. I'm pretty sure he did, yes. I was up there once at night time.

Q. Okay. And that's a rooming house?

A. Yeah, he's a -- I think he had a room on the back, I think he had a room in the back somewhere on the first floor. It must be a rooming house because that's the only type place he ever stayed in.

Anyway, I went up there when I escaped, that night, I don't think he was there, he may have been in the hospital, because he was in and out of the hospital all the time.

Q. Was this, we are talking about the next day, we are talking about two days from the time you escaped or the third day or --

A. No, that would of been about the 6th day.

Q. This would of been the sixth day that you got to St. Louis?

A. Because that would of been that morning because it was the same day I was in Chicago, the same day I got to St. Louis.

Q. Okay.

A. So, I, I got out of this, St. Louis, as quick as possible. I got a cab and took me to E. St. Louis.

Q. All right. You went to Goins, right?

A. Yes.

Q. All right, what happened after you got to Goins?

A. Uh, I guess, he wasn't there, he was probably sick.

Q. All right.

A. Uh-- I took a cab to E. St. Louis, and from E. St. Louis I got me another cab, I know --

Q. And where did you catch the cab at?

A. In E. St. Louis?

Q. No, where did you cab at after, after you left Goins?

A. I caught one going down this street here but I don't know --

Q. You went back to main street?

A. Yeah, it's not main street, but that's the name of the street.

Q. Oh, but--

LEHNER: It's not the name of the street, but that is the main street in the area?

A. Yes.

Q. And it has a French name, you think?

A. It's right across, it's right close to the bridge.

Uh,--

EVANS: And you caught a cab from there? What cab, what kinda --

A. I don't know, it's pretty close to -- I walked down the street when I, when I didn't get him. I walked down this street here.

Q. Right.

A. And somewhere down there between there and the bridge I got a cab.

Q. What kind of cab?

A. I don't know.

LEHNER: Where would the bridge be in this diagram, which direction would the bridge be?

A. The bridge would be here.

Q. You know what type of cab it was?

A. No, I don't know what kind. He, I remember he said something about he was going off duty or something, I don't know even --

EVANS: What color was it?

A. I couldn't say, it's a --

Q. Was it a regular cab or was it a "For Hire" cab,

in otherwards, did it have a meter, no meter,--

A. I don't recall what --

Q. -or what, why did you recognize it as a cab?

A. I think he had a sign on it or something. Cabs, they all look the same.

Q. Okay, what was the fare do you recall?

A. I think he got, I think it was, it wasn't too much. I think it was, it was somewhere around \$2, a \$1.75 or \$2.25.

Q. Black driver or white driver?

A. I think he was white. I know he was old--, kind of a old fellow, he said something about he was, he was off duty or something, it was getting, it was -- it was just after, it was a little while after daylight, it wasn't too. Then when I got, I got to E. St. Louis and I got another cab, I went to Edwardsville, Illinois and --

Q. Why did you change cabs? Where did he take you in East St. Louis?

A. Uh, he dropped me off, I think it was, I'm too familiar with these names, I think it was around the Courthouse or around the Post Office over there in that general area. It's not really up town but it's around the, the business section.

Q. Yeah.

LEHNER: You took a cab all the way to Edwardsville?

A. Yes.

Q. How far is that?

A. It's quite a ways. It's about, I'd say it's 10

miles anyway, it might be more.

LEHNER: Are you sure it was a cab that you took Edwardsville?

A. I'm pos -- I'm almost positive. Because I didn't want to catch, I may have called about, you know, in St. Louis I may have called about the bus, making the schedule, and I didn't want to catch it in E. St. Louis because I'd have the police to deal with.

EVANS: All right, but you left Goins, you caught a cab, you went to E. St. Louis, all right.

A. Yes.

Q. What was the reason for going to E. St. Louis?

A. Well I wanted to catch a bus to Chicago from --

Q. From E. St. Louis?

A. No, from Edwardsville.

Q. Well, what was the reason for going to E. St. Louis?

A. Well, you got to go to E. St. Louis before you get to Edwardsville.

Q. Okay, and why didn't you just keep the same cab?

A. I don't know, he said something about when I got in that he was going off duty or something, but even if he wasn't going off I would of still got a cab in E. St. Louis because, you know, they could trace you or something from St. Louis to, you know, Edwardsville or something like that.

Q. All right. Did you see anybody in E. St. Louis at all?

A. No, it was early morning.

Q. Did you make any phone calls from E. St. Louis to

anyone?

A. No, I made one phone call, I think, from St. Louis to, I think I called E. St. Louis, I called the, I may have called the St. Louis Greyhound Bus Station trying to make arrangements to catch the bus. And, I think I asked them the Edwardsville, what time the bus left from Edwardsville, And they said, well, anyway it was early in the morning.

Q. Why Edwardsville--

LEHNER: This is a bus from Edwardsville that you are talking about?

A. Yes, from St.- to Chicago.

EVANS: Why not from St. Louis?

A. Well, I thought the police would be watching me, watch those things, and I'm known, I'm known, I'm know in St. Louis because I was arrested there.

Q. All right, what about, why not from E. St. Louis?

A. Well that was too close too, I didn't--

Q. Okay, so you made no calls in St. Louis other than to the Greyhound Bus Station?

A. Yeah, I called, I know I called the station but I don't know whether it was E. St. Louis or whether it was St. Louis. I know I called and asked about the schedule and that would be, would probably be it.

Q. Uh, huh. Did you call your sister?

A. No.

Q. Did you call John?

A. No. The fact is I don't think either one of them had

a phone number, neither did Goins as far as that goes.

HAUSMAN: Are you sure you took a cab to Edwardsville?

A. Yes, I know I did.

Q. Do you recall telling Huie that a friend drove you there?

A. Yes.

Q. Is that true?

A. If I told Huie that I had William Goins bit and all that stuff, yeah, I know I told Huie that, that a friend took me over there and I was thinking of Goins but if I would of told him who Goins was well then Goins would of been --

Q. What was Goins--

LEHNER: What does -- What does Goins have to do with the fact that you took, that you told him you took- that a friend took you to Edwardsville as opposed to a cab?

A. Well, I made this, I told Huie that he, injunction with the whole testimony I gave Huie, I did later see Goins and I just thought it would be best not to mention Goins at all, when I did see him.

Q. Well how does Goins fit into it, how do you protect Goins by telling Huie that you took a, that a friend too you rather than a cab took you to Edwardsville?

A. Well, I took, I used this in the whole context of the story, not just that one incident.

LANE: Why don't we --

A. I was going to have to tell Huie --

(Interruption for a second to switch tapes).

A. I was going to have to tell Huie latter on anyway that I had seen a friend, Goins or whoever it was in E. St. Louis, so, I just put it all in that, there is no logical reason for that, I could of just as well said, well, I got a cab and went to Edwardsville, instead of saying a friend too me, but --

HAUSMAN: Well, he could of checked that out though.

A. Who's that, Huie?

Q. Huie could of checked out whether a cab had taken a fare from E. St. Louis to Edwardsville.

A. I wasn't interested in Huie checking anything out. That was just money, you know, to raise money for trial with.

LEHNER: Did you tell Huie who the friend was?

A. No, I never did tell him who it was.

Q. So, what was the purpose in putting a friend into it as opposed to just saying a cab? Which is much, which is much less, gives much less chance of anybody being implicated with you?

A. Well, see, there wouldn't been no point in, I mean I could of put the cab. I don't have no logical reason for it. It's the same reason I told him I got some clothing off a friend. And if I hadn't of told him I got some clothing off a friend I would of had to told him I burglarized this store down here.

Q. That I could see --

A. Yes.

Q. -you want, you want to hide another crime. But why

do you want to inculcate a friend if all it was was a cab? I could see if you, if you actually had a friend who took you there, to lie and say, I took a cab.-

A. Yes.

Q. Because you don't want to implicate the friend, but if it really is a cab why implicate the friend and tell him that a friend took you?

A. There really is no logical reason for it, I just wrote it down for Huie, and I was thinking about the friend in the next sequence too, because soon or later I'm going to have to get to that part so I just, you know, just put it all in there.

Q. Do you recall telling us earlier that it was, that it was a friend that took you to Edwardsville?

A. Uh-uh, I don't know if I did or not. I don't think I did; did I?

HAUSMAN: I believe you did. And I believe you told us you can tell us who the person was also.

A. Well, I was that -- But I --

Q. How can you -- How can you promise to tell us who the person was if you are now telling us there was no person at all ever?

A. Well, there is a person, but it was, it's the individual that I just mentioned.

LEHNER: Who was it?

A. Huh?

Q. Who was it?

A. You mean the Goins? There was a friend that I was associated with.

Q. Did Goins take you to Edwardsville?

A. No, he didn't take me to Edwards, no.

HAUSMAN: Did John take you to Edwardsville?

A. No, he didn't me.

LEHNER: Who did?

A. A cab driver.

Q. Well, why did you promise to tell us who it was, if--

A. I promised --

Q. --if all it was was a cab driver?

A. See, you'll telling me what I testified, now, I'm not certain that I did testify to that. But I am testifying that Goins, I did meet him later on, I think it was July of the same year, and we made some arrangements to --

HAUSMAN: Was this cab driver a friend of your's, an associate of yours?

A. No.

Q. Did you, had you ever seen the cab driver before, the one who took you from E. St. Louis to Edwardsville?

A. I was just walking down the street, I was just walking down the street and I seen a cab driver come along and I waved him down.

Q. No, the one, now the one in E. St. Louis, the one that drove you to Edwardsville was he a former associate of yours?

A. No.

I told Huie that the guy lived in E. St. Louis, I assume the FBI was on my brothers, they was on Goins and everybody. So, I'm not going to tell Huie that the friend was in E. St. Louis, in St. Louis when in fact, you know, I'm not going to tell Huie the guy lived in St. Louis when he ---

HAUSMAN: Well, we're now talking about what you told us, you told us that a friend drove you from E. St. Louis to Edwardsville, and that wasn't true either now?

A. Well, I don't know. I wouldn't call him a friend, it was just a cab driver, I don't --

EVANS: Jerry -- I mean, James, listen, the American people are interested in your case, the Congress is interested in you case, your attorney, Deputy Chief Counsel, Assistant Chief Counsel, myself, Staff Counsel, we are all interested in what happened, all right.

HAUSMAN: The truth of what happened.

EVANS: The truth of what happened, okay. We are here to conduct an objective and thorough investigation, right, now I would think that you have an obligation to put it on the line, to tell us the truth as it happened, right?

A. Well, I'm going to have trouble getting these various names because this has nothing to do with the King case, and the only thing that cases me, if I don't get a trial the only thing it causes me is a lot of trouble. I men, I don't have no objections of telling you anything what I was doing on April the 4th or somewhere around that, in that

date, so, if we get going into all these various names of people that I may of knew in the penitentiary--

HAUSMAN: Tell us the truth of whether it was a cab driver or an associate.

EVANS: The American people are going through a great expense to hear your story, to hear your truth, the things that you have been saying; right? You -- You've said that you've been framed, all right, now I think it's an obligation upon you to make your case known to the people; right? Give us an opportunity to investigate it; right?

HAUSMAN: There are various elements to the story that you have been telling over the years that can be checked out in someways, we are seeking the truth, whether it involves you or it doesn't involve you, if you want any help from the Committee in terms of getting the truth out and possibly helping your own story, we have to know what the truth is of every aspect of it including names, Mr. Lehner told you before to extent possibly that it would never be brought out, but on little parts of your story like this you can't keep switching and making up stories each time we come down here.

A. Well, I think the best thing I can do is, is give you certain things that I did a certain, a certain time. In otherwards, I can tell you I was on, in other words, between Jeff City and the City. I can show you where maybe I made an illegal entry into a store. You know, in otherwards if I can't prove that I was between Jeff City and this town within six days I can tell you somewhere where I was at at that particular

time then you could check on that and say, well he must of been there because the place was robbed.

EVANS: No. James, you are sidestepping here, you're sidestepping, you --

HAUSMAN: Until December 2nd, 1977, your story has always been that a friend drove you from E. St. Louis to Edwardsville, and now you are telling us that a cab driver did it, why are you changing your story right now on this point?

A. Well, I, I think you are talking the Goins, the Goins individual?

Q. No, we are talking about what you told Huie, and you've told us that a friend who you said you would probably identify at some future time took you from E. St. Louis to Edwardsville, we are now sitting here today, you are telling us that you got out of one cab that took you from St. Louis to E. St. Louis, you hailed another cab who, a cab driver who you had no association with, and he drove you to Edwardsville. Is that truth, or are you telling us the truth when you said a friend did it?

RAY: Well, the cab driver is the truth about it. I can't -

Q. This is this truth, this is what you are telling me right now?

A. I'm, was I under oath when I told you that the other part of it?

LEHNER: You've not under oath now, either.

A. Well, I'd rather be under oath. Because I wrote all

this stuff down as, as the way I remember it. I've made a lot of mistakes in what I've told Huie and probably what I've told you the first time here, but, I'm not - I don't want to get under oath on something that happened 10 years ago and I've maybe gotten vague on something that was truth, myself, or actually wasn't true.

HAUSMAN: Rather you are under oath or not, the fact is, we want the truth. We're not going to --

A. Well as a matter of fact -- See, when I come in here and I'm not under oath and things, like I was to start with, I'm really not to, just a rambling conversation.

HAUSMAN: Jimmy, you don't have to worry about any kind of a conviction on whether it's a cab driver or a friend, I mean that's irrelevant to ultimate issue here. So, it pays for you to tell us the truth on even the little points, nobody is going to try to convict you of perjury on something like that now.

A. On these repetitious things, it's, it's very easy for me to get mixed up on them. Now on this Goins, I've, I've, I contacted him twice, I tried to contact him once, I know it would be a very simple thing for me to get one incident mixed up with the other because he did come in there at one time. But what I'm trying to do is get all this wrote down, but I can lay in the cell and get everything down and write, and read off to you, and then you can examine me on it. But --

LEHNER: Okay, well just --

A. But 10 years it's difficult for me to get all these things --

LEHNER: Why don't we take the lunch break, I think it's an appropriate time now. I just want, well, maybe I could just sit my thinking on the record. We don't expect over a year's time, from April of '67 and back past April of '68, through June of '68, to either know every detail and what you were wearing every day and every movement that you make, but by the same token there is much speculation and much theory as to different people aiding you or not aiding you, the conspiracy starting on day as the conspiracy starting on another date, no conspiracy, conspiracy, all these different speculation that they we are trying to put through us by coming up with the truth after this entire investigation. Now, the only reason we have an interest in a burglary of a store of a town of 150 is just to determine where you are, or who your contacts were, who contacted you the different days and whether someone else was part of a conspiracy and when that conspiracy started if a conspiracy took place. That's the only reason we are going into all these minute details. Not in order to try to trip you up in some kind of a perjury case, we, in fact we did not even swear you in, and we have no purpose in swearing you because we are not really interested in, in pinning you down for perjury purposes we are pin-, we want to pin you down for investigative purposes.

A. Well, I'd like to say --

EVANS: In addition to that also, if you were an innocent

dupe, in other words, if you were used by a person or persons, who you yourself may not know of, it's obvious that we need to know the true story so that we can even detect and investigate and find those persons.

A: Let me say one--

LANE: Why don't we take a break for lunch and talk about this later?

RAY: Let me say one other thing, I mean, you come down here a hundred times and I have a different testimony every time, I can't remember, but I can write this down and then give it to you and then you can examine me on or something like that, but I can't, I don't, you know, going down the railroad tracks and crossing bridges and all that stuff, I can't get it all--

LEHNER: One of the reasons why we have the question and answer technique is that obviously you can't memorize every detail and you can't - you can't give us 100 percent accuracy as to a full years activity. However, during the question and answer process we hope to jar you memory and we hope that you are using your best recollection and not trying to hide anything, for anything, any reason of trying to protect anyone else, but give us as best you recollect 100 percent accuracy as best you can, and that's all we can ask for. And if you do that, and studying whatever you have written in the past and use that to refresh your recollection, that's all we're asking. We are not expecting that every T to be crossed and I to be dotted, but we are expecting you to use your best efforts to get it as accurate, accurately as possible. So, why don't we take a lunch break now.

LEHNER: It's now 1:25, pm, December 2nd, 1977, this is the afternoon session and the same people are present who were here this morning. Well, we were --

LANE: Do you want to make reference to Exhibit 3?

LEHNER: When it comes back. It's being xeroxed now and we'll, I'll refer to it when we get it back.

You were telling us about the time that you took the cab from Edwards-, to Edwardsville; is that correct?

A. That's correct.

Q. And that was from E. St. Louis to Edwardsville?

A. Yes, that's correct.

Q. Why don't you pick it up from there if you would?

A. Uh, I'm not certain about the bus station. I think I may have paid the bus driver to go to Chicago. I have some recollection of the station might of been closed, but I'm not ready to swear on it yet. But, anyway, I did get -- I did get a bus and went to Chicago. I arrived there about probably one o'clock I just guess, and then I went, I'm going to start reading from this paper. I'll give you the correct address of where I went.

LANE: When did you prepare that document?

A. Just last night. Yesterday. It's just notes. I went to 2731 N. Sheffield Ave. and rented a room, they had a for se-, for rent sign.

LEHNER: How did you come about deciding to go to that Sheffield address?

A. I lived in that general area once before. I lived

on Sheffield, in fact, once before. I lived at 1900 Sheffield in 1952.

Q. What day did you start to reside at Sheffield?

A. It must of been several days later, it was probably April the 30th I would guess.

Q. And what's the Sheffield address?

A. 2731.

Q. Is that Sheffield Avenue?

A. North Sheffield.

Q. Avenue?

A. I don't say now, I think it's a street, but I just have Sheffield.

Q. And what's the apartment?

A. The number?

Q. Yes.

A. 2731.

Q. What's the apartment or room number?

A. I don't know it was in the back.

Q. First floor?

A. Yes. Basement I believe.

Q. And from the time that you escaped from Jeff City until that, as you think it was, April 30th when resided at North Sheffield, where had you slept during that interim?

A. From the time I escaped prison until I got to Jeff City?

Q. From the time you escaped Jeff City on the 23rd -- (Prison official from in the documents that were xeroxed).

LEHNER: From the time that you escaped from Jefferson City until you resided on April the 30th at North Sheffield, where had you slept?

A. Well, except for night night I'd, I had either slept in a, a long side of a road or, or just walking. But I usually, the first three or four days after I escaped from Missouri State Penitentiary I slept in the days, I slept in the daytime and walked at night. And the night before I made the entry into the General Store, I, there was a shack across the railroad track in the general area of the store.

Q. What day would that be?

A. That would probably be four or five days after the escape. I couldn't pin it down any closer than that.

Q. Was this the same town which was a population of about a 150 you say?

A. About a 150, yes.

Q. How did you know the population of the town?

A. I just guessed, it looked like a small town.

Q. Did you later learn the name of the town?

A. No, I didn't.

Q. And how did you come about the North Sheffield Street address, you told you had lived in the area before, but how did you come upon 2731?

A. I just walked down in the gen-- I just walked down the street, and, I'd, I a, I, you know, I saw the, saw the for rent sign. Now you mention 2731, I'm not sure that's the correct address. I know Sheffield's the correct address, but

it seems to me like -- I use to live at 1900 Sheffield or Sedwick I use to live on, 1900 Sedwick, that seems like to me it would be farther, farther north. But, so, I'm not a 100 percent per-, certain about this 2700, it may be 1731. Have you got a record of, do you know if that's the correct address or not?

Q. Let's leave it that you think it's either 1731 or 2731.

A. All right.

Q. And it's North Sheffield?

A. Yes, it's north, North Chicago, yes.

Q. When you lived in 1900 was that also North Sheffield?

A. Uh, I believe that was Sedwick, instead, Sedwick Street.

Q. What years was that?

A. Uh, that was 1950, '51 I suppose.

Q. Okay, you saw the sign for rent and this was April 30th and what happened, did you go into the building?

A. Yes.

Q. And what did you do when you were in the building?

A. I just asked them if they had any places for rent, and they said yes. And I believe I told them that I had been out of town or something and my luggage was in the train station and then they rented me a room for 12 or \$14 a week whatever it was.

Q. Who'd you deal with?

A. I believe it was a female.

Q. Did you pay in advance?

A. Yes, I'm almost, I'm almost certain I did, yes.

Q. Did you have anything with you, any possessions when you went in there.

A. I believe I told the lady that I had them in the bus station. I'm not positive but I think that's what I told her.

Q. Had you amassed anything by that time?

A. Clothing? No.

Q. Bundles, packages?

A. No, no.

Q. Possessions?

A. No, I didn't have any.

Q. Continue, what happened now?

A. Well, I think later on I did accumulate some clothing that, you know, in order to take something in to make it look good like I was just rooming. I think I got some clothing at various, used clothing.

And on May, May 3rd, 1967 I responded to an ad in the Chicago Tribune for a restaurant, restaurant help. The name of the restaurant was the Indian Trail Restaurant in Winnetka, Illinois. And I was hired there from, by the land -, by the proprietor. During the time I was employed there I also purchased a 1960 Chrysler for \$100. It was my intention to accumulate some identification. I also took a Driver's Test uner the name of John L. Raynes. But the, I did get a temporary permit, I never did get the, the

permanent driver's license. I also contacted the Canadian Embassy while I was there, and I think, I believe I wrote them a letter and they sent me, sent me a brochure on immigrating to Canada.

Q. When you left the prison you were planning to go to Canada, were you not?

A. Yes.

Q. Why was that?

A. To get out of the United States.

Q. And did you have any plans as to what you were going to do in Canada at the time the escaped?

A. Yes, I thought that maybe I could get a passport once I got to Canada and go to Brazil or some english speaking country.

Q. Did you have any contacts in mind that you were going to meet in Canada?

A. No, I thought -- I hadn't had any details but I thought there was a procedure where you could get a passport whereby you could leave the country, and I've read a case on an individual by the name of Byra-, Biral, I believe his name is. He went to, he went to Brazil on a forged passport from Canada.

Q. Continue please.

A. Well during the period that I was working at the restaurant and living in Chicago I saw my brother Jerry Ray not more than twice.

Q. Where?

.

A. Once on the dividing line between Chicago and Evansville, I think on Howard Street, that would of probably been the first time I saw him. I think I saw him again but I don' t recall which, what, it might be out in the area were he worked at. He worked in a type of club out there, in similar,proximity of where I was working.

HAUSMAN: Why did you meet on Howard Street? Was that a chance meeting or did you?

A. Yeah, I think we just meet, or I think I called him or something and asked him to meet me on the tavern on Howard Street.

EVANS: Did he know you were in the Chicago area?

A. Yes, after I called him he did.

Q. When did you, when was the first time you contacted him?

A. I don't know, I'm not certain, but it would of been fairly, fairly early after I arrived in Chicago, probably the first week.

Q. And you didn't see him until after you start working at the Indian Trial?

A. No, I don't believe because I was kind of busy the first few day, and on, I applied for that job just two or three days after I arrived there.

Q. All right. Speaking in timeframes, when was it that you let him know you were in Chicago, and then when was it that you saw him?

A. I, I, I would assume that it would be about, this

is my recollection that it would been about a week after I was there, after I got the job I probably, I think I called him up and asked him to, I probably asked him if the police was around there or something of that sort, and asked him to meet me in a certain place, I think the place was Howard Street.

I, it wasn't my intention, you know, to work there for a long period of time. While I was working there I did move to a different address about the last three weeks to get close to the, closer to the place of employment. I moved to 1648 W. Lunn Street. That's about, probably five miles closer to the Winnetka address.

Q. Let me have that address again, please.

A. Uh, 1648 West Lunn Street. I got this address out of the list of witnesses, and, the FBI was going to use against me. So I don't know if it's correct or not. But I know Lunn Street's correct, but if the F-, if the Government's case, I mean, that's their address it's not mine.

Q. Which witness did you find that, at that 1648 W. Lunn Street?

A. Well, I got the, I have the witness in my cell, I think I showed it to you the last time you were here, there's about three hundred on there. I don't remember the name. I know it's a female but I don't know her, I guess she's a clerk.

Q. Why did you move from No. Sheffield to W. Lunn Street?

A. Well, it's considerably closer to the place of employment.

Q. When did you move?

A. It must of been about, probably about a month after I moved into the Sheffield Street.

Q. Was there any other reason other than the fact that W. Lunn was closer to the place of employment?

A. No, there was no other reason.

Q. Who did you contact while you were at the North Sheffield address?

A. Other than the Canadian Embassy I can't think of anyone else that I contacted.

Q. Well, your brother Jerry where were you living when you first contacted him after the first time?

A. Well that would be the Sheffield or Sedwick Street, whatever it is, that's, I contacted him the first time from that address.

Q. How did you contact him, by phone?

A. Yes.

Q. And how long was that after you arrived at Edwardsville that you contacted him?

A. Well this is just recollection, I think it would be about a week at the most.

Q. And what was that conversation pertaining to?

A. I think I asked him to meet me somewhere, and I think I also asked him if he, if the police were around surveilling because I think they were, I understand in St.

Louis they were watching my brothers and sisters.

Q. And what did he say?

A. He said no. He said -- Later on he told me that the FBI came to his place and told him if they saw me to contact them and turn me in or something, but I don't think that was that time.

Q. That what?

A. I don't believe that was the first time, I think that happened two or three months later.

Q. And when you spoke to him on the phone did you arrange to meet with him?

A. Uh, yes.

Q. Where id dyou arrange to meet with him?

A. That would probably be the Howard Street. I know it's the, it's the street that divides Chicago from Evansville, Indiana- Evansville, Illinois.

Q. What happened when you met with Jerry?

A. Well we just went in the bar and talked for a while.

Q. What day about was that?

A. That would of probably been about a week after I, week after I checked in, I rented a room on Sheffield.

Q. And what did you two talk about?

A. I think he said something about how I got out of prison, I think I said I made a parole, but it was a joke, so, and I think we discussed, and I think I told him I was going to leave the United States when I got some money and things of that nature.

Q. Did he give you things of value, money and, or anything else?

A. Uh, no. He usually don't have too much money.

Q. Well, did, did you talk about money with him?

A. No, I didn't discuss money with him I was -- I probably just discussed getting identification, I was thinking, I had an identification problem at that time.

Q. How much money did you have in your possession at the time that you met with your brother Jerry?

A. It was somewhere between two and and three hundred. I would say it was at least two-fifty.

Q. This was the money that you had accumulated in prison you say?

A. Yes, that's correct.

Q. You kept it in the soles of your shoes?

A. Well, I did when I got out, after I got out why I, it wasn't soles, it had a place underneath the heel inside where you could scape it out and then move it back down and then --

Q. How did you get that high, those high demonination bills, the 50's that you told us about?

A. Oh, you can get about, some people had a considerable amount of green money in there, you could get, it wouldn't be no trouble in getting a hundred dollar bill.

Q. But you did not request money from the family after you came out when you didn't have any possessions at all and all you had was a couple hundred dollars?

A. Actually I didn't need any more and as far as, as I mentioned the family didn't have all that much money

anyway, \$250 is --

Q. Well, Carol had a business didn't she?

A. Uh, no, I don't believe she did. The paper was a sham, she wasn't running any, she was, I think she was employed by the school I believe it was.

Q. That paper company was always a sham?

A. It was a sham as far as the four checks, the three or four checks I mailed her it was. She didn't mail anything back.

Q. So, you did not request any money from the family is that what you are saying?

A. No, no.

Q. Continue.

EVANS: What identification did you get from Jerry?

A. From Jerry?

Q. Yeah.

A. None. The only identification I had when I left there was a social security number that my brother use 20 years before.

Q. Well, did you get a card, did you apply for a card?

A. Uh, yeah, later on I applied for a card under, under the number.

Q. Under that number?

A. Yes.

Q. Did you ever receive that card?

A. No, I don't I, I think I got a perm-- I think I got a temporary card and just typed that number in on it. But I

never, I don't recall ever getting a, a bonified card.

Q. And that was in the name of who? Which?

A. Rayns, John Rayns.

Q. John Rayns.

LEHNER: You had that all the time you were in, inside Jeff City, that social security card?

A. I got it off, I probably got it off him and Jerry some time because, because I know around the home there we use to have 15 or 20 different social security cards and you could just.

Q. Did you get it that, that day before the escape?

A. No, I wouldn't of got it the day before I escape, I'd of probably had it in there five or six years, I'm pretty sure of the number because I attempted to escape before that time.

Q. Did you ask Jerry to help you get a car?

A. No.

Q. Why not.

A. Well, I got the car on my own. I imagine I got the car not only going, go back and forth to work but, but to establish identification.

Q. I mean is it the fact that you don't want to get your brother involved in aiding an escapee that you are telling us that you didn't ask for any help?

A. No, I don't think he could be prosecuted now anyway because of the statute of limitations. But actually I

didn't, there was nothing he could do for me, because he couldn't apply for a driver's license or buy a car for me I had to do all that myself under my own name. And I didn't want to have too much association with him anyway because I assumed the police would be, you know, surveilling or at least they had some questions about me.

Q. When did you get the job at Indian Trails?

A. That was probably May the 3rd, I have it wrote down here, so, I know it was shortly after I got to Chicago.

Q. How did you pick on that place to apply for a job?

A. Well, the Tribune which has, the Chicago Tribune always has more what ads than anyone else, and I'd bought a Tribune and went down the list and it ended I got the job through the Tribune.

Q. And what name did you give them there?

A. John Rayns.

Q. And is that the same name you gave at Sheffield?

A. Yes.

Q. And is that the same name that you gave at the W. Lunn Street address?

A. Yes.

Q. Continue, what happened after you met with Jerry that first time, when did you meet him again?

A. I'm -- I'm almost positive I met him again, but I can't recall the circumstances of where it was at. I think

it was at, I think it was out somewhere in the vicinity where he, where he was employed at, I think that's where I met him, and I probably told him I was leaving and going out of the country or something. And I think that would of been close to the time that I quit work.

LEHNER: While you were, from the time you escaped until the time that you quit work at Indian Trails had you contacted you brother John?

A. No, he was in, he was in St. Louis I believe at that time.

Q. You hadn't contacted him from the time of the escape until you left the Indian Trails?

A. Uh, no. Uh, he was working in St. Louis. I had, somebody told me, I think it was Jerry that the police were sitting in front of his house or something so I didn't make any contact through there.

Q. What about your sister Carol?

A. Uh, no she had been in the same situation, she was in St. Louis too, I imagine the police would of been surrveilling her.

Q. What about a phone contact?

A. Uh, I'm not sure, now, I don't think any of them had phones, I'm not positive. I know John wouldn't have any. I know Goins I had to contact him through a tavern I believe it was. So I don't think anyone had a phone to to call them on.

Q. John was at the Grapevine at that time?

A. I don't know where he was at at that time. I think,

he was working on a construction gang or something.

Q. He didn't have the Grapevine then?

A. Well, I, I don't know, I didn't, I didn't keep too much in contact with Jack as I did with Jerry. I don't know if he had, had the, I guess he could tell you more about that than I could.

Q. Continue. When did you next meet Jerry after that first time?

A. I think it was after, in the neighborhood of where he worked at. But I think it would, it would of probably been close to the time that I was quitting, maybe even after I quit.

Q. What was the purpose of meeting that time?

A. Well, probably just telling, just a social visit and telling him I was probably quitting work and I was going to Canada or whatever it was.

Q. Continue.

A. Well we're getting in -- We're getting into days now and I can't, I can't account for day by day. But I'll --

Q. Well, were you at, were you at the Hotel Victoria while you were in that, after the time you started to live at the Sheffield?

A. No, the only two places I was, I was ever, the only two habitats or whatever you want to call it, I was ever at in Chicago during that period was the Lunn Street address and the Sheffield address, I was never in a hotel.

Q. Well, on April the 24th did you meet with John and Jerry at the Hotel Victoria?

A. On April 24th I was about 20 miles from Jeff City walking down the railroad track.

HAUSMAN: Were you ever in the Atlantic Motel in Chicago?

A. I don't even know where it is at.

LEHNER: Were you ever in the Hotel Victoria with either of your brothers?

A. No, I don't know where it's at either, either.

Q. You never been in the Hotel Victoria at all?

A. No, I don't know where it's at.

Q. Chicago, you ever heard of it?

A. I never heard of it except George McMillian mentioned it.

EVANS: Well, did you ever meet with your brothers, John and Jerry, in a hotel in Chicago?

A. No.

The only place I met with Jerry was at two different bars and he may of been in the Lunn Street address, I was getting to that, one night. And then I gave him the car, and that was it, I was never, I was never in any hotel with -

Q. When was he at the Lunn Street address?

A. Well, that would of been when I went to Qunicy, Illinois and then returned, after quitting the job at the Indial Trail restaurant.

LANE: Is it possible that the bars were in a hotel?

A. The bars we was in, no, no. It was no, I was in bars at the hotel I was at.

I think these addresses you are talking about are all

in, close to the near north side, and I remember in that area all the time I was on escape except coming through there when I first came to the Sheffield, you know, renting the room on the Sheffield.

Q. Where did you stay when you left the Lunn Street address?

A. Uh, I went to Quincy, Illinois then.

Q. Where'd you stay there?

A. Let's see, I've got it wrote down here. Well, I won't have to look, I stayed in, I was there about, well when I left, when I left the restaurant and quit I had a check coming and you couldn't get the check until they had to process it or something so I had them mail me the check to a post office box that I'd rented right across the street from the restaurant. And then I went to Quincy, Illinois, I had an aunt named "Mable Fuller" I was going to possibly contact her, plus I didn't have any heat on me in Quincy, Illinois, and, although I had lived there for years when I was young, so I went to Quincy. I must --

Let me, I better start reading this when I arrived there.

I think I must of arrived in Quincy around the 28th day of June I would guess, approximately 28th day of June. The hotels I stayed at I don't recall their names any more. But one of them was Second and Oak Street and the other one was on Third and Oak Street. I think I stayed two days in each one of them, and they are cheap motels, a \$1.50. And then I stayed in a , I think I

stayed in another hotel, I'm not positive of this now, I stayed in another hotel called the Victory-, the Victor Hotel on, that would be on about 8th street between Hampshire Street and Main Street.

Q. Why did you go to these places?

A. These hotels?

Well, they were inexpensive and I didn't have too much money. I was just waiting until I got the Chicago check, plus I was intending to see some of the relatives there and some people that I knew on the street.

Q. Well, where are these hotels located?

A. Well, one is located on the corner of Second and Oak and the other is Third and Oak. And the Victor, I, I think it's on Eighth, between New Hamp- or Hampshire Street and Main Street.

Q. And you stayed at these places after you left Lunn Street?

A. Uh, yes.

Q. Why did you leave Lunn Street?

A. Well, that's, that's after I terminated employment at the restaurant.

Q. Well, why did you leave there?

A. Why did I leave? Well, I was going to Canada after I got the last check.

Q. Well, why didn't you just stay at the Lunn Street until you went to Canada?

A. Well, I wanted to go to Quincy to see, see some

relatives, I was intending to see my aunt there, although I never did, plus see some other people, just hang around there until the check got, you know, I got the check back and then go on ahead back to Chicago and I could wait there just as well as I could wait anywhere else.

Q. Did you stay at the Lincoln Park Hotel?

A. No, I stayed there one time, but that's an expense hotel, but I know where it's at, and I stayed --

Q. Where is it?

A. It's jut the Park Hotel, it's not the Lincoln Park. But the Park Hotel is on, I'd say about four straight, Fourth and Hampshire probably or in that general vicinity. It sits on a corner, the Park Hotel does.

Q. When did you stay there?

A. 1954 I believe it was, I stayed there about a week.

HAUSMAN: When you were staying at either the Sheffield Street address or Lunn Street address did you ever receive any mail?

A. At the Sheffield address I received mail from the Canadian Embassy, I, that, I believe that was it.

Q. How many letters, just one, several times?

A. Probably not more than twice.

Q. Both of them the Canadian Embassy?

A. Pardon?

Q. Both times from the Canadian Embassy?

A. Yes, they both, that would of been the only mail I recieved unless, yes, that would of been it, yes.

Q. Whoelse knew you were staying?

A. I don't know if I told my brother or not? I doubt if I did.

LANE: Jerry;

A. Yes, Jerry. If I would of told him he would of been the only one that knew about it.

HAUSMAN: John wouldn't of known about it?

RAY: Uh, no.

Q. And had you contacted anybody else besides the Canadian Embassy and tell them, tell that person or institution where you were staying?

A. Well, probably the people that I was employed by wouldn't know about, of course, the driver's license people would knew about, professional people in other words, it wouldn't of been no relatives or friends.

Q. Which profession?

A. Well, if, I applied for a driver's license while I was in that place. And naturally I give the lady's address, Mrs. "Claymer", I believe her name was, the proprietor of the Indian Trail Restaurant, I told her where I was, where I was staying at. And I can't think of anyone else that I gave the address to.

Q. Had you looked up any old friends?

A. I didn't know any people in Chicago. Well, I knew a few people from years back but I didn't know, they were not, they were not, they were inside the law so I wouldn't of saw any of those.

LEHNER: What do you mean by that.

A. Well they're not, they weren't involved in anything illegal.

HAUSMAN: At that time neither were you, who worked in a restaurant, other than the fact that you were escaped, they wouldn't of known you were escaped, but you would of now had a legal job, right?

A. Yeah, but I was thinking different then, I suppose you would say, so I never did contact any of, any one that I knew, well I didn't know any that, anyone that well anyway. Are you talking about women or men, I didn't contact either one.

Q. Either?

A. Yeah, neither one, no.

LEHNER: You say you were thinking different, how were you thinking?

A. Well, I mean I wasn't thinking about staying there and permanently working and doing that cycle or routine, I was just thinking about working a couple of months and getting some identification and a few more dollars and catching a bus.

Q. Did you see your brother in the Cypress Inn?
Your brother Jerry?

A. Cypress? That could of been it if it's in that area of where he's working at. I know I seen him once out there, I'm almost positive now being that we've talked about. I saw him once in that area where, general area of where he worked at.

Q. And that was you say was the social visit you paid him?

A. That was probably, yeah that was just probably the visit with me telling him that I was leaving the country or something of that nature.

Q. Just, that's all that, that, that discussion entailed?

A. Yes.

Q. Did you ask for transportation?

A. I think I had transportation, I don't know if he had transportation or not. I had a -- At that time I had a Chrysler, I don't know, I don't even know if he had an automobile?

Q. Well, how -- The Chrysler was the first car you got after the escape is that right?

A. Yes.

Q. How did you get that?

A. I believe I got that out of the Tribune too.

Q. How much did you pay for it?

A. One hundred dollars.

Q. Where did you buy it?

A. I don't know, It was, it was in south Chicago, southwest Chicago, but I don't know where, what the -- I think now, I'm not positive about that. I know I went to south Chicago, Southwest Chicago, I went to buy an automobile, but -- I, I really don't know when I bought the Chrysler, I know I went several places until I found the one, until I found that one.

HAUSMAN: How long after you had started working did you go to try to buy a car?

A. I think I started looking for one almost as soon as, as soon as I went to work. But some of them are too expensive they wanted two or three hundred dollars for it and I didn't have that much, quite that much to spend on a car, on an automobile.

Q. So how long did it take before you finally bought one?

A. I don't know when I bought the Chrysler, I don't think it was too long, it probably wasn't over two or three weeks after I started working. But I know I went several places. I recall once going to Southwest Chicago for an ad when I, after I was up there about a week, but I don't believe that was, I don't think that was the Chrysler.

LEHNER: Did you buy the Chrysler from an individual or a dealer?

A. I just don't have any recollection about buying the Chrysler, I have recollection about selling it, but I can't recall much details about buying it.

Q. Okay, continue with your account.

A. Uh, well this is after I put the, I quit the Indian Trail Restaurant and went to Quincy, Illinois, and I gave you descriptions of the hotels where I stayed at. It was my intention of one the individuals I wanted to see was Ralph Davis, I knew him at Leavenworth, but he wasn't there or something. The fact is I think he died during that immediate period.

The only individual I did see there that I knew, I knew him from when I was eight or ten years old was Ted Crowley, he run, he ran a tavern on the, on Vermont between - on Fifth Street between Vermont and Hampshire.

Q. What day did you meet with Ted Crowley?

A. I didn't meet with him, I just went to the bar and I don't -- naturally I didn't tell him I was on escape from prison or anything, and he know'd me, he knew, he knew me off and on for years, so --

Q. He didn't apparently know that you were an escapee?

A. No, he wouldn't. He probably wouldn't. I wouldn't of told him anyway because it would put you in jeopardy.

Q. What did you and he discuss?

A. We didn't discuss much of anything, he just talked to me for a while and that was it. I think, I can't think of anyone else, unless John Shirt he may of been in there. He --

Q. John who?

A. A guy named John Shirt, but I think he --

Q. How do you spell that?

A. SHIR -- I can't, I'm not -- Shirt he died there some, sometime, it's a possibility that he died before I even got up there. But I have a recollection of seeing him but that might of been in 1959.

Q. What about Crowley, where is he now?

A. Now he still, he still runs the bar there in Quincy. It was a hotel there in 1959 when I was there but when I went back in '67 they'd tore the hotel down, that was over top of his

bar, I mean, there's nothing there but the bar.

Q. Continue, James.

A. Well I did intend to see my aunt while I was there but I never did do it. Her name was Mrs. Frank Fuller, she lived, she lived in - I can't recall her address but I know where she lives at.

Now during this time sometimes, like when I come from Chicago to Quincy or something and, well I was fairly short of money I'd instead of going and checking into a hotel I might just sleep in the car two or three hours and then the next day I'd, you know, go and check into a hotel. And, I know I did that several times during that period until I got to Montreal, Canada, I know I did that. I don't know how many times, it might, it'd probably account for seven or eight days. Uh, when I went back, I did go back to Chicago, I don't know just how many days, it may be 10 or 12 days that I stayed around in Quincy and I went back to Chicago, now, I'm not, I went out, I did get the check from the Post Office box, but I'm not certain if it was after the first time I went there or not. I know I -- I know I did stay in the Lunn Street address maybe one night possibly two but, now I think Jerry came to see me there one, once. Then when the check did come-- When the check did come I think I cashed it, you know, from-- Then from there I went to East St. Louis. I was going to possibly see some associates there, my relatives, and, on the way to East St. Louis I had car trouble it, it would heat up and then it wouldn't stop, it wouldn't start again, and it got so it would be impossible to get it started.

When I got to E. St. Louis it was almost gone so I took it to, I took it to a filling-, a service station and I sold it. I think that -- Now I'm just going on these dates by what I've picked up out of the Government's case. I think I sold it on July the 14th. Let's see, I think I sold it on July 14th and then, then I looked around for another one. I think I, I purchased another car on July the 15th, the one I purchd on July the 15th was in E. St. Louis on Main Street. It was a 1962 red Plymouth.

Q. And where were, where were you staying at the time that you purchased that car on July 15th?

A. I know one night I slept in the car and I don't have any clear recollections of - are you talking aobut that night?

Q. Yeah.

A. Well I'd probably, I'd probably - The night of the 14th I probably slept in the car.

Q. Do you remember staying in a motel in Indiannapolis?

A. Yeah, but that -- that -- Yeah, I don't remember staying in a motel, I remember staying in a hotel but that would of been, that would of been, that would of been the same day I bought the red Plymouth. That would of probably been, that would of been July the 15th.

Q. What, what hotel or motel was it?

A. In a, in Indiannapolis?

Q. Yes.

A. I don't recall the name of it.

Q. Where was it located?

A. I don't recall that either.

Q. How did you come upon it?

A. It was just kind of a run down place, I just checked into it.

Q. Do you have a reco--, a recollection of what it was like?

A. No. Just a small, it wasn't too busy, a brick building, it was a red brick is the only thing I could, I don't have no clear recollection of it.

Q. It was a red brick. Was it a motel or a hotel?

A. No, I know it was hotel because I usually give them false names when I go in a hotel.

Q. What name did you use there?

A. I don't recall.

Q. Was it Rayns?

A. No, I don't - I don't -- Of all the times I checked into hotels I don't recall using the correct name except maybe Quincy I used the correct name there, I'm not positive there. Usually I just --

Q. You say correct, what do you mean by correct?

A. Well, the correct alias. In other words if I'm using the Rayns for an alias and I've got identification I'll use the correct one. But usually if I stay in a place three or four days I'll use the correct, the correct alias, what I got identification under. On the other hand if I'm just staying there one night I'll just give them a bogus.

Q. Uh, what--

LANE: Can I ask, What kind of luggage did you have James?

A. Uh, not too much at that time, it was either --

Q. Did you have a suitcase?

A. I have some recollection of having one, but I think it was one of these false kinds, but I didn't have too much, too much- well, I didn't have a lot of luggage or anything because I was more or less interested in money and identification.

LEHNER: How did you come upon your last pay check from the Indian Trail?

A. I got it at the post office.

Q. How did it -- How did it come about that it was sent to you?

A. I think when I quit, when stopped employment I wrote the lady a letter and told her I had to go to, I was getting a new job on a boat or something. And I asked if she could forward the checks to a, to the post office. I knew you couldn't get no, I knew you couldn't get your check when you quit because you had to wait a week or 10 days or something, so--

Q. What post office did you have them deliver it to?

A. It was right across the street from the street from the Indian Trail, from the restaurant.

Q. So, you went there to, to Winnetka to pick it up?

A. Yes. See, you have to have identification to rent these post office boxes and when I went in there I had some

problem with it. And, I told the Post Office, the Post Master I was working across the street. So, he took that into consideration and rented me the box.

Q. When did you decide you were going to Canada?

A. Oh, about 1959 I guess.

Q. Well, you first went in in 1960.

A. Yeah, but I'd been to Canada in 1959 and it was my intention to stay there that time but I had trouble finding employment so I never --

Q. After you picked up the check in Winnetka did you go back to St. Louis?

A. Uh, E. St. Louis, yes.

Q. Why'd you go there if you were, if you had already decided to go to Canada?

A. I would intend to see some of my relatives down there but I never did see them but I did see a, this friend I mentioned to you, I was going to --

Q. Which one is this now?

A. Goins.

Q. When did you see Goins?

A. I must of seen him, uh-uh, let's see, I got there the 14th. I seen, I saw him the 15th.

Q. The same day you bought the car?

A. Let's see, I bought the car the 15th. Let's see, the 14-- I'm trying, see, when I came in, see the 14th that's when I came from Chicago. See, I'm, I'm getting these days confused because I sold the one car and I can't --

Q. When did you sell the Chrysler?

A. I can't think of what day I sold it. I think I sold it, I don't know when I sold it, that's, that's the problem there, I can't figure out what day I sold the Chrysler. I think it was the 14th- I must of, I - I- I would of had to of done all that stuff on the, on the 15th because I got in there late on the 14th. So I'm pos -- I must of saw Goins on the 15th and sold the Chrysler, I think I sold the Chrysler that morning and purchased the, purchased the Plymouth later on about 12 or 1 o'clock.

Q. Where did you get the Plymouth?

A. I got it close to where I met Goins at. I got it on a, on a main street, it's in E. St. Louis but its, it's a main street that connects a, it connects E. St. Louis and Bellville, Illinois.

Q. Is that a used car place that you bought the car?

A. Yes.

Q. How much did you pay for it?

A. I think a 100, a100- \$195.

Q. How much did you get for the Chrysler?

A. I think 50.

Q. The same place, you trade it in?

A. No, I didn't trade it in. I took the Chrysler, I took the Chrysler, I had trouble selling it. I took it to several diferent places. I think where I finally sold it at was the service station, uh, well it was a service station but I don't know where it's at. It's somewhere in that, not too far from, maybe two or three miles from where

I purchased it at. Because I know I went several places and tried to, trying to sell it and nobody you know wanted to purchase. And I think the guy that finally, finally did purchase one for junk or something of that nature.

Q. Why did you want to get rid of the Chrysler and get the Plymouth?

A. Well, it wouldn't, it wouldn't -- It wouldn't start after you, it, you drove it for a hour. If you stopped it would take you four or five hours to get it started, so I don't know what's wrong with it.

Q. What, what correspondence did you get when you were in the Chicago area?

A. I can't recall. The only thing I can recall is just the, just the Canadian, the Canadian letter.

Q. What did the Canadian letter say?

A. It was kind of a brochure, I think I wrote to him or called him about, I think I talked to them and wrote to them about immigration and I think they sent me a brochure.

Q. When did you first purchase a gun?

A. Well I had one gave to me. I think the first one I purchased was in Birmingham probably.

Q. No, about the first one you received, that one that you were given?

A. I got that off of Goins.

Q. When did you get that?

A. I must of got that July the 15th because I called him up over there. I called him, I think I called, I don't

think he had a phone in his home, I think I called him through a tavern. I don't know what tavern it was, I had his number. And, he came over to E. St. Louis, I had him, I met him in a tavern not too far from where I purchased the car at. And, I think he had someone with him because he couldn't drive or anything.

Q. He had some what?

A. I think he had someone with him because he couldn't drive.

Q. Was it a male or female?

A. I think it was a male although I didn't see it, I'm pretty sure it was a male, and I think he we went to Madison, Illinois and got a .38.

Q. How did he get it, you know?

A. I think he got it off a fence.

Q. And he sold you the .38?

A. No.

Q. He gave it to you?

A. He gave it to me.

Q. Did he give you ammunition with it?

A. No, I don't recall him giving me any ammunition, I think, I think I got some ammunition on my own, I don't, I don't recall --

Q. When he gave it to you did it have any ammunition in it?

A. No, I'm pretty, I'm almost positive it didn't. I think I had, I purchase some somewheres.

Q. Was it a revolver?

A. Yes.

Q. How many shots did it hold?

A. I think it was five or six, but, I think it was five, yes.

Q. What was your purpose in asking for a gun from Goins?

A. Well, I, I didn't have too much money, especially after buying the other car and I assumed I was going to have to rob somebody sooner or later, or --

Q. And how did you know Goins?

A. I knew him from 1959 I think. I knew him as the Catman or something like that.

Q. You mean a burglar?

A. Yes.

Q. Where is he now?

A. I think he's dead.

Q. And when did he die?

A. I don't know.

Q. Did he die within recent years?

A. Uh, I don't know just when he died. He, uh, he's involved in my brother's bank robbery trial or something.

Q. How was he involved?

A. He was a witness at the scene or something. I don't think it's against my brother. My brother was never accused of robbing anything. He was accused of using these, aiding and abetting someone.

Q. Well, wasn't he accused of driving the getaway car?

A. I think that was a bum wrap. He was accused of, they was trying to get him to testify against me and so they railroaded him on that.

Q. I was just saying what he was accused of, not, not whether it was a bum wrap or not, but what was he accused of.

A. I think he was accused of picking up someone who was drivin-- I think either picking, yeah picking up someone and taking them to this tavern or something that robbed the bank. I think that's Mathew Racey".

Q. Did Goins testimony mention your brother John?

A. I don't know the details, I think it's indirectly or something. I think Goins -- I think what happened is Goins testified against someone else and someone else knew my brother John, I think that's how it come out.

Q. So, you have no love for Goins for what he did in the case involving your brother John, right?

A. Well, he never did do anything to me and I'm not certain of what he did to my brother John. But I know of something indirectly that he did to him, but I can't, I don't know the details.

Q. What was the reason for not telling us early in the year that it was Goins since he had testified in your brother John's case and he's dead, what's the purpose of not telling us that before?

A. Well, it was my, it was my intention not to mention any names of any individuals if didn't really have to. So it was no, there was no strong reason for it. But I guess

he's give statements to the FBI about my association with him, I don't know. I assumed he did.

Q. Despite that, despite you knowing that you did not want to give his name even though you knew he was dead?

A. Well, now that doesn't have anything to do with what I'm testified to. I mean I wouldn't testify against an informer or anyone else.

Q. You are not testifying against a man if he's dead.

A. Well, I mean, there's a -- I can't explain to about this testifying against someone. It's a certain, I just have certain inhibitions against bringing peoples name into things if they're not, you know, involved in anything especially about the King case.

Q. well, what I'm getting at Mr. Ray is this, you are saying now it was Goins. You were reluctant to say anybody early in the year, and part --

LANE: What -- What was answer before? What was he asked?

HAUSMAN: Who gave him the gun?

LEHNER: Who gave him the gun? yeah.

And part of what we are trying to find out is whether or not, for instance, this is the truth. It would seem that early in the year you have no reason not to mention his name if in fact Goins was the one that gave you the gun because of the fact that you knew he testified against your brother or in your brother's trial. You knew he had informed the FBI about you, and you knew he was dead. That's why I'm asking you questions to determine whether or not when you are now

telling us that it was Goins that it's truth. Because it would seem that you would have no reason not to mention his name earlier.

A. I think it would be a process of elimination, of who I, who I associated with. My association has been very limited on these various brothers and sisters and friends. The people I knew out there: Jerry Ray, John Ray; Carol, I don't even know her brother-in-law I wouldn't know him if I saw him; and Goins and the other guy he's a, well the other guy's dead too, Shorty Owens; and the other guy is in the penitentiary. So, I really just had about six people who asked any, any type of assistance of, and I wouldn't go to my relatives, so -- I mean this has been 10 years, it's not my fault that everybody is dead after 10 years. It's, you know, if the Government was interested in all this they would of tried this case 10 years ago and they would of had all these names. So, I don't want them to come tell me, well, you -- now all these people are dead so it's your fault.

Q. I'm not talking about 10 years, I'm talking about earlier this year why, why you didn't tell it to us. And I'm just using this, I'm questioning you about it because I'm trying to determine whether or not what you are telling is the truth?

LANE: Bob--

A. I think --

LANE: Let me just say, you may not agree with his position,

but I think it's pretty clear he doesn't want to mention any names of anybody, whether they are informants or whether they are dead or anything else.

LEHNER: I understand that. But --

LANE: His position-- His position has been, and it's been since I've known him since last August, which is a year and a half, that he will provide information and he still wants you to investigate and find out what the facts are, but he is not going to point the finger directly at anybody.

LEHNER: I understand what you are saying --

LANE: And now -- And now, I've urged him to make, to let you know everything, I just think that is the best thing, I have confidence now that I've talked with him and more, frankly since I've talked to other witnesses--

RAY: Well, he says --

LANE: -and I've said to him that I just think that you ought to tell everything you know to the Select Committee, everybody's name, and sign all the waivers because I believe that, and I think it would be the best thing for you. And it may be because of that that he will be a little more forthcoming.

LEHNER: Well, I -- I appreciate what you are saying and we do appreciate the fact of your, your advice to him. All I am trying to relate to Mr. Ray is that because you said something we are not going to say that it's truth or not the truth, we are going to try to investigate everything you tell us.

LANE: Sure.

LEHNER: And I'm trying to state to you or find out from you, your reasons for not revealing it at an earlier date. For instance, if, it's obvious that if someone wants to tell a lie and not, not name someone who, who had contact with him in the past, but once named someone who will not be able to be checked out, he'll name a dead person, and then it's very difficult to check that out.

LANE: By that same logic Bob you could of give him this dead person's name the first time you asked him about it.

LEHNER: True, that's--

LANE: There's really no logic for him doing that, earlier.

LEHNER: That's -- That's ri --- That's right, that's my very point that if earlier when he knew he was dead he could of given us that name, but he didn't.

LANE: But he didn't.

LEHNER: And it might be, it might be, one - once scenario might be that it was someone else he had in mind and now when, when he is allegedly cooperating and and giving us everything fully, he has decided to give us a dead person's name when he could of given us the same dead person's name earlier and not in anyway implicate someone who could be involved in the crime, and that's--

LANE: Sure that's possible, that's possible.

LEHNER: I'm not say-- I'm not now saying whether it is true or not ture, I'm -

LANE: Yes.

LEHNER: I'm trying to determine what was Mr. Ray's state

of mind at an earlier time when he withheld the name of the dead person, that's all I'm asking.

LANE: It's quite ture that he could of given you another name or given you this name before, but to tell you this name before, it's not an indication that he's making it up now because he's thought about this for 10 years, and he could -- He's not just come this moment to say Goins was the person, he could of said that the last time you talked to him. But there's really no logical saying now that he's giving you the name, that he's made up the name, he could of made it up the last time.

LEHNER: The only logic is is that he can now be under the guise of fully cooperatiing and tell us things that we cannot corfoborate. So, that - that - that is what I'm trying to get his theory, his reasoning as to why he did not, you know, and you've given my your analysis of why it's possible but I want to get his state of mind --

LANE: I'm just repeating -- I'm jsut repeating what he said, he doesn't like to give any names, he has, in his words, he inhabitions about naming anybody for anybody.

I know that to be true based upon my own questions. But to tell you, to give you a lot of information, that is until now, he's given me a lot of information but not named any names and he said just go check it out and you'll find out yourself what it is, basically I guess he's done that with you also, and now I think he'll be more forthcoming. But I think you should be happy that it is more forcoming

because it is going to be easier to check out when he gives you some of that because ---

RAY: I think I -- During -- During the lunch period I mentioned to him about these names and he's going to talk to them and if they, if it's all right with them why I'll go ahead, it's two of them--

LANE: That's about people, one and two.

RAY: If they want to --

EVANS: Yeah, okay.

RAY: He's got them I don't --

EVANS: Why did Goins give you the gun?

A. I asked him for it.

Q. I mean Goins and you were tight enough so that if you just asked him he'd give you the gun?

A. I wasn't real tight with him. I went on one burglary with him, but I was -- He knew my relatives for years and he'd been in the penitentiary with my relatives, and --

Q. Well, did he receive any compensation for giving you the gun, to your know - to your knowledge?

A. No, I - I told him that I was sort of money and he, he got a pension or something and he got, he, I think he went to Madison, Illinois and got the pistol, I didn't -- I know -

LANE: Jimmy did you have any information which can be checked out to indicate, to support the statement that Goins gave you the gun?

A. He said he went to Madison, Illinois and got it from a fence, so -- Madison is a small town so I don't think

it would be too much trouble of finding a fence.

Q. Did you ask him what it set him back, did you ask him what it cost him?

A. No, I didn't ask him.

Q. How much money did you have-

A. At that time?

Q. -when you got the gun. Yeah.

A. Not very much. I got it wrote down somewhere, but it's very, very small amount, I don't think it was over --

Q. Well, how much did you leave the Indian Trail with? After you got the last check and cashed it what did you have?

A. I got it all wrote down but I don't know, it was a small amount. It was -- I think --

Q. Small amount?

A. I cleared -- I think at the Indian Trail Restaurant I cleared about 700 dollars after taxes and everything. And, I think when I left E. St. Louis I don't think I had a little over, after I purchased the Plymouth I had probably \$250 I'd say. Somewhere in that area of 250.

Q. In otherwards when you left the E. St. Louis area on your way to where?

A. Uh, Uh, Toronto.

Q. Okay, you had \$250?

A. Somewhere around there yes.

Q. And why did you quit the Indian Trail Restaurant?

A. To go to, to Canada.

Q. Okay.

A. I would of been alright if I hadn't of had the problem with the car. That was the, that was the problem.

Q. While you were in the E. St. Louis area did you participate in any crime, any type crimes at all?

A. Not in E. St. Louis, no.

Q. In E. St. Louis and in that area?

A. No.

Q. Well did you participate in any crime between the time you left Indian Trail and the time you arrived in Montreal, Canada?

A. No.

LANE: You're not referring to something like receiving a possibly stolen pistol are you?

EVANS: No, no.

LANE: You mean a robbery --

EVANS: In a robbery, burglaries --

LEHNER: Other than what he's told us -- We are talking about other than what he's told us. He told us about the pistol and he's told us about a burglary --

LANE: Or false identification --

LEHENR: A burglary --

RAY: See, my --

LEHNER: -into a place after the escape which is, which

LANE: But's that's not after --

LEHNER: -is prior to the Indian Trail.

RAY: See, I told you the last time I didn't commit any crimes, you know, when I escaped until I got to Canada. But

actually probably I committed 20 or 30 crimes of trespassing on a railroad to breaking into things.

EVANS: No, no.

RAY: But I'm talking about the insignificant crimes where the necessity --

EVANS: Yeah, that's what we are making reference.

LEHNER: We are talking about crimes in which you gained money or goods.

RAY: In excess of --

LEHNER: Not trespassing , no.

RAY: - -2 or three hundred dollars, something like. Well, I mean everything is a crime except breathing but I'm talking about significant crimes.

LEHNER: We're talking about-- We're now dealing with the financial--

RAY: Yeah, supermarkets and things.

LEHNER: We are talking about finances now.

RAY: Yeah.

LEHNER: So we are talking about crimes in which you gained things of value?

A. No, there wasn't anything like that.

LANE: Well that includes stolen, when you talk about some, stealing eggs and stealing clothing--

RAY: Yeah.

LANE: Were there more things like that, other instances?

RAY: No, eggs and clothing was the --

HAUSMAN: Getting back to the Indian Trails for minute, did you never have any friends or associates visit you there?

A. No.

Q. Nobody ever came into the Indian Trails to see you, to meet you, to speak to you?

A. No one. No one called there.

I may of gotten one --

LEHNER: You didn't receive any phone calls there?

A. I possible called one from Jerry but I don't recall it. But that would be speculation. But I know no one came there to visit me or anything of that nature.

HAUSMAN: Well, if Jerry called you there he would of had to of known where you were working?

A. He possibly did, but I don't - I don't recall that. If he did I called him up on the phone and told him where I was working at or something like that, I could of very well called him on the phone and said, look I'm working in a certain restaurant, which I probably did and if, if I was working, and I may of told him when I first met him in the tavern there on Howard street that I was working in a certain restaurant, which that, that's very - very possible that I did tell him that.

Q. All right. Besides Jerry whoelse may of called you there?

A. No one. No one, nobody called me.

LANE: At the Indian Trails Restaurant were there any black employees?

A. Yes, there were.

Q. What was your relationship with the black employees?

A. The same as the other ones. They were mostly, actually they were mostly minority employess in there. Except for waitresses they were all Philipppianos or blacks.

LEHNER: Did you receive a phone call while in the, at Indian Trails where you were agitated, where you had some emotional reaction to the phone call?

A. No.

Q. You've heard that there is a report about that haven't you?

A. Uh, I think someone said that, I'm not positive who it is now, but there was, that was no substance.

LANE: What is this source of that incident? Is that published?

LEHNER: It's in one of the-

HAUSMAN: One of the books.

LEHNER: One of the books Mr. Lane.

What about the, Mr. Jack "Gaudrin", do you have any contacts with him?

A. Gaudrin, I don't recall that name.

Q. What about J D. Dailey?

A. J. D. Dailey, no, is that John Dailey?

Q. Well, I know him as J. D. Dailey.

A. I knew, I knew -- I knew a John Dailey in Jeff City Prison, but it's an Italian/Irish, I don't anything more about him. I think later on he went to Atlanta or Leavenworth.

Q. What about James Carpenter?

A. Uh, the only Carpenter I know is, he was associated-- he was the son of my father's girlfriend, is that one, is that the one you're talking about, I don't know if there is a carpenter involved in there. But I, I know -- I know if that's the one in Jeff City, he was kind of a eccentric so I never did speak to him if that's the one you're talking about.

LEHNER: Well --

LANE: Bot, if you have some specific information about these people in addition to James saying, no, he doesn't remember, if you could provide some information maybe it would refresh his recollection, on any of these people.

A. If that's the Carpenter--

LEHNER: Well, I'm, I'm just seeing what Mr. Ray can tell us about this.

What about James Boyd?

A. James Boyd, I don't recall. I may recall him if I see him but I can't recall him.

Q. What about Jimmy Owens?

A. Yes, I know him, yes.

Q. Where do you know him from?

A. Uh, we committed the, if it's the same one we committed the robbery and, on Park Street where your, where I referred to a while ago.

Q. Did you have a contact with him after your escape from Jeff City?

A. No, I believe he, he moved to the Hawaiian Islands and I think he --

Q. To what Islands?

A. I believe he died in the Hawaiian Islands before I escaped.

Q. Now, what about the James Carpenter you had in mind, did you see him after your escape from Jeff City?

A. Now I don't even -- The only Carpenter I know is the one I mentioned a while ago and I've never-- This woman had two sons, one of them was in the penitentiary and one was on the street, and I never spoke to either, either one of them. The one who was in the penitentiary was eccentric, he never did talk to any one.

LANE: You say that his name was James?

A. His name was Carpenter is all I know. I don't know what his first name was.

LEHNER: What about the man you know as John Dailey did you see him since you escaped from Jeff City?

A. Uh, no, I never did see him after Jeff City.

Q. What about James Boyd?

A. I don't know who he is, I never, I never heard of that name.

Did you say James Dailey?

LANE: John Dailey.

LEHNER: I said J. D. Dailey and you John Dailey.

A. I said John, Yes.

EVANS: Did you go to St. Louis at all?

You were in E. St. Louis did you go to St. Louis?

A. No, I never -- No. I'm known by the police in St. Louis, I'm not known by E. St. Louis.

EVANS: Well you went --

A. No.

EVANS: to St. Louis once and --

RAY: Well, I went through there once but I didn't have to go back.

Q. All right. Did you meet your brother John in E. St. Louis?

A. No.

Q. Did you meet Jerry in E. St. Louis?

A. No.

Q. Did you meet any of those people that Bob named in, in E. St. Louis when you were there?

A. No.

LEHNER: Did you have dealings with any banks from the time that you left Jeff City before, up until the time you went to Canada?

A. I can't recall any dealings with any banks?

LANE: Does that include like cashing checking and anything?

LEHNER: Having anything to do with a bank?

A. I didn't, no, I didn't have enough money to have any, you know, to cash the checks.

LANE: Well, you got a check from Indian Trail?

LEHNER: Yeah, but I can't -- That's why I'm trying to think about where I cashed it at. Yeah, I did, I did have dealings with banks.

LEHNER: What banks and what dealings did you have?

A. Kenmore, I think it was. Kenmore Bank, I believe the Kenmore Bank and that's right in Winnetka, Illinois. I know I went down and cashed the check. I believe that was the, I believe that was the check that I got, the last check that I got.

Q. Do you have an account there?

A. No, I had trouble cashing it.

Q. You didn't have an account there?

A. No, I think that's what the trouble was.

Q. And it was made out to John Rayns?

A. Yes.

Q. And what did you use for identification to cash it?

A. I have some rcollection now of having the manager or something call the Indian Trail Restaurant, that might of been it.

Q. What other bank did you have any dealing with from your time escape from Jeff City to your arrival in Canada?

A. Well, that would of been it.

LANE: Did you, when you were paid, you were paid on a weekly basis by Indian Trail?

A. Yes.

Q. Was it generally cash or a check?

A. I think it was a check.

Q. So you had to chak that every week?

A. Yeah, I may of went to a bank but I just don't recall where I cashed it. I know I, I know I had trouble cashing one because, I think that was the last one, because, I don't

how come it was. I don't --

LEHNER: Did you ever buy traveler's checks before your arrival in Canada since your escape from Jeff City?

A. Uh, no, I can't recall buy any traveler checks.

Q. What about the Manufacturer's Bank and Trust Company in St. Louis, did you have any dealings with them especially pertaining to Traveler Checks as you recall?

A. No, I can't recall.

Q. Did you have any dealing with them at all?

A. I don't even know where that's at.

EVANS: Did you have any traveler's checks when you went to Canada?

A. No, I don't think I ever dealt in traveler checks. The fact is I can't recall ever having traveler checks.

LEHNER: Well, list the banks that you've had contacts with, say, since 1959.

RAY: List of contacts?

Q. Banks and the contacts?

A. I usually always deal in cash. I did have some contacts in, with a bank, before I went to Mexico in 1959-

Q. What bank?

A. -but I can't recall which one.

LANE: What city?

A. It'd be in Oklahoma probably.

Q. What kind of contact did you have with them there?

A. I think I bought some traveler checks there in 1959 when I went to Mexico. But, I can't, I can't recall the

details, but know, I knew while I was in Mexico I had some traveler checks but I can't recall the situation.

Q. All right, what other bank have you had dealings with, you told us about your cashing your check at Winnetka at the Kenmore.

A. From 1959 on down, that's it. I was in Jail and there was no.--

Q. Well, while you were in jail did you have any type of account somewhere? Money, money that you had in a bank account?

A. No, I didn't have any money.

Q. What other banks, and we're leave out for now the Birmingham Bank where you had a trust-, a safety-deposit box, what other banks did you have dealings with?

A. You mean from 1959 on down I can't think of any.

Q. To the present?

A. No, I can't think of any.

Q. Okay, why don't you continue then, with, with your account if you would.

A. Uh, Where'd you leave me off at in the, in a hotel in--

EVANS: You were in E. -- You were in E. St. Louis.

A. I told you --

EVANS: One question, one additional question.

In E. St. Louis did you see any of the relatives that you had gone there to see?

A. No one.

Q. You didn't see anybody?

A. I mentioned Goins, he might of told them that --

Q. Goins was the only one that you saw?

A. -I was going out of the country, and I also -- but I also told my brother Jerry the same thing so it wouldn't been -- I think Goins mentioned something about the police hanging around my relatives house or something because he lived right close to them.

HAUSMAN: You said before there were several family member and associates that you were there to see about, besides Goins, whoelse, did you go to see maybe--

A. I didn't catch the first part of your question.

Q. A little while ago you said that you were going to go that area to see some family members and other associates, besides Goins what other people would you have gone back ther to see, possibly you didn't see them because they weren't around but you wanted to see up there.

A. Uh, I don't really know who I wanted to see in East St. Louis. I didn't know too many people in that area. I knew quite a few people in the, in St.-, in Quincy, Illinois, people I knew for years, you know, on the street and inside. But I didn't know too many people in that area. If I said other associates that's probably an over statement because Owens was the only other one I knew and he was, I think he was an informer anyway, so I got 20 years and he got seven, so I would be, I wouldn't been looking for him.

Q. Which other people were there in Quincy that you knew once.

A. I knew considerable people in Quincy. Ted Crowley; Ralph Davis, of course he was dead; Junior Qualls and his dad; Betty Bradfield; there's various people in Quincy, Illinois.

Q. What were these people you would of looked up at that time?

A. I would of probably had if they would of been there but they were either going or, or died or were in Jail. The only one I knew there was, was Ted Crowley and a fellow called "Kurt Job" and that's the only two I, I recognized. I think the other Shirt I mentioned, I believe he was dead. I may, I may of got '67 mixed up with 1959.

HAUSMAN: Okay.

LEHNER: Where were you when the Alton Bank Robbery took place?

A. When was that?

Q. Have you heard of the Alton Bank Robbery?

A. I've read something about it in Huie's book, but I don't know --

Q. Other than hearing about it and, or reading about it in Huie's book you didn't care about the Alton Bank Robbery?

A. No, not, not outside of his book.

I think Percy Foreman mentioned it to me.

Q. Oh, in what context?

A. Huh?

Q. In what context?

A. Uh, after he thought we were going to get the guilty

plea he came up there with various, it must of been 40 or 50, 40 or 50 robberies, I think that was one of them. I think they were bank robberies and, let's see, Alton, Birmingham, E. St. Louis and Springfield, plus several supermarkets. And he told me it was kind of foolish, and he told me if we entered the guilty plea the State, the Government would want to know where I got the money at. So, I told him, I said I can cop out on one of these robberies but then when they start wanting details I might have some problem supplying them.

LANE: What you mean, you'd cop out to a robbery that you did commit or did not commit?

A. I did not commit. He wanted me to, you know, admit to a robbery in order to squelch, in other words, whatever you want to call it, he wanted just to, you know, account for the money that I'd spent on the street. And I just mentioned to him that I couldn't.

LEHNER: The money that had spent on the street?

A. Yes. Nine hundre--, a thousand dollars, ten thousand, whatever it was. And I told I couldn't -- I told him, I said, well you have a problem there because if they start cross-examining you on the, on the details it would of been, it would of been a problem of suppling the details. And, he said, well that's right, he says, so he never did - he never did press it any farther.

Q. Other than that, for that problem of supplying details you would of pleaded guilty to a bank robbery that you did not commit?

A. No, I wouldn't of. That was just my answer to him. I said, well how, how would we work out the details when they started to examine me on details, and he said, well that's - he said, maybe that's right, so he just --

Q. Well, did he phrase it that he wanted you to plead guilty to a bank robbery that you did not commit or that he was asking you if you did commit the bank robbery?

A. I think he wanted me to plead guilty to one that I didn't commit. But it wasn't -- I wasn't only banks, it was supermarkets and various places where I had been and they were unsolved crimes and

Q. What was his reason for wanting you to plead guilty to a bank robbery that you did not commit?

A. To account for the money that I had spend on the street.

Q. Why did he want to do that?

A. Well, to make the government's case to look, credibility.

That's his story but I, it sounds weak but that's what he put on me.

Q. And he mentioned the Alton bank robbery?

A. I think he mentioned -- Yeah, I think that's one of them he mentioned, he mentioned several of them.

Q. Well have you heard who committed the Alton bank robbery?

A. Well, I assumed since the FBI solves all the crimes, all these crimes would of been solved including the only at Alton.

Q. You have not heard who committed it?

A. No, I haven't heard.

Q. And you haven't heard any speculation as to who?

A. No, I haven't even discussed it except with you here.

Q. Okay. Continue, why don't you --

LANE: Who did it, do you know?

LEHNER: Why can't you continue on in your account?

A. I think I should mention before we go too further about various, the robberies. I think most of this speculation come out before -- The FBI didn't find out where I was out between the time I escaped until the time I returned, until I went to Canada, they didn't know that until I told William Bradford Huie. Well most of these various robberies around the country were attributed to me-- were attributed to me within that period and once, once I told Huie where I was at, and I think the FBI was able to pinpoint where I was at every day, I think most of these robberies they, they quit talking about them I think. Because once they, once they got down to the, you know, the day, the date--

EVANS: What's the date you left E. St. Louis?

A. Well I'm -- I'm going by what I read, I read, you know, the government's record. I've got down July 15th but I don't have no recollection, I may have been-- The way I did I back tracted it from the motel that I check into and - in a, on a sub-, a suburb of Montreal, I think I checked in there on the July 17th. So, backtracking I'd of had to left E. St. Louis the 15th.

Q. Where'd you go from E. St. Louis?

A. Uh, Indi-- Indiana, uh, Indianapolis.

Q. Where did you stay in there?

A. A hotel.

Q. Do you remember the name of the hotel?

A. No I can't recall.

LEHNER: That's the one you told us was red and was sort of broken down?

A. Kind of a brick, yeah, opal.

Speaking of names of hotels on these, the one hotel was the Milner Hotel in Quincy and I don't know the --

LEHNER: How do you spell that?

A. MILNER, I think, but I don't know the name of the other one.

Q. And what days did you stay there?

A. Well, I stayed there after, after I left the, after I left the Indian Trail Restaurant, but I don't know just, I think I stayed several days in one and several days in the other, you know, to keep the heat off of me. And then I went -- I think stayed in one, one in the hotel called the Victor Hotel.

Q. What name did you use at the Milner and the Victor?

A. Probably Rayns. I know if I stayed three or four or five days I would use my correct identification.

Q. Do you recall how long you stayed at each hotel?

A. Probably not more than four or five days each. I think I stayed at the Victor --

Q. What days are we talking about now if can try to pinpoint it?

A. It would be between June the 27th or 8th when I left, when I left Winnetka until sometime in July around the 12th, 13th of July. That's the closest I can get to it.

Q. Continue.

A. Well, where'd you have me now in Indiana?

EVANS: In Indiana, right. Indianapolis.

A. Well, let's see, I must, I must of left there the - I left E. St. Louis the 15th, I must of left there the 16th, and I crossed into, into Canada the same day, the 16th. And I believe I, let's see, I believe it's the night of the 16th I don't think I checked into any motel, I think I just slept in the car, I know, I know the police had stopped me two or three times on sleeping in the car but I'd just tell them that I was, got sleepy and I wanted to rest awhile.

I think on the 17th, now I'm going by the Government, I think the government stipulation on the 17th, I staying in mo-, motel on the, the suburb, I think I stayed there three or four hours, maybe a little long on the suburbs of Montreal. And, it was that night - It must of been that night that I went into Montreal and cased this bar and this girl works in the bar, the whore house, and this was in the Frency section. I'm, I'm not sure just where it would be at on the street, but it would be in the St. Catherine East, probably between, somewhere between 600 and 1200 block in that area on the lefthand side of the street going east, going towards the French Quarters.

Q. Had you been in Montreal before.

A. Yes.

Q. When?

A. Uh, 1959.

Q. Did you know any people and did you make any acquaintances in 1959 in Montreal?

A. No.

Q. Oh, where'd, where'd you go?

(Mr. Lane has to add another tape).

EVANS: What was the purpose of your trip in 1959?

A. Well, it was my intention to stay up there if could find employment. At the, at the time the police were after me for --

Q. Where did you stay then?

A. 1959?

Q. Yes.

A. I stayed in a, not too far from the train station. I went up there on a train and I stayed in, probably about three or four blocks from the train station. I think the - I think the train station is, is in the Queen Elizabeth Hotel.

Q. yeah.

A. the train station is underneath if you ever been there.

Q. And how long did you stay there in 1959?

A. the first time?

Q. Yeah.

A. Uh, probably about three weeks.

Q. Okay, where did you go, what did you while you there that period? Did you establish any relationship with any person,

anybody that you saw on your second trip?

A. No, the first I didn't, I didn't do to9 much there. I stayed in the, well Montreal is the, kind of a separate city, once side is English and one side's French. I stayed in the English section that time and I mostly - I checked on apartments two or three times and they got some type of thing they call social insurance that you have to have before you get employment, and at the time, the police in St. Louis they were after me for some robbery, and anyway I got short of money and I assumed I couldn't stay there so I left. But I didn't make any type of contacts or, or I didn't make no attempts to leave the country, I just wanted to stay right in Canada.

Q. Yeah, did you -- Did you, were you involved in any ciminal action while you were in Canada at that period?

A. Uh, I don't think so. I may of told Huie that I robbed something or something, but I don't, I, I've -- I wasn't --

Q. Under what name were you in Canada at that time?

A. Uh, I believe it was O'Connor.

Q. You were using the O'Connor alias?

A. Yes.

Q. First, first name?

A. No the last name.

Q. What was your first, what was the first name you were using?

A. I can't recall. I just recall the O'Connor name because later I got arrested in St. Louis by a police named O'Connor and he accused me of using his father's name for committing robberies. That's the only reason I recall the

O'Connor name.

LEHNER: We are going to take a, a 5 minute break for our Stenographer. Before we do I just wanted to put in the record that the map that Mr. Ray had drawn for us previous to the luncheon break, he had signed during the luncheon break while we were not on the record, it was witnessed by Mr. Lane and Mr. Hausman and it's noted at Exhibit 2.

Let us take a break, please.

(A recess was taken at 2:50, pm).

LEHNER: Okay, it's now three minutes to three, December the 2nd, 1977, the same people are here that were here before the break.

Why don't you continue, Mr. Ray, chronological.

A. I believe I was asked, someone was asking me the question about was I in Canadain in 1959?

EVANS: Yeah.

A Do you have anything further on that? -----
Well, not apparently I, apparently I arrived in the suburbs of Montreal July 17th and I cased this bar on E., E. Catherine Street during that evening, picked up a girl and took her to her apartment. Now this apartment is on, it's in the French section and I, if I had a map I could show- point it out within a four or five block area but I can't. I would say that, I'd say the apartment would of been about four or five hundred blocks east, kind of sit on a slight hill. The next night, July the 18th I picked up this girl again in the same bar and

we went back together and the night before that I'd measured the house off by counting the houses down from the side of the street plus I'm not sure if I got the number of the house or not, I may have, but I was trying to determine where the house was in relation, you know, from one house to the next until I got to the regular house. This would of been -- I also determined where I parked the car at. Now, on, let's see, July the 18th I picked her up again, we went back to the same place, this was on the second floor. You had to go up a flight of steps it was on the second floor, and the same procedure we used the first time except the first time when I went in there she let me in the door and she got the money, I think it was \$25 and she took it down the hall, and I guess she gave it, I assumed she gave it to whoever was running the house. And the next night it was the same procedure all over again except when she got ready to leave why I put a pistol on her and took her down, went down the hall with her, and when she knocked on the door I just went on inside with her. And, the guy, the proprietor in there he was apparently a Frenchman, a small fellow, and I asked him for the money and he said something about he didn't have much, I think he had five or ten dollars and then I become a little more hostile with him and told him I wanted the rest of it, and he got me - he had some up in the cabinet It was kind of a small room, and after I got the money from him I put it in my pocket naturally.

LEHNER: How much was that?

A. I think ultimately it was about \$1700, mixed United

States and currency money. United States and Canadian currency. And after I made her take her stockings off and get under the bed, and it was kind of a small bed. Then I tied him up with her stockings as best I could and then I, I run out, run out the door and run down the stairs and I had the car parked about three, one-two-three, about three and a half blocks away. And I got in the car and went over in the - I dove around, I got back on St. Catherine Street E. This time I went south, I went in the English section and I stayed there in a parking lot the rest of the night I didn't go into a motel or anything. And, that was on the, that was the, that would of been on the 18th, if I, if I've got it wrote down right.

HAUSMAN: Is that the first time you used your pistol since you obtained it?

A. That's correct, yes.

Q. And did this establishment have a bouncer or a guard or anything like that?

A. I guess he was, he had a, I guess - I guess he was, it was, it just looked like a rooming house and-I don't know about if are talking/he had a "Panderer" around or anything? I don't think, I mean, I didn't notice anyone, it just, it just the two individuals is all I saw in there.

Q. They didn't scream or anything when you went running out?

A. She didn't, no. Uh huh, I had her under the bed. And, I guess she figured I might shoot her or something.

EVANS: You had her on the bed?

A. Under the bed.

Q. Under the bed.

HAUSMAN: What direction did you run/^{out}when you took the money and put it in your pocket and you ran? You didn't hear nobody screaming after you or --

A. If they did I didn't hear them because I, it didn't talke me long to get downstairs.

EVANS: Had you checked in at the, the Montreal apartments? The Har-K Apartments?

A. Yeah, I think -- Yes, I'd done checked in there, I'm almost positive.

EVANS: Under what name?

RAY: That would been, yeah I think that was the first time I used the Galt name.

HAUSMAN: Where did you -- Where did you get that name from?

A. I don't -- I don't recall. I got it somewhere but I can't recall where I got it.

HAUSMAN: Had you used it before?

A. No, I think I decided on it before I got into Canada or maybe after I got there, but I think the first, the first time I ever used the Galt name was on, that, that would of been on July the 18th when I rented, rented the, let's see, 18th -- I can't -- I can't get these dates straight. I think, now, I'm going here by what I've got wrote down on these dates. I -- I got rented apartment. I know I rented it six months, I took out a six month lease on it.

EVANS: Where was that apartment in location, in reference to the bar where you picked this girl up at?

A. That's quite a ways. I'd say at least 2½ miles, but it was in the same, same, it was in the French section except the bar was close to the English part of the city. The, the apartment was 28, 2589 East Notre - Notre - Notre Dame Street.

HAUSMAN: Did they have a parking area or a garage for these apartments? Was there parking spaces back in, back behind the apartments some places in Montreal have, or, what were you going to do with the car?

A. Well it was my, I think, to answer your first question I think the parking lot, I think there was a parking lot down the street there, but it wasn't connected with the hotel, you just had to rent it or something.

Q. Did you?

A. And--

Q. Did you rent a parking space there?

A. I don't know if I did or not, I made, I can't recall. But I know I had the car parked down there somewhere, but I guess, I must of, it could of been an empty lot but I think it was a parking space there, I think it was a cheap parking space in that area because that area of town is not too expensive anyway. And, but I couldn't -- I couldn't answer you specifically whether I rented it or not.

Q. What did you do with your car? Did you park it on the street? Did you park it in that garage, you moved there for quite a while.

A. Yeah, I, I can't recall. I can't recall what I did with it. I know I had it parked around in that area somewhere. I think I rented, I think rented a parking space though, a cheap parking space because that's kind of a rundown neighborhood and things really are not too expensive, so, I assumed I must of rented a parking space there.

Q. What name did you use for that?

A. Probably the Galt name although I had the car registered under Rayns, but see I - I just don't know because I was using two names at that time and I'm not positive, I mean, what name I used. Now, because I hadn't established the Galt name too clear.

Q. At that point why didn't you just your Rayns names, you were now in a foreign country and you already had established ID in the Rayns, why did you switch names?

A. Yeah, but I was going to stay up there, I wanted to get a, I wanted to get a, establish a Canadian, you know, a Canadian birth, a Canadian birth and things like that, and Rayns was all in the United States and at that time it wasn't my intention to come back to the United States so I wanted to keep the --

LEHNER: You were going to establish a Canadian birth; is that what you said?

A. Uh, well, yeah, Canadian citizenship or whatever you want to call it.

Q. Yeah. Well, if you used the name of Galt you were using a real person; right?

A. No, it's just a --

Q. Well, how were they going to establish a birth?

A. Well, I knew I couldn't establish anything in the Rayns, that's a, that's all United States identification.

Q. Well you know there is a real person by the name of Eric Galt; right?

A. Well, I know now but I didn't know at the time.

But --

Q. And you know he lives in an area not too far from the real Paul Bridgeman and the real George Ramon Snyder; right?

A. I know it now but I didn't know it at the time.

Q. Well, if you were going to establish an iden-, identification you'd had to use a birth date of a real person, right, so it could be checked; isn't that true?

A. Yeah, that wasn't -- I mean that wasn't no, just the one thing, there was other angles too. I mean, that was just one of the angles, but, there was no -- I knew I couldn't establish no Canadian identification under the Rayns name because that was a United States citizenship and I wanted to, you know, use another name for the Canadian citizenship. Of course, that didn't mean that wasn't going to apply for a pass-, for a passport or birth certificate in a different name.

Q. Were you planning to apply for a passport or birth certificate under the name of Galt?

A. Uh, no. When I first come there that's one of the first things I did was call the travel agency trying to establish a, trying to find out what the procedure was for

getting a passport and I got false information. It wasn't false but it just wasn't thorough enough. They told me, uh, it was necessary to have a Guarantor, someone who knew you two years, to vouch for your passport and of course I found out later that that wasn't necessarily so, you just had to, you know, make a sworn statement that you --

HAUSMAN: Well, who gave you that information.

A. On a, a travel agency, I called it on the phone.

Q. What about the information you received on Canada when you were back in Chicago?

A. See, I didn't--

Q. You say you got a couple of letter from the Canadian Embassy?

A. That wasn't passport that was just immigration information.

Q. You got a few letters from them?

A. Yes.

Q. All just about immi-- immigrating?

A. Yeah, about the vir--, virtues of Canada and things of that nature. There was no how to get a passport after you get there or anything of that nature.

LEHNER: Well in 1968 you used the names of real people, Snyed and Bridgeman in order to get identification; right?

A. Yes.

Q. Is that true?

A. Yes.

Q. In 1967 when you went there why didn't you also use the name of a real person to get identification?

A. Well I was too cautious when I went there the first time, and of course the second time it didn't make any difference, I didn't have anything to loose. But, I should of been less cautious the first time and, and went ahead and, well the fact is I should of stayed there two years and tried to, you know, get a passport under that -- in fact I did try to get a passport through a female upthere but I couldn't--

Q. Under what name?

A. What was her name?

Q. Under what name?

A. Well, I was just going to have her for, you know swear that she knew me for two years but I decided that that not, might not be prudent because she was employed by the Canadian Government.

Q. Well, when, when did you decide that you were going to try to use her to swear that she knew you two years in order to get identification?

A. I first thought about it, I went to a resort in--

Q. Gray Rocks you are talking about?

A. Huh?

Q. You talking about Gray Rocks?

A. Gray Rocks, that's correct.

Q. Well, you decided that you were going to use her to help you get a passport; is that right?

A. Yes.

Q. When did you first find out that there was a real Eric Galt?

A. Probably when I, when I read Gerald Franks book, it might --

Q. Well, how were you going to get a passport if there was no person such as Eric Galt in existence, even if you had her to say she knew you for two years and swear to it?

A. Well, I thought that, that -- The information I got on the phone I thought that's all you have to do is just take somebody down there, but they had to know you two years and they had to make a sworn statement that they knew you two years.

Q. Well, how were you going to get a birth certificate and how were they going to check that you were a real person if, if at that time you didn't even know that there was a such a person as Eric Galt?

A. I didn't even know you needed a birth certificate. I the only thing I thought you just had to get somebody to swear you, knew you two years, and walk on down there and say well, here I am, I've knew him two years and maybe they'd give him identification.

Q. When did you find out otherwise?

A. Oh, when I went back the second time.

Q. How'd you find out otherwise?

A. Well, I went directly, instead of calling I went directly to the travel agency and --

Q. How long were you in Canada the second time before you went to the travel agency?

A. It was probably the next day.

Q. Well, had you stayed, had you stayed overnight before there?

A. Well, I stayed in this -- I rented this room from the Polish lady.

Q. Well, what name were you prepared to use with the Polish lady?

A. At that time? If she'd of asked me I don't what I would of give her. It's a -- I'm -- I apparently had one made up to give her but I can't recall which one I was prepared to give her.

Q. And the very next day you went to the passport agency?

A. I went to the passport agency or I -- I -- I'm inclined to think I went to the newspapers and got a name out of the newspaper files before I went to the passport agency.

Q. Well, how many days were you there the second time before you went to the passport agency?

A. It was probably right after I went to -- I think as soon as I got the, I don't know what day I got up there, I imagine it was the following Monday if I got up there on a weekend, as soon as I got the name out of the newspaper I went to the passport, the travel agency.

Q. When you went to the newspaper place you were looking for the name, the, the identification of a real person; right?

A. Yes.

Q. You had not yet gone to the passport agency?

A. No, I'm positive of that because when I went there I gave her a name. Well all you need, you know at that time, all you needed was someone who would guarantee your name that he knew you for two, that he or she knew you for two

years; right?

A. Yes.

Q. So for all you know at that time you still did not need a real person; right? The time you went to the newspapers.

A. How's that again, I can't --

Q. The time you went to look up the newspapers you still had the same impression that you had the year before when you were planning to have this lady from Gray Rocks say you knew-, she knew you, Eric Galt, for a couple of years; right?

A. Yes.

Q. So why'd you have to get someone, a real person? Why didn't you still use an alais, any other alais name, why did you have to go to the newspapers because you didn't at that time yet know that you needed a real person with a birth certificate?

A. I-I-I -- No, I can't answer that. I can't -- I just can't get these things down straight, I know what I did but I can't get the sequence down, what day I went. I know I went -- I know I went to the newspaper office, I know I got three names out of there, I know I called the names up on the telephone, two of them.

Q. What I'm getting at --

A. Yeah.

Q. What I'm getting at is, since there was a real Eric Galt and since he lives in the area of Bridgeman and Sneyd isn't it possible that in '67 you knew you needed a real person?

A. No. No.

Q. It's just coincidence that there is an Eric Galt that lives near Sneyd and, and Bridgeman?

A. That's right. If, if I would knew what I knew the second, if it knew it the first time I wouldn't be here now, I'd be in Australia somewhere. It wasn't my intentions, if that's what you are getting at, to come back to this place, because I'd reather be in a lunatic assylum than be in a penitentiary or Jeff City.

Q. Well when did you first get the name Galt?

A. I can't re- -- I don't -- I first used it when I rented that room in Montreal, it's Har-K Aparptments.

Q. Did you know about, that you were going to use that name when you were still in Jeff City?

A. No, I never, I didn't have no idea I'd use that name in Jeff City. I don't know when I picked it up. But probably I picked it up in Chicago when I, probably when I was going to leave or something of that nature.

Q. Did you see the name Galt on a road sign?

A. No, I never saw it on a road sign.

Q. Did you ever tell anybody that you saw it on a road sign?

A. No, I never did.

Q. Did you ever tell Huie that?

A. No.

Q. Do you know how he got that information?

A. He made it up.

Q. Is there a real, a town Galt on the way to Montreal from, from the Chicago area?

A. I think there is. I think I looked it up after I read Huie's book. And I think, that's been several years ago. I think there's a town named Galt. Because that's an English name and it's probably fairly common.

Q. Where - Where as you best recollect now, will you give us some alternatives, as you said sometimes you are not exactly 100 percent sure and you have alternatives, what are alternatives that you think could possibly be the truth as to how you got the Galt name?

A. It, I apparently seen it written down somewhere, but where I seen it written down I dodn't know. Because that's the only way you could get a name is, you know, to see it written down somewhere, or some former associate maybe, I know the Lowmeyer name now, I got it from a convict, I'd heard his name, I didn't even know him, I heard somebody talking about him several times and it's, it's a easy name to remember because you know it's long and it's not a Smith or Jones. So, the Galt name stands out too, you know it's different than the average name.

Q. Where'd you see it, where were you when you saw it written down?

A. Well, I don't know, I don't know where I could of seen it at, I've read in a magazine article I've seen it, it had a Galt name in a pocket novel.

Q. Could that be true?

A. No, impositive. Now, I got that book -- I tried to get the book but I couldn't find the book, it's by A n R ,

he said he names, but I --

LEHNER: You -- Pardon me.

HAUSMAN: The writer Ayn Rand.

LEHNER: Oh, Ayn Rand.

LANE: There is, I believe there is a character.

A. Well, I got the book.

LEHNER: What's the name of the character?

LANE: Galt.

LEHNER: What's the full name of Galt?

HAUSMAN: John Galt.

A. But it's a different name, I, the one I was using was Eric Galt. But, anyway, the only book I ever written, I got a book, I tried to find it, but I couldn't find the book, I did get one named Fountain Head, but it had a different name in it, so --

But I, I could of very well seen that book, but I don't ever recall reading that book so I don't think unless it was an advertisement or something I might of seen the last name.

Q. Had you ever sat down with the phone directory, maybe in Chicago, and gone through it and try to find a name to use in Canada?

A. I don't -- I don't recall going through it in Chicago. I know when I arrived in Birmingham I went through the directory. I was trying to find ot if I had the same name that someone else had and it might be confused. But there was just one Galt in there I think.

Q. But you knew when you got to Canada you were going

to try to establish a new identity?

A. Yes.

Q. So you -- Had you given some thought as to what name you were going to use?

A. Yes.

Q. What sources were you thinking of, or what were you going to use to try to get a new name?

A. I'd come up with that name in Chicago but I just don't know where, what I, where I'd -- I was taking first things first, you know, I was in Chicago I had to get a job, I had to get identification and then go to Canada. I didn't -- I didn't plan this whole thing out seven or eight years in advance.

Q. All right. You are here in Chicago you end up spending seven weeks in Chicago or the Illinois area, after the first couple of week you realize that you are going to go to Canada soon, right?

A. Yes.

Q. So you start giving it some thought what's going to happen when you get to Canada; right?

A. Yeah.

Q. Did anybody else in Chicago or Southern Illinois area suggest that name to you?

A. No. But I probably got it in Chicago, I very well could of got it out of the phone book but I just don't have no recollection of where I got it. The only name out there that I recollect is the LOWmeyer and the two bonafided names in Canada, the Sneyd and Bridgeman.

Q. What about the Willard name?

A. Uh, now I have some recollection of that name somewhere but I don't know where I got it at. But it must of been some kind of a criminal associate because most of my names were, not most of, but some of them comes from some type of indirect criminal associate. In otherwards, maybe somebody, someone else used that name for an alias and I heard about it or something and --

LEHENR: Where'd you get the Lowmeyer name from?

A. That come from -- that was someone who'd been in the penitentiary from Quincy, Illinois.

Q. What was the first name of the person in the penitentiary?

A. Well there was a Harvey Lowmeyer, I met him once.

Q. When you got the Galt name did you get Eric at the same time or did you get Eric and Galt from different sources?

A. No, that all come at the same time, or at least I put it together at the same time.

Q. What about Doug Collins, you ever use that name?

A. Doug Collins, no, I never used that name, no.

Q. It doesn't sound familiar at all?

A. No.

LEHNER: What name did you use in Los Angeles?

A. Galt.

Q. Any other name?

A. No, I can't think of any. When I was fooling with those people with getting those, like this Six Condor Street, I mentioned awhile ago that, you know, I got arrested at in

Montreal-, in Toronto.

HAUSMAN: The Jaywalking ticket?

A. Yeah. That's Six Condor Street I gave you. I may have used a different name there, I'm getting these women's addresses and things and, you know, to get their addresses. Now, I'm not positive but I, the only reason, the only name I can recollect using out there is the Galt name.

LEHNER: How do you get Six Condor Street?

A. I got it off one of those addresses.

Q. How did you get the address?

A. I think I got it out of the Free Press, the Los Angeles Free Press, an underground newspaper.

Q. What did you do when you got that address?

A. I just kept it for future reference I guess. I had a bunch of them.

Q. Did you send photographs of yourself to the people at those addresses?

A. At one time I sent a series of photographs before I got plastic surgery and they were all, well, I had a suit coat on and they were all, they were all profile view.

Q. What was the purpose in sending all those photographs out?

A. That's kind of foolish, at one time I thought I'd get, you know, heat on me crossing these borders, crossing the border plus the escape and all that. And I wasn't -- At that time I was working on a procedure where I thought I could get a merchant seaman papers and I was going to -- I was going

use them to get these crazy pictures out, the ones I was sending to these people. Then I'd get plastic surgery and put them on the Merchant Seaman papers, and, but I never, I know I contacted the Coast Guard several times but I never did go through with it. I think I was probably, well, I thought I had more heat on me than I actually had on me.

LEHNER: Well, how would it of helped you if you had these other pictures that didn't look like you because they were prior to the plastic surgery and these different addresses, how would that help you?

A. Well I thought -- All right, I suppose if I would of been over in the Pacific somewhere and these sea-, if they had a record of my, of my pictures in the, on the Coast, on file in the Coast Guard then it would been difficult to match them up. What -- How --

Q. How would the Coast Guard get?

A. Well, they could get, well, if they got my picture put on the papers they would of had it.

Q. And you were sending photographs to different people from, from ads they put into the Free Press; is that right?

A. That's correct.

Q. Well, how was that going to help you, the fact that different people, civilians would have your photograph that was taken prior to your plastic surgery?

A. Well, it was foolish thinking but I thought it would cause some confusion or something if I did get some, you know, some type of a, -- See, there's a guy who escaped from Missouri, he got on the top ten just like, you know, he escaped about a

year before I did. And I was thinking at one time that I had a lot more heat on me than I did on account of I escaped from inside the walls. Now, specifically I- I sent these pictures, these picture out before I got the plastic surgery. I intended to get two phases of plastic surgery; once on the nose and the other on the ear, because that's what shows up in the photograph. I thought maybe then if I could get a merchant seaman's paper while I was in California and somewhere, work somewhere around where I could get someone else finger prints and then, you know, go ahead and get the papers. And then I'd be on a ship somewhere, and then later if I did get on the top 10 or something why these pictures I circulated around, you know, they wouldn't correspond with the ones on the --

Q. The pictures you circulated around were under the name of Galt; right?

A. Yeah.

Q. And you thought that the authorities might be able to get these photographs from these various people that had ads in the paper?

A. I assumed that type is all informers, I don't know, but I just --

Q. You assume what?

A. I assume most of that type are, from my information most of them are, well I wouldn't say they are informers but they can't stand up under too much pressure from the --

Q. Who can't?

A. These type of pictur--, people that run these ads in newspapers.

HAUSMAN: The time that you are developing this entire scheme you are in California; right?

A. Yes.

Q. And you are already at liberty for about six months or so?

A. Yeah, maybe nine or ten, yes.

Q. Nine or ten. You've had no real heat or pressure anywhere; right?

A. Yeah, but I think crossing the border and I escaped from inside the walls and there's, there's not a lot of pressure but it's, it's an accumulative effect.

Q. But at this point you've been, from the - since the time you escaped what were you anticipating your future troubles, what type of problems were you anticipating? You were doing quite well, the whole time you were at liberty, you had a job, you'd been to Canada and Mexico, and now you are out in California 10 months after your escape, what are the troubles you might have?

A. Well, I mean, I wasn't anticipating it, it was in the back of my mind that I could very well get a little heat on me in these crossings of the border. I'd been involved in some type of smuggling business in Mexico, and it was enough for me right then to assume there would be a strong possible of future problems at that time. I wasn't thinking about guns or going into Mexico I just thought, plus the Rosenson name, stuff like that. I don't think you get parinoid, you felt, figure that something could happen, you could get heat after things like that, it was pretty strong.

Q. Are you allergic to sea air or salt water?

A. On the Gulf of Mexico I was or I juse to get a headache a lot in that area.

Q. Did you ever tell that to anybody?

A. I had this trouble in Leavenworth, I got a headache a couple of times. I know one time in Canada because we were discussing where we would go, New Orlean or Mobile, I wanted to got to Birmingham because, it wasn't the climate but I wanted a bigger city. But as far as the climate I'd been to New Orleans two or three times and I'd usually always end up with a headache or something.

EVANS: After the hold up of this whore house what did you do after you left the car in the parking lot? What did you do after that?

A. I don't know if there is anything I did after that.

Q. You mean, you had money now; right?

A. Yeah, I - I had - but what few clothing -- I didn't have no clothing.

Q. Where was the clothing store in relationship to the apartment?

A. Um, they were in the English section of the city. I can't tell you just the address but it was, it was in Montreal East and West. It was somewhere in the west part of St. Catherine's Street.

Q. What was the purpose of buying the clothing, the suits?

A. I believe I gought one, one suit at that time. There was two -- well, one purpose is that at the time I didn't have any, hardly any other clothing, that's about all I had. And,

later I made the decision to Bis--, to Gray Rocks and I would need clothing up there.

Q. When did you make the decision to go to Gray Rocks?

A. I don't know just what, what date I made it, but --

Q. Uh, when in relationship to your meeting with Raoul?

A. I don't know when that got in the back of my mind, about the possibility of meeting a woman and trying to get a passport through her.

Q. Why Gray Rocks?

A. I don't -- I don't -- Well, I didn't pick out that. I went to a resort - I went to a travel agency and asked them to pick a recommended place where you could make acquaintances I think it was.

LEHNER: What travel agency?

A. I don't recall the name of it.

Q. Where was it?

A. I think, was it the Kennedy Travel Agency?

Q. The same travel agency you used to get a passport the next year?

A. Uh, no, no. No, that wasn't the one. Uh, I don't recall the name of it, and I don't recall where it was at. But it was a different one than when I got the passport.

HAUSMAN: At this time had you given any thought to getting a job and trying to establish a legitimate identity in Canada?

A. Well, I'd given that a thought, yeah. But, after I found out the information about the two years I didn't want, I didn't want to stay there two years, but I had different -

in other words I was pulling in different directions. I was trying to get a passport from this woman and this guy named Raoul, he mentioned the passport and they had another option of two years. And, I wanted to get it as quick as I could because I just didn't see no point in staying there two years if it was necess--, if I could of got out on a earlier date.

Q. But you met the - you went to Gray Rocks before you met Raoul?

A. No, I went there after.

Q. After you met Raoul?

A. Yes, yes.

Q. So after you purchased the clothes then what did you do? How did you get to the Nep-, Neptune Bar or, had you been in the Neptune Bar when you were there in '59?

A. No.

When I went down there I was most- in the beginning I was just following drunks and things like that, I was going to try to roll somebody and get his passport, but I never could get one that I thought I could, you know, handle him or anything like that where I could get his, get his identification.

Q. But you had a gun; right?

A. Well, I didn't -- I don't ever recall carrying a gun down there, but I guess beings you mentioned it I could of, but I, holding up somebody that is drunk with a gun to get his passport I don't think, I mean, beings you mentioned it that might - that might be a pretty good idea - but I never did consider, you know, holding up someone for his identification.

I did follow him -- follow drunks out two or three times in that general area. And I use to go into bars and talk and, you know, inquire about the seaman papers and things like that. I think one time I even made some effort to get a seaman's paper from a Merchant Marines club in that area, but there was some mention of a waiting list or something, but I never did formally apply for anything.

Q. You ever been in a fist fight?

A. Have I ever been?

Q. In a fist fight, right.

A. It's been a long time.

Q. How long?

A. Oh, let's see, probably Jeff City. That would of probably been --

Q. Before Jeff City?

A. No, I've never been real, I've never been in a whole lot of brawls. I try to dodge them all them, but usually if somebody grabs me or something I'm more or less interested in getting away from them or use the pistol.

Q. All right. We are talking about rolling drunks then, right?

A. Yeah.

Q. And you realize of course if you are going to roll a drunken sailor that you might end up in some fistcuffs; right?

A. Yeah, yes.

Q. And you took that into consideration, rather than use the gun?

A. Uh, I think -- Yeah, I think I can handle someone who's drunk and maybe, because I was fairly well conditioned if he were a little bit smaller than me. But I just never did think about, about the gun for some reason.

Q. Okay.

A. Okay, I mean, there's different types of fist fighting you know if someone just fights because he wants to fight or in otherwards if you wanted --

HAUSMAN: Well, tell us about how you existed in Canada, what were you doing on a daily basis?

A. Well, most of the time after I checked, after I rented the room in Notre Dame I, after I purchased the clothing I think I got them fairly quick, probably a couple of days or the day after the robbery, I started going down to the, in that general area of where the waterfront is and inquiring about passports and talking to people and I wasn't taking too many chances, I was just feeling them out. And --

Q. You were going down to these bars at night?

A. Yes.

Q. What were you doing during the day?

A. Not much of anything. Well sometimes I'd go down in the day and mostly it'd be after, after supper, dinner, the noon meal. Because you know you can't - it's difficult to throw anybody during the daytime.

Q. Where were you staying during the day, what were you doing?

A. Not much of anything. I just stayed around there in the rooming house or around in the room I had rented.

I wasn't doing too much of anything at that time. I can't think of anything that I was doing.

Q. Were you sightseeing, window shopping, were you meeting anybody?

A. No, I wasn't -- No, I wasn't interested that. I wasn't involved in no type of females or anybody, I was just, I more or less stayed pretty close to the room and I might walk around a little bit and that would be it. I might walk around a little bit and that would be it.

Q. Now you started frequenting the bars down by the waterfront?

A. Yes.

Q. Why type of bars were they?

A. I don't recall. I don't recall those that I went to. I had been in them. I couldn't recall any of the names of them. I described - I think I described some of them to Huie and I think he went up there and based on the description I gave him he found them, so, I could probably three or four but I couldn't give you the names of any of them. The one that I met this guy who called himself Raoul in, he, he - Huie found that one after I described it to him.

Q. Before you started getting involved with Raoul, were there any other contacts that you had made in any of these bars who seemed promising like Raoul?

A. I think maybe someone told him that I was making inquiries because I don't know how, I made inquiries like that a lot of times before in bars. It's just a certain way you talk and you don't, you don't ask anyone that que-, that

type of question, you know, right off, you got to work around to it. But, I asked him about - I think I mentioned I was from the United States and I, I'd asked him how you'd go about getting, would it be difficult for someone from the United States to get Canadian Seamen Papers or something of that order.

And, then one thing leads to another. That's--

Q. Did you tell -- Do you remember telling Dan Rather that you had met some people in Canada who were dope smugglers?

A. No, but that, that would of probably been the Raoul that he was talking about. I didn't tell him I met people. If I did, a lot of times it's a slip of the tongue, but I don't recall ever telling him that I met people, which I could of.

LEHNER: How -- You used the words "some people".

A. Well, that was probably the Raoul I was talking about. I'm not really too precise on the language, so I don't -- Dan Rather when he was here, that transcript, now that transcript is not exactly precise either. I read the transcript before I gave it to you and it's not --

HAUSMAN: What -- Were there any other criminal types that you meeting at that time in these bars?

A. I think there was other criminal types but I never did have any long association with them. I just talked to them may be, I never talked to anyone over one, one day or maybe two or three hours. Except Raoul I never did make any contact with anyone and then go back the next day and talk to him, you know, make an appointment with him and talk to him the next day, it would of been no one else.

Q. Did you pull any more jobs during this time?

A. In Canada?

Q. Yeah.

A. No, no. No, that --

Q. How was your money holding out?

A. I don't know just how money I, when, I had when I left there. I think I had about - I think I spent about a \$1,000 all the time I was there. Now, now I'm not positive on that, I've got it all wrote down somewhere, but I wasn't spending too much money. And --

Q. Well, you had gotten up there with about three hundred; right?

A. I don't think I had quite that much when I got there. I was very, I was close to being broke when I got there. I think I had about 250 at the most when I got there.

Q. And then you scored about 1700 when you hit the brothel?

A. Yes.

Q. So you had almost \$2,000?

A. Well, I had 2,000, but I, it was clothing and things like that and the Gray Rocks. Those wasn't, the Gray Rocks, I was just up there a week but, you know, it was \$150, so-- In otherwards I didn't have enough money to just lay around and think about what's going to happen a year from now, I had to --

Q. Well, when you went up to Gray Rocks what did you do?

A. I didn't do too much up there either. I finally, I did meet a woman up there and I was thinking about trying to use her as a guarantor but I decided against that later on.

Q. What was her name?

A. I don't recall her name right now. I'd rather leave these names out of it, I mean, I think you know the name, so --

LEHNER: Was she Claire Keiting?

A. Yes.

HAUSMAN: That name's been out already.

LANE: It's been out, but she's sued everybody who made reference to it except Huie because it was an America and not in Canada and she's won all her cases up until then.

HAUSMAN: Well, you didn't meet her until almost your last days you were up there; right?

A. Yes.

HAUSMAN: Had you met anybody else prior to her?

A. Well, I'd talked with a few but I never had any, I never, I never developed any further, it never got beyond the talking stage.

Q. And you didn't do anything else up, you didn't do anything else up in Gray Rocks?

A. Other than talking to a few people and I can't recall anything specific.

Q. Okay, you came back to Montreal then; right?

A. Uh, yes, I made arrangements with this woman, Keiting, the Keiting lady to see her somewhere, I think it was Montreal. But I came back, I came back to Montreal I guess.

Q. Okay. You said you had met Raoul before you went up to Gray Rocks?

A. Yes.

Q. Then, why don't you tell us about? How you met Raoul? What was your first couple of conversations with him like?

A. I don't think it's necessary for me, I got it wrote down but I think, the first few conversations are just like the conversations I always had with criminal elements, I'd just start in, you know, asking harmless questions about how I would get a passport if I'm a United States citizen and one thing leads to another and then you'd get, you'd start talking about, how would you get one illegal or something like that.

Q. Did you just walking into the bar and sit down next to him or did he sit down next to you? How did you start talking?

A. No, I, I was sitting at the bar and he sat down beside me, it was a - it was a booth, it was a booth either it was kind of a table. And, we started, started talking and then I think I'd been, a few drinks. I can't talk too good straight unless I get a drink a little bit and get more loosened up.

Q. Did he know that, before he sat down with you that you were interested in possibly making some contacts to help you, in otherwards, when he sat down did he know what you were in the bar for?

A. No, I think he, I think now he did, but I don't know, I didn't - I didn't know then. At that time I didn't know.

As I said, he may of, someone else may of told him that I was inquiring about a passport or something. So, consequently he might of sat down and started a conversation with me where I thought I'd started one with him.

LANE: It's now quarter to.

It's quarter to, if, should we break now, do you think?

LEHNER: I was thinking of this, Mr. Ray is using some papers, it might be helpful if we could get a copy of that--

LANE: I think he's got them all xeroxed for you?

RAY: No, not these.

LANE: Not those, okay.

LEHNER: Can we do that while you're discussing some matters with Mr. Ray now and then we would be in a better position to speed things up maybe in the future.

RAY: You want a copy of what I've been reading off of?

LEHNER: All -- All the papers that you have so that we might be in a position to speed it up and not, not go into great detail of matters that maybe we don't see any investigative leads into.

RAY: I'll give you, see these been notes of where -- What I try to do is, is to get things, things real clear in my mind and I, I get them and try to fill in between them.

LANE: Will that be okay, James, to make them copies of them?

RAY: Yeah, you can have these, you can make a copy of everything on there. But these are just notes for my use, if you want to copy them, why--

LEHNER: Okay, why don't we do that now. We will close, it's 16 minutes to four. We will make copies and then close and then Mr. Lane and I will discuss future plans. Okay?

Is there anything else, anything else you want to say on the record before we close the record Mr. Ray?

RAY: Uh, well, yes. I had some things here that you asked me the last time, I think you asked me the name of that street in, in Toronto wher I got arrested, it was Six Condor Street.

HAUSMAN: Is Condor Street where you got arrested or you, the address you gave them?

RAY: That's -- That's the address that I gave them, but I don't know what name I gave them. It could of been--

, LEHNER: You don't know where you were arrested or do you recall where you were arrested too?

RAY: The next time that you come here if you'd bring a map of Toronto, and Montreal, and St. Louis I could point some things out but I can't describe them.

HAUSMAN: Anything else from the last discussion?

RAY: I don't see anything in here. There's one question I want to ask you about the Committee Rules, I want to get a copy of the Committee Rules, would that be possible?

LEHNER: Surely, we'll bring them down the next time.

LANE: If you could mail them he'd have a chance to read them before you'd get here.

LEHNER: Sure we will. I'll mail a copy to you, to Mr. Ray.

RAY: I'm just going to give you everything I got here and you can copy it.

LANE: This is also, if you want, it's an answer to the letter which you have from Huie.

LEHNER: Oh, this is a letter from Mr. Ray to Mr. Huie?

LANE: An answer to the letter which you have, or Ed has.

EVANS: Yeah.

LANE: Are we concluding now?

LEHNER: Yes.

RAY: I'll just give you everything I've got here. Some of this stuff I wanted to talk to him about but you can have it.

LANE: Well, do you think --

LEHNER: We'll xerox it right now and give you back the originals and --

LANE: Xerox two copies of it.

LEHNER: We'll xerox two copies.

RAY: I don't -- I don't want no copy of it.

LANE: You want the original?

RAY: Yes.

LANE: Well, I want a copy.

EVANS: So, it is just two copies.

LEHNER: So, we'll xerox two copies, one for us and one for Mr. Lane and we'll give you back the originals.

RAY: I don't know if it makes sense now, I just made those notes last night, so I don't know --

LEHNER: All of these notes you made just last night?

RAY: Well, not all of them, almost, most all of them. Some of them this morning.

LEHNER: What about the notes that your brother Jerry had taken out of the safe for you, where would they be? Are they back in your cell?

RAY: They are, well, the thing -- For an example, now, three of those letters there that I wrote to him in 1968, four or five letters, they're in there, I think you've done xeroxed them though haven't you?

EVANS: Yeah, we've xeroxed some of those letters.

RAY: Well, some of them -- some of that is over there. As far as what I got in the cell, I've got about an orange crate full of various papers, I don't know what's the significance of them. But whatever I've got, or you can have it if you want to look through it, but I don't think --

LEHNER: Was that, those, the matters that I had reference to was the papers that your brother Jerry had had in some safe and brought down to you this week, those are the ones that we would like to see because as I understand they were written some time ago maybe when recollections were fresher.

LANE: Some of that material is there.

LEHNER: Is it amongst the the material that I have there?

EVANS:
LANE: No, no, it's already be xeroxed for you. /So of it's in, it's been xeroxed.

LEHNER: Do you think the next time down we could have

the rest of that because that would be material and, if you could identify in the record when it was done it would be of some assistance to us because we would be able tell your recollection at that earlier time and may be that would be a little more helpful. See, a lot of this stuff, a lot of this material now that you are speaking of, letters and everything, now some of it I have and some it's over there, and I've got some in the cell, but now a lot of it Jack Kershaw was representing me. My broth-, Jerry brought it all down here one time and he gave it to Kershaw when I was in the hole up in D. Block. And I'm, I'm going to have to sue Kershaw to get it back so, but if the com-, now if the Committee got a waiver you can have anything that he has.

LANE: Did you get it? You have a waiver.

LEHNER: Fine.

LANE: You have James' permission; correct. You got all the material from Kershaw?

RAY: Yeah, you can get whatever you want from Kershaw.

LANE: Make us a copy and give us a copy.

LEHNER: Fine.

Okay, is there anything else before we end the tape that, that you want to put on the record Mr.--

RAY: Well, I'm interested -- Yes, I think there's going to be a problem of me testifying at random. I'm going to get, start getting things mixed up. I wanted to get it all written down and, but I wonder how long before the Committee will be here again when I'll have enough time to get most of these

things written out. I'm speaking specifically of after I got in jail, I don't know if you are going to question me about this, after I got in jail up until a year from now, because a lot of people did investigations on the street, now, if you want me to refer to them, I'm going to have to write all that stuff down.

LEHNER: Well, I'll tell you what our plans are, so that you can plan accordingly, if it's all right with you. We are planning to take you chronologically as you are now in Canada in '67 right through to your arrest in London. So, if you prepare for that in chronological order, then from there we will take you from your arrest to the present and that's what you just had reference to all these years that you've had these litigations with different counsel. So, if you could prepare it that way that would be helpful to both us and you, I would imagine.

RAY: Yeah, well, if I knew how, how much time I was going to have that way I wouldn't have to be doing it all in one night or something.

LEHNER: Well, we --

RAY: I've got other things to do, I've got to go to court out here in town and --

LEHNER: Well, okay, well, we can end -- We can end the record and I think Mr. Lane and I could discuss our plans, we are available and --

LANE: James has a very busy schedule.

LEHNER: Thank you very much end of session.

(3:58, p.m.)

INVESTIGATION OF THE ASSASSINATION OF MARTIN LUTHER KING, JR.

APPENDIX TO
HEARINGS
BEFORE THE
SELECT COMMITTEE ON ASSASSINATIONS
OF THE
U.S. HOUSE OF REPRESENTATIVES
NINETY-FIFTH CONGRESS
SECOND SESSION

VOLUME XII
(THE "20,000 WORDS")

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INTRODUCTION

After his arrest on June 8, 1968, for the murder of Martin Luther King, Jr., James Earl Ray retained Arthur Hanes, Sr. and Arthur Hanes, Jr. to represent him in the upcoming trial in Tennessee. To fund the defense, Ray and his attorneys entered into a contract with an author, William Bradford Huie. Ray then began to provide Huie with written materials concerning his activities before and after the assassination. This material provided much of the information for Huie's later writings on the assassination.

In November of 1968, Ray fired the Hanes team, and hired Percy Foreman as his lead attorney. After an interruption of several weeks, Foreman and Ray reinstituted the arrangement with Huie. Ray then sent additional materials to the author. The materials which Huie received from Ray have come to be known as the "20,000 Words."

A set of the "20,000 Words" was introduced as an exhibit in Ray's Habeas Corpus proceedings following the guilty plea. A complete copy of this exhibit was obtained from the Federal District Court for the Western District of Tennessee by the staff of the House Select Committee on Assassinations in August of 1977. It appears on the pages that follow. No effort has been made to impose an organization on the material contained in the Habeas exhibit.

English STATEMENT

LONDON STATEMENT.

UPON ARREST AT LONDON HEATHROW AIRPORT I WAS TAKEN TO A DETENTION CELL AND TOLD THAT A SCOTLAND YARD OFFICER WOULD BE THEIR SHORTLY TO TALK TO ME. ABOUT AN HOUR PASSED, THEN I WAS SEARCHED AND A PISTOL WAS FOUND ON ME, ABOUT ONE HOUR LATER SEVERAL OFFICERS FROM SCOTLAND YARD ARRIVED, ONE WHOM I LEARNED LATER WAS Supt. THOMAS, THPROCEEDED TO ASK ME QUESTIONS ABOUT WHERE I WAS GOING AND WHY I HAD THE PISTOL, I TOLD THEM THE REASON I HAD THE PISTOL WAS THAT I WAS GOING TO AFRICA, I WAS THEN ASKED IF I WOULD GIVE MY PERMISSION TO BE FINGERPRINTED, I SAID NO, WHEREUPON FIVE OR SIX TOOK A HOLD OF ME AND SAID I WAS GOING TO BE PRINTED ONE WAY OR THE OTHER (BUTLER SAID THIS) I WAS THEN FINGERPRINTED, ON OFFICER LEFT WITH THE PRINTS AND RETURNED, UPON RETURNING HE NOTED TO Supt. BUTLER WHO THEN ASK ME TO SIGN THE PRINT CARD, I REFUSED, HE THEN ASKED ME TO SIGN MY PERSONAL PROPERTY RECEIPT, I REFUSED TO SIGN THAT PAPER, WHEREUPON Supt. BUTLER SIGNED BOTH OF THEM (I FOUND OUT LATE UNDER ENGLISH LAW IF A SUSPECT DOES NOT WANT HIS PRINTS TAKEN THE ARRESTING OFFICER MUST GET A COURT ORDER) I WAS THEN TAKEN TO A LOCK UP IN LONDON WHICH IS ABOUT 15 MILES FROM THE AIRPORT. I WAS AGAIN PRINTED AFTER BEING ~~FORCED~~ ^{FORCED}

Butler

Africa)

pg 2.

I AGAIN REFUSED TO SIGN THE PRINTERCARD
 (I DID THIS TO SHOW I OPPOSED HAVING MY PRINTS TAKEN)
 I WAS THEN PLACED IN A CELL WITH AN OFFICER,
 ABOUT AN HOUR LATER (THIS WOULD BE ABOUT 3 HOURS
 AFTER MY ARREST) MR. BUTLER CAME TO THE CELL
 WITH ANOTHER OFFICER WHO TOLD ME I DIDN'T WANT
 TO MAKE ANY STATEMENTS, MR. BUTLER THEN SAID
 HE HAD REASON TO BELIEVE I WAS WANTED IN THE
 U.S. FOR MURDER AND MY NAME WAS JAMES RAY.
 I THEN ASK HIM FOR PERMISSION TO CONSULT WITH
 AN ATTORNEY, HE SAID I COULDN'T HAVE OR SEE
 AN ATTORNEY BUT, IF I WOULD HELP HIM HE WOULD
 HELP ME. I THEN TURNED AND WALKED AWAY FROM
 HIM AND SAT ON A BENCH.

AT A LATER COURT ROOM APPEARANCE ON MY
 EXTRADITION HEARING BUTLER SAID I MADE
 A STATEMENT (ORAL) I DENIED THIS IN OPEN
 COURT AS I HADN'T MADE ANY STATEMENT
 (GET STATEMENT FROM ATT. GENERAL).
 WHEN MR. BUTLER RETURNED ME TO THE PRISON
 AFTER THE HEARING I WROTE A LETTER (REC.
 TO THE FOLLOWING OFFICIAL.

MR. JAMES CALLAGHAN
 HOME SECRETARY
 HOUSE OF COMMONS
 LONDON, ENGLAND

I ASK MR. CALLAGHAN TO BAR MR. BUTLER FROM
 HAVING ANY FURTHER CONTACT WITH ME AS
 IT WAS MY BELIEF HE WAS LYING ABOUT ME
 IN COURT IN REGARD TO A STATEMENT AT THE
 BEHEST OF THE U.S. ATTORNEY GENERAL'S OFFICE.
 (I NEVER REC'D AN ANSWER, WOULD IT BE POSSIBLE
 TO GET A DUPLICATE OF THIS LETTER FROM
 MR. CALLAGHAN OFFICE?)

pg 3

SOMETIME LATER MR. BUTLER CAME TO THE PRISON AND REQUESTED TO SEE ME, I REFUSED AS UNDER BRITISH LAW YOU DONT HAVE TO SEE ANYONE WHILE YOU IN PRISON, ALSO I DIDNT WANT HIM TO MAKE UP ANOTHER STATEMENT. HE TOLD THE GUARD THAT CAME TO TELL ME THAT BUTLER WANTED TO SEE ME (THAT HE WAS GOING TO CANADA AND THAT HE COULD GO TO THE WASHINGTON.)

THE NEXT DAY I READ IN THE PAPER WHERE MR. BUTLER DID GO TO CANADA.

(WHAT DID HE WANT TO SEE ME ABOUT?
GIVE OUT A STATEMENT WHEN HE GO TO U.S.?)

SUPT. BUTLER ALSO THREATEN ONCE TO PUT MY PICTURE IN EVERY PAPER IN LONDON IF I DIDNT ANSER HIS QUESTIONS.

UNDER ENGLISH LAW I NOT SURE IF YOU ARE ENTILED TO AN ATTORNEY AT THE TIME OF YOUR ARREST AS YOU ARE IN U.S. EVEN IF YOU REQUEST IT.

WOULD IT BE ADVISEDABLE TO GET THE PRINT CARDS AND PERSONAS PROPERTY CARDS FROM LONDON TO SHOW THAT I DIDNT COOPERATE AND HELP DISCREDIT THE STATEMENT.?

James P. H.
 1000, County, Tenn
 Kingston, Tenn. U.S.A.



To. Mr. James Callaghan
 Home Secretary
 House of Commons
 London England

①

ACTION IN CANADA
FROM APRIL - 6 - 1968
THROUGH ENGLAND,
PORTUGAL, ENGLAND
AN RETURN TO U.S.

Upon my arrival in Toronto I rented a room at 102 Ossington ave. I gave no name. I then went to the newspaper office and went through the old files looking for two names to use to apply for a passport under. I got about 10 names from the paper, I then called some of these people to see if they had ever had a passport (anyone who had ever had a passport I couldn't see his name as his picture would have been on file). I called Sneyd posing as an employee for the bureau of internal affairs, passport division. He said he had never had a passport. I then went to Browne the Irish supplier on Yonge St. and bought a make-up kit. At this time I was under the impression you had to know someone two years to get a passport. I was going to change my appearance and to make the passport applicant job the easier, I then told the lady on Ossington St. that my name was Bridgeron (This would be the witness). I then went to Denham St. and rented a room under Ramon George Sneyd (for the same time it had been stayed by a policeman and given a jail warrant, ticket and had to destroy all of my Galt I.D.) I then went to the Travel agency and applied for a passport under Ramon George Sneyd.

Fixed 20 sept. 14 correct. Ex. 17 to
Dep. Mr. Huie By John Kimlin,
Court Reporter

(2)

2. found out after I got to Eld Travel Agency that if you didn't know anyone for two years you could file a sworn statement that you were a Canadian citizen and get a passport, I did this. I was told it would take about two weeks to process the passport, I then went to Montreal to check on some ships in case the passport deal fell through, I was going to look jump on a ship, jump aboard at a port if the ship docked at night however I was told you had to have a passport No. To buy a ticket, I then returned to Toronto, after a couple of days the passport came. The name was spelled wrong but I took it and bought a round trip ticket to London England. Upon my arrival in England I called the Portuguese embassy ask them how long it would take to get a visa, they told me one day. I then used my return ticket to Canada to go to Portugal that day, upon my arrival in Portugal I spent all my time looking for a ship to go to Angola (Angola Portuguese colony). I finally found one the price was 3777 Escudos one way (approx. \$130.00). The ship was leaving in two days, I then went to get the visas but was told it would take 7 days to get a visa in Portugal, I then returned to England as I was getting short of money. I was going from England to Rome to try to get in the mercenaries, But they were being restricted in France and please wait looking there, I finally contacted a newspaper reporter who said

③

the mercenaries had an office in Brussels Belgium, I then bought a ticket to Brussels (newspaper clipping gave me an address) upon my arrival at the airport I went to the bonding zone, I was told by one officer that he wanted to ask me a few questions, I accompanied him to an office where another officer was, he then left to make a phone call, a little later he returned and shook me down finding a \$38 pistol I also had a blueprint on how to make a silencer for a pistol.]

Red envelopes with some money, could of shot both.

(I have already gave you paper on the procedure I went through after the arrest and questioning, I will now take up my prison detention in England and return to the U.S.)

After Hones had agreed to represent me and my extradition had been ordered (I waived appeal on Hones's advice) Hones made two trips over to see me, the last trip was when I waived the appeal, Hones at this time contacted Ramsey Clark and asked to ride back with me, I also asked the English police to intercede with the police to let Hones come back with me, The reason we wanted to do this was so they would not

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say I made an oral statement on the phone trip back to the U.S. One reason I was worried about this was that while I was in the English prison Mr. Fred Union came to London and held a news conference and said he had had a private conversation with me. However I got the English att. representing the U.S. to retract this in open court, anyhow they wouldn't let Hones come back with me. In the mean time I had wrote a letter to Ramsey Clark telling him that I had no intention of making any oral statement until I got in court. I also wrote Hones the same kind of letter. When they flew me back to the U.S. they picked me up abt 10: o'clock at night. I had the flu and on the way over here they gave me some pills which they said was aspirin to relieve it, also they had me put in leg irons, Belted down in the seat and Handcuffs put on me. I took about 7 Hours to get to Memphis. That mat I had been awake abt 23 Hours. Upon my arrival at the jail they took about a hundred pictures plus moving pictures. This was on the way up to the cell. After I arrived at the cell the sheriff read something, and I asked to called either J.E.K. Hones Jr. as Hones Sr. was in London. This was refused, I was then asked to go to sleep as I was sick and had been up about 2 1/2 Hours they I wanted I could

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not got to sleep until I had my finger &
 palm prints like and submitted to more
 pictures. I then ask to call Hones Jr.
 again and one of the officers (major 2 Lt A.)
 said the Sheriff would do it, he never
 did as far as I know. (Mr. Conale
 had wrote Hones saying he Hones would
 have access to me immediately upon my
 arrival at the jail) after the print
 and pictures were take I was finally let
 go to sleep. They contacted Hones the
 next day and told him I could see him.

INFORM THAT YOU HAVE RIGHT TO
 CALL ATT. IN TENN. AN HOUR AFTER ARREST.

JEFF

Mr. James Callahan in det. 2-5-67

Dear Sir;

While in Washburn's prison writing establishment to the United States I wrote a letter to your office reporting that your relative Chief Deputy Thomas Butler from my case, is using my contribution to get false information to the court. I would appreciate it very much if you would have a duplicate copy of this letter sent to my attorney below as it may be on issue in the forthcoming trial.

The attorney's address

Mr. Percy Foreman
Attorney at Law
Houston, Texas
U. S. A.

The same letter was sent to your office under: Roman George Sneyd.

Thomson

Sincerely:

James C. Ray
Shelby County Jail
Memphis, Tenn.



①

ill me to
sh. him
has did's
felt to.

UPON MY ARRIVAL IN BIR. I CHECKED INTO
A HOTEL FOR THE NIGHT. THE NEXT DAY
I MOVED INTO CHERYES PLACE, AS I SAID HE
BOVAL WOULD FIND A PLACE TO MEET AND MAIL
ME THE ADDRESS G.I.D. HE HAD ALSO GIVEN ME
his ph. no. IN N.O. I RECD. A LETTER FROM HIM
ABOUT THE 2ND OR THIRD DAY IN BIR. AT THIS
TIME I DIDNT HAVE NO G.I.D. BUT THE POSTAL
CLERK JUST ASK ME FOR MY MIDDLE INITIAL. I
MET HIM EITHER THE NEXT DAY OR THE DAY AFTER
RECEIVING THE LETTER AT THE STARLITE LOUNGE
ACROSS THE STREET FROM THE POST OFFICE. HE SAID HE
WANTED A GOOD CAR FOR ABOUT \$2,500. IF I REMEMBER
RIGHT IT TOOK A COUPLE DAYS TO FIND ONE, WE WOULD
MEET AT THE STARLITE OR ACROSS THE STREET WHILE
I WAS LOOKING FOR THE CAR AT PRE ARRANGED HOURS.
I THINK WE MITE HAVE MET ONCE ON A SUNDAY
AS HE CALLED ME ONCE AND HAD ME MEET HIM
at ~~the starlite~~ IN ~~for~~ ~~one~~ A RESTAURANT.
I HAD GIVEN HIM MY PH. NO. AFTER I HAD FOUND
A CAR THE MUSTANG I TOLD ROVAL ABOUT IT
THAT EVENING I TOLD HIM HOW MUCH THE CAR
WOULD COST AND WHAT KIND IT WAS, HE SAID
HE WOULD HAVE THE MONEY FOR ME IN THE MORNING,
WHEN WE MET THE NEXT MORNING HE GAVE ME THE
MONEY I ASK HIM TO GO WITH ME TO GET THE
CAR TELLING HIM HE COULD DRIVE IT TO CHERYES
PLACE AS MY ILLINOIS LICENCE HAD EXPIRED
HE SAID NO, TO HAVE THE SELLER DRIVE IT HOME,
BUT I PICKED UP THE CAR IN A PARKING LOT
BY THE BANK AND MADE IT ALRIGHT TO THE
PLACE I WAS STAYING, THE PEOPLE WHO
SOLD IT TO ME WERE BOTH WORKING SO
COULDND DRIVE IT. AND I DONT THINK
I ASKED THEM.

Filed 20 Sept. 74 Colive. Ex. 7 to
Dep. Mr. Huie By Mr. Hamilton
Court Reporter

(2)

AFTER I PARKED THE CAR I WENT TO THE
 STARLITE AND GOT ROULY, ARRIVEING BACK
 AT CHERVES WE SAT IN THE CAR AWHILE
 AND TALKED HE SEEMED CONCERNED ABOUT MY
 DRIVERS LICENCE EXPIRING BUT I ASSURED HIM
 IT WOULD BE EASY TO GET THE RENEWED. HE WAS
 OTHERWISE SATISFIED, EXCEPT FOR THE COLOR
 WHICH I MENTION WAS NOT TO GOOD FOR WHAT
 WE MITE BE DOING. HE THEN GAVE ME \$1,000.00
 \$300.00 FOR TRAVEL EXPENSE AND \$500.00 FOR
 PHOTOGRAPHIC EQUIPMENT, IT WAS SOMETHING
 IN THE CAMERA LINE THAT WAS SUPPOSE TO
 TAKE MOVIES AT A DISTANCE. (I WAITED TO
 LONG TO ORDER THE EQUIPMENT AND LOST
~~A LARGE~~ REFUND CHECK FOR \$140.00.) I GUESS
 ROULY WENT BACK TO NO, I GAVE HIM A SET
 OF THE KEYS AT HIS REQUEST, I THINK I GOT
 ABOUT 3 SETS FROM THE ORIGINAL OWNER. BEFORE
 HE LEFT HE TOLD ME WE WOULD BE TAKING
 SOMETHING INTO MEXICO IN A COUPLE OF MONTHS AND
 THAT HE WOULD WRITE ME WHERE TO MEET HIM, (HE
 TOLD MY BIR ADDRESS) MY STAY IN BIR WAS
 UNEVENTFUL, I THINK I TOLD YOU I WENT TO THAT
 DANCE SCHOOL 3 OR 4 TIMES IT COST \$10.00 I WAS
 THINKING I MITE HAVE TO GO TO A LATIN AMERICAN
 COUNTRY AND IT HELPS SO MUCH IF YOU KNOW A LITTLE
 827 SOMETHING ABOUT THE LATIN DANCES. HOWEVER
 YOU HAVE TO BE PROFICIENT AT THE OTHER DANCES
 BEFORE YOU CAN LEARN THE LATIN TYPE IF
 YOU CAN BELIEVE THE SCHOOLS. I ALSO TOLD
 YOU ABOUT THE DOCTORS FLU, REST PILLS WOULD
 HAVE GOT REST PILLS FROM FLU DR. BUT HE HAD
 WENT TO ATLANTA, WHEN I LEFT CANADA
 I TOOK WITH ME SOME CANADIAN NEWSPAPERS
 I GUESS YOU SAW THE ARTICLE IN NEWSWEEK

LINKING ME WITH THE HIPPIE LONELY HEARTS CLUBS, WHAT I DID WAS ENROLL IN ONE OF THE INTERNATIONAL CLUBS. I HAD GOT OUT OF A CANADIAN NEWSPAPER. THESE PEOPLE ARE WHO BELONG TO THESE CLUBS ARE NOT CRIMINALS BUT THEY ARE NOT WHAT THE HIPPIES REFER TO AS SQUALL. I STILL HAD NOT RULED OUT A CANADIAN PASSPORT AND I THOUGHT I MITE CONTACT SOMEONE IN CANADA THROUGH ONE OF THESE CLUBS. AFTER I HAD GOT THEIR ADDRESS I WOULD GO TO CANADA AND MAKE THEIR ACQUAINTANCE THROUGH NORMAL WAYS. ANOTHER WORDS NOT TELL THEM I WAS FROM THE U.S. BUT A CANADIAN, THEN TELL THEM I WAS FROM ANOTHER CITY IN CANADA AND ASK THEM TO SIGN A PASSPORT FORM. THIS WOULD BE AFTER I KNEW THEM AWHILE. HOWEVER I NEVER HEARD FROM ANYONE AND FORGOT ABOUT IT UNTIL I ARRIVED IN CALIFORNIA. AFTER BUYING THE ~~FO~~ ~~PEOPLE~~ ABOUT FILMS AND CAMERAS I GOT INTERESTED IN PICTURES AND BROUGHT A CAMERA. I BROUGHT NEW LICENCE TAGS ABOUT OUTLISK. SHOOK HANDS WITH MR. SIKERELL WHO ASK ME TO VOTE FOR HIM, HE WAS GOING DOWN THE LINE OF PEOPLE WAITING TO BUY LICENCE TAGS, I GUESS I SHOULD MENTION I TOOK A DRIVERS TEST WHICH I PASSED.

SOMETIME, I WOULD GUESS ABOUT THE 506 OF OCTOBER ROUAL WROTE ME AND ASK ME TO COME TO NEVO LARADO MEX. HE GAVE ME AN ADDRESS AND A DATE AND ASK ME TO CALL HIM IF I COULD MAKE IT. I CALLED HIM AND TOLD HIM I HADNT GOT ALL THE PHOTOGRAPHIC EQUIPMENT YET, ALSO I HAD A FEW OTHER MINOR THINGS TO DO, I TOLD HIM I WAS SURE I COULD GET THEIR AT A CERTAIN DATE, BUT IF SOMETHING CAME UP AND I COULNT I WOULD CALL HIM BACK

(4)

HE SAID THAT WOULD BE ALLRIGHT. AFTER I GOT
THE LETTER FROM ROUAL I QUITE TAKING
ROOM & BOARD FROM CHERAES AND JUST TOOK A ROOM
AS I WASNT SURE JUST WHEN I WOULD LEAVE.

JEFF WHILE IN BID I TOLD PEOPLE I WORKED ON
SHIPS & IN SHIPYARD.

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MR. HUIB;

Filed 20 Sept. 74
Cilla. Ex. 7 Mo.

10-16-68

Huie Deposition
By John Hamilton
Court Reporter

I WILL ATTEMPT TO ANSWER YOUR LETTER THAT
WAS SHOWN TO ME TUESDAY BY MR. HANES.
FIRST I WOULDN'T WORKY TO MUSH ABOUT A CONTEMPT
CHARGE, JUDGE BATTLE HAS SAID HIMSELF THAT THE
ORDER DOESN'T EXTEND OUT SIDE OF HIS JURISDICTION
WHICH IS CONFINED TO SHELBY COUNTY.
HOW EVER IF YOU DID GET CONVICTED OF CONTEMPT
I THINK THE MAXIMUM PENALTY IS ONLY SIX MONTHS
WHICH WOULD GO BY PRETTY FAST, ALSO IF YOUR
EX. COUNSEL GETS OBJECTED YOU WOULD BE USES TO IT.
(THEIR AX ARTICLE OUT IN THE AUGUST REVERES
DIGEST WHICH ALSO CAME OUT AFTER BATTLE'S ORDER)

MY POSITION ON THIS BOOK AND ARTICLES YOU ARE
WRITING IS, THAT WHILE IT WAS MR. HANES IDEA,
(HE HAD ME SIGN TWO CONTRACTS IN LONDON FOR THAT
PURPOSE I GUESS) IS THAT I HATEFULLY APPROVE
OF IT, BUT I DON'T WANT TO GET TO TIED UP WITH
MULTIPLE CONTRACTS WHICH I WILL NOW
ATTEMPT TO EXPLAIN.

I HAVE NOW SIGN FOUR CONTRACTS INCLUDING A
POWER OF ATTORNEY WHICH GIVES YOU AND MR.
HANES THE NEAR AS THING AS POSSIBLE TO
UNLIMITED RIGHTS TO SAY OR MAKE DEALS OF ANY
KIND IN MY NAME. I HAVE NO OBJECTION TO TALK UP TO
A CERTAIN POINT, AS I KNOW THEIRS GOING TO BE ALL
KINDS OF BOOKS WRITE RELATING TO ME AND TO ANACO
ROAD TYPE MOVIES, AND UNDER THE HALL LAWS IN
THE U.S. WHICH MAKES IT DIFFICULT FOR A CONVICTED
FELON TO GET ANY RELIEF IN THE COURTS, I CAN'T
DO MUSH ABOUT IT.

JCH

I.

IT SEEMS TO ME THAT FOR THE LAST 12 OR 15 MONTHS
I'VE BEEN TOLD IF I WOULD DO THIS OR THAT CERTAIN
WOULD BE APPLICAT. THEREFORE BEFORE GOING TO
TRIAL I WANT TO GET OUT FROM UNDER SOME
OF THESE CONTRACTS. ONE IS THE POWER OF
ATTORNEY, IT SEEMS TO ME THAT THE CONTRACT
YOU, MR. HANES, AND I HAVE SIGNED WOULD BE
ENOUGH. I CERTAINLY DON'T WANT ANY MORE
DEALS AS I THINK THE ONE CONTRACT SHOULD
COVER EVERYTHING. AND I WANT MY BROTHER
TO HAVE A POWER OF ATT. WHICH I WILL EXPLAIN
LATER.

THEREFORE THIS IS WHAT I WANT TO DO BEARE
~~BE~~ NOW THE 1ST. AND THAT IS FOR YOUR ATTORNEY OR
AGENT TO START ON NOW. TO PUTTING 1/2 OF MY 30¢
IN A BANK DESIGNATED BY MY BROTHER. THIS
WOULD BE ABOUT \$1,250.00 THE OTHER HALF
WOULD GO TO MR. HANES UNTIL I GET HIM
PAID OFF, I DON'T THINK THIS WOULD BE A
HARDSHIP ON MR. HANES AS HE HAS ALREADY
REC'D ABOUT \$20,000, HIS 30¢ AND NINE.

NOW I WILL ATTEMPT TO EXPLAIN MY REASON
FOR MAKING THIS REQUEST AND WHICH I HAVE
ATTEMPTED TO EXPLAIN TO MR. HANES WITHOUT SUCCESS.

ONE, IF I AM CONVICTED OF A CRIME I AM
GOING TO HIRE A TENNESSEE LAWYER TO HELP
WITH MY APPEAL. THIS IS USUALLY DONE AS
LOCAL LAWYERS SOMETIMES KNOW THEIR WAY
AROUND A LITTLE BETTER THAN OUT OF STATE
LAWYERS, ALSO IF I GO TO SOME PRISON AND
I AM CONFINED UNDER THE SAME CONDITIONS
AS I AM HERE I WILL NEED SOMEONE
ON THE STATE LEVEL TO TRY TO GET IT
CHANGED. ANOTHER WORDS A STATE LAWYER

WITH A LITTLE POLITICAL INFLUENCE.

TWO, I AM GOING TO TRY TO HAVE THE ETHICS COMMITTEE TO INVESTIGATE MY AVERSE PUBLICITY. I WILL PROBABLY NEED A LAWYER FOR THIS. THIS WILL TAKE A LITTLE MONEY AND YOU CANT SHOW LAWYERS JUST CONTRACTS, THREE, WILL HIRE PRIVATE DETECTIVE INVESTIGATING MY CASE, ON THE NEGATIVE SIDE I GUESS YOU HAVE READ WHERE YOU HAVE GAVE ME THOUSANDS OF DOLLARS FOR PUBLISHING RIGHTS, THEREFORE IF THE UNKNOWN SHOULD HAPPEN IT WOULD BE DIFFICULT FOR ME OR AN ATTORNEY TO MAKE A PUBLIC APPEAL.

ALSO AS YOU PROBABLY KNOW SAME STATES RIGHTS PARTY HAS OFFERED TO FINANCE MY DEFENCE, HOWEVER MR. HANES IS PROBABLY RIGHT IN THAT I SHOULNT GET INVOLVED WITH POLITICS UNLESS I HAVE TO.

IF WHAT IVE WROTE SOUNDS REASONABLE AND LOGICAL, OR IF NOT LET MR. HANES KNOW.

WHAT EVER YOU AND MR. HANES DESIDE WONT HAVE ANY EFFECT ON BOOKS OR INTERVIEWS OR ANYTHING IN THE CONTRACT.

HOWEVER IF ITS DESIDED ~~TO~~ BY SOMEONE TO KEEP ME FROM PICKING THE BOAT OR THAT AM TO DO ME TO HANDLE MY FINICIAL & LEGAL AFFAIRS AM GING TO HAVE TO MAKE SOME OTHER LONG TERM ARRANGEMENT RATHER THAN GO ON LIKE I HAVE BEEN, SO I WOULD LIKE TO KNOW YOUR VIEWS ON THIS BEFORE NOVEMBER

JEK

3

21

THIS IS THE LAST TIME I WANT TO COMMENT
ON THIS SUBJECT AS I WANT TO CONCENTRATE ON
THE TRIAL.

ON A RELATED SUBJECT MY RELATIVES ARE
STILL BEING DECEIVED BY WRITERS MY BROTHER
TELLS ME HE HEARD ONE HAD CLAIMED
HE HAD INTERVIEWED SOME RELATIVE OF MINE
WHICH HE HADNT, THIS WOULDN'T COME UNDER
THE JURISDICTION OF YOUR ATTORNEY
MENTION IN THE CONTRACT WOULD IT?

SINCERELY

James S. Roy

JEK

4.

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To. WILLIAM B. HUIE
HARTSELL, ALA.

FEB-24-69

DEAR SIR;

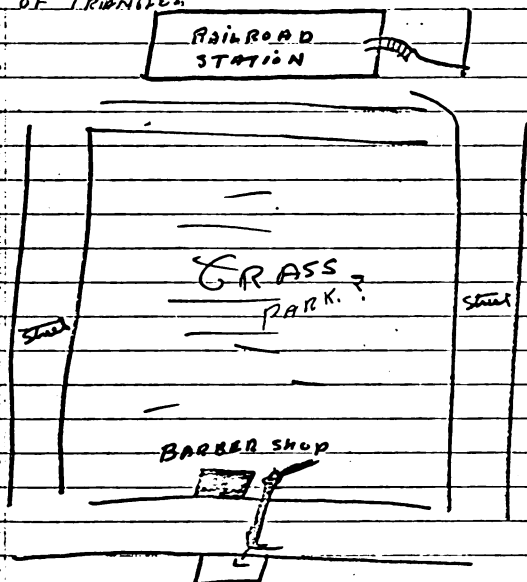
I WILL BEGIN ON MARCH 30 AND GO ON
FROM THERE.

WHEN I LEFT BIRMINGHAM ON MARCH 30, IF
THAT WAS THE DATE, I NEVER RETURNED TO
ATLANTA, I WAS SUPPOSE TO BE IN MEMPHIS
BY THE 3RD OF APRIL, I PAID GARNER RENT
TWICE, I THINK I PAID HIM THE SECOND WEEKS
RENT ON A FRIDAY, THE 25TH OR 26TH, I THINK
THE F.B.I. KNOWS ALL OF THE MOTELS I STAYED
AT BETWEEN BIR. & MEMPHIS, BUT THERE WOULD
BE NO ADVANTAGE FOR THE STATE TO BRING
THIS OUT AS THEY, THE STATE, WOULD PROBABLY
THINK IT TO THEIR ADVANTAGE NOT TO SHOW
THAT I DIDNT ARRIVE IN MEMPHIS UNTIL APRIL 3.
ALSO, GARNER STAYED DRUNK MOST OF THE TIME
SO I THINK IT POSSIBLE HE MITE OF BEEN MISTAKEN.

ON THE TRIP FROM MEMPHIS TO TORONTO I
TOOK A BUS FROM ATLANTA TO CINCINNATI
ON THE 5TH OF APRIL, THE BUS WAS DUE
TO LEAVE ATLANTA ABOUT 11:30 AM BUT
IT LEFT ABOUT 1:00 PM, 'LATE FOR SOME REASON'
I ARRIVED IN CINNI. ABOUT 1:30 AM ON
THE 6TH OF APRIL, I HAD ABOUT AN HOUR & A HALF
LAY OVER IN CINN, I WENT TO A TAVERN AS
I DIDNT WANT TO STAY IN BUS STATION,
I THINK THE TAVERNS CLOSE THERE AT 2:30 PM
I ARRIVED AT DETROIT ABOUT 8:00 AM
STILL THE 6TH APRIL, I THEN CAUGHT
A CAB TO A TRAIN STATION.
I (SEE DIAGRAM)

Filed 20
Sept. 74
By Mr. Huie
Circuit Reporter
Circ. Ex 7 to
By Mr. Garrison

WAS TOLD AT TRAIN STATION WOULD HAVE
TO TAKE CAB TO WINNERS CUNDA. THEN
I WENT AND GOT A SHAVE, I REMEMBER
I HAD TROUBLE AS THE BARBER SAID HE DIDNT
SHAVE CUSTOMERS ANYMORE.
'THIS STATION WAS NOT IN MAIN PART OF TOWN'
THE BELOW BLOCK IS NOT SQUARE, BUT THINK
OF TRIANGLE



I TOOK A CAB TO WINNERS AND GOT
THERE ABOUT 10:00 OR 11:00 AM. THE TRAIN
LEFT FOR TORONTO ABOUT 20 MINUTES AFTER
I GOT THERE. I ARRIVED IN TORONTO
ABOUT 5 P.M. ON THE 6TH OF APRIL.
I RENTED THE ROOM ON OSSINGTON THAT
EVENING ABOUT 6 O'CLOCK FOR \$10.00, THE
PEOPLE WHO RAN IT WERE IMMIGRANTS AS

8577

WHEN I CALLED BRIDGEMAN, SNEYD TOLD THEM
I WORKED FOR "BUREAU OF INTERNAL AFFAIRS" AND
WAS CHECKING ON A MIX UP IN PASSPORTS.

THE WOMAN COULDN'T SPEAK HARDLY ANY ENGLISH
AND THE MAN NOT MUCH BETTER. I NEVER
GAVE THEM A NAME AS THEY NEVER ASKED ME
FOR ONE, BUT THE NEXT WEEK AFTER I
HAD GOT THE NAMES OUT OF THE BIRTH
COLUMN OF THE NEWSPAPER I WROTE THE
NAME PAUL BRIDGEMAN ON A PIECE OF PAPER
FOR HER AND TOLD HER IF ANY MAIL CAME
IN THAT NAME THAT IT WOULD BE FOR ME,
'I HAD ORDERED A BIRTH CERT. IN THAT NAME'.
I THEN CALLED BRIDGEMAN AND SEVERAL OTHER
PEOPLE THAT I HAD CUT OUT OF THE PAPER,
BRIDGEMAN TOLD ME HE HAD GOTTEN A PASSPORT
ABOUT 2 YRS. PREVIOUSLY, WHEN I GOT TO SNEYD
HE TOLD ME HE NEVER HAD A PASSPORT, SO I
DECIDED TO GET A PASSPORT IN HIS NAME AS
HIS PICTURE WOULD NOT BE ON FILE AT THE
PASSPORT OFFICE, IF HE NEVER HAD A PASSPORT.
I THEN WENT TO THE DUNDAS ST ADDRESS
AND RENTED A ROOM, I TOLD THE CHINESE LADY
I WORKED NIGHTS, I WAS COMING TO STAY THEIR
DAYS + ^{NIGHTS} ~~SEVEN~~ ^{TEN} DAYS, I ALSO ORDERED A
BIRTH CERT. UNDER SNEYD'S NAME. I STILL
WAS NOT SURE ABOUT HOW TO GET A PASSPORT
AND STILL THOUGHT YOU HAD TO KNOW SOMEONE
2 YRS, I WAS GOING TO USE BRIDGEMAN NAME
FOR THE WITNESS, HOWEVER WHEN I WENT
FOR THE APPLICATION I FOUND OUT YOU COULD
MAKE A SWORN STATEMENT IF YOU DIDN'T
KNOW ANYONE FOR 2 YRS, ALSO IF YOU DID
KNOW SOMEONE HE HAD TO BE SOMEONE
IN A PROFESSION. WHEN I ARRIVED IN
CANADA I HAD ABOUT 11,000.00 I KNEW
I WOULD HAVE TO GET TO AN ENGLISH SPEAKING
COUNTRY IN ORDER TO FIND EMPLOYMENT.

III

852

I DIDN'T WANT TO STAY IN ENGLAND AS IT
 HAD TO CLOSE POLICE & OTHER TIES WITH THE
 U.S. AND I DIDN'T HAVE ENOUGH MONEY TO
 GET TO AUSTRIA, SO I DECIDED ON SOUTH
 AFRICA, THE TRAVEL AGENT SAID THE PRICE
 FOR ROUND TRIP TICKET WOULD BE APP^{rox} \$220.00,
 YOU CAN'T GET IN THAT COUNTRY WITHOUT A
 ROUND TRIP TICKET. AFTER I HAD FILLED OUT
 THE PASSPORT FORM I WAS TOLD IT WOULD TAKE
 ABOUT 2 WEEKS TO PROCESS IT, I THEN CHECKED
 OUT OF THE ASSINISTON ST. ADDRESS AND WENT
 TO MONTREAL, (I NO LONGER NEEDED BRIDGEMAN'S
 NAME I HAD USED ON ASSINISTON) WHEN I GOT
 TO MONTREAL I GOT A ROOM ON THE OPPOSITE
 SIDE OF TOWN, (THAN MY FORMER ADDRESS)
 THE ADDRESS WAS APP^{rox} 1200 ON LAR HUNDRED
 BLOCK ON NOTRE DAME WEST, "THE POLICE
 IN CANADA HAS FOUND OUT ABOUT "THIS ADDRESS"
 AS I SAW IT ON THE LAST LIST OF WITNESSES"
 THAT WAS GIVEN MR. HANES, I DON'T THINK
 HANES SHOWED YOU THIS LIST, AS IT WASN'T
 IN THE PAPERS YOU GAVE MR. FOREMAN. ALSO,
 I HAVE NEVER SAW THE COMPLETE SECOND LIST,
 ANYHOW, WHAT I WAS COME TO DO IN MONTREAL
 WAS TO RENT PASSAGE ON A SHIP THAT SAILED
 AROUND THE COAST OF SOUTH AFRICA AND TRY
 TO STOP IN AT ONE OF THE STOPS OR GET
 QUEBEC AND SWIM A SHORE. I FOUND A
 SCANDINAVIAN SHIPPING LINE WHICH HAD LINES
 GOING TO MOZAMBIQUE, THE PRICE FOR A TICKET
 WAS \$600.00 BUT THEY WANTED A PASSPORT NO.
 SO I CALLED UP ON THAT, WHILE I WAS IN
 MONTREAL THE POLICE MUST HAVE HAD A
 TIP THAT I MIGHT BE THERE BECAUSE SEVERAL
 PEOPLE WERE ARRESTED, I REMEMBER.

READING IN A PAPER WHERE A MAN, A PILOT,
 WAS ARRESTED IN FRONT OF HIS HOTEL, ALSO
 TWO MALES WERE ARRESTED IN A WHITE CAR
 WITH A DOG. FOR THIS REASON I NEVER LEFT
 THE ROOM EXCEPT FOR MEALS, AND WHEN
 I WENT TO THE SHIPPING OFFICE, I THINK I
 GAVE THE LANDLORD THE NAME WALTERS, ALSO
 I REMEMBER GIVING THE LADY AT THE
 SHIPPING OFFICE ~~THE~~ MY ADDRESS AS ST. MARK
 ST. I RETURNED TO TORONTO AFTER A WEEK, A TOTAL
 OF 9 DAYS COUNTING TRAVEL TIME. THE DAY AFTER
 I RETURNED TO TORONTO I CALLED THE TRAVEL AGENCY
 AND WAS TOLD THE PASSPORT HAD JUST ARRIVED.
 WHEN I WENT NEXT DAY TO PICK IT UP I FOUND
 OUT THE NAME WAS SPelled WRONG (SNEYA
 INSTEAD OF SNEYD). THE NAME ON PICTURE WAS
 SNEYD SO THE AGENT SAID SHE WOULD SEND
 IT BACK. SHE CALLED OTTAWA AND WAS TOLD
 IT WOULD TAKE 3 DAY TO CORRECT, BUT WHEN
 I WENT BACK 3 DAYS LATER THE AGENT HAD
 FORGOT, SO I LEFT TORONTO WITH A FAULTY
 PASSPORT. (LIFE MAG. CLAIMS I WAS IN SOME
 G. G. BAR IN TORONTO EVERY NIGHT FROM THE
 TIME I ARRIVED IN TORONTO UNTIL I LEFT, IN ORDER
 TO DO THIS I WOULD HAVE HAD TO TRAVEL BETWEEN
 TORONTO & MONTREAL EVERYDAY.) WHEN I GOT BACK
 TO TORONTO FROM MONTREAL I HAD ABOUT
 \$800.00, I THOUGHT OF GOING TO BRAZIL BUT I HAD
 TOLD THE TRAVEL AGENT I WAS GOING TO
 AFRICA, SO THOUGHT I HAD BETTER NOT.
 THE \$800.00 WAS NOT ENOUGH FOR THE
 ROUND TRIP TICKET SO I BROUGHT A
 ROUND TRIP TO ENGLAND, WHEN I ARRIVED
 IN LONDON I CALLED ~~THE~~ THE PORTUGUESE

I
 JEX

EMBASSY ABOUT A VISA TO ANGOLA, I WAS TOLD IT WOULD TAKE ONE DAY TO PROCESS, I THEN TOOK A PLANE TO LISBON, I SPENT MOST OF THE TIME THERE TRYING TO GET A SHIP TO ANGOLA. (I WAS GOING FROM ANGOLA INTO ONE OF THE ENGLISH SPEAKING COUNTRIES IF I COULD NOT GET A JOB THERE) I FINALLY FOUND A SHIP, A ONE WAY TICKET COST 3,777 ESCUDOS, I THEN WENT TO GET A VISA BUT WAS TOLD IT WOULD TAKE 7 DAYS TO PROCESS VISA, THE SHIP WAS LEAVING IN TWO DAYS, SO I MISSED (THE SHIP). THE ONLY THING ELSE I DID IN LISBON WAS GET A DIFFERENT PASSPORT AT THE CANADIAN EMBASSY AND CONTACT A REPRESENTATIVE OF BIDERA ABOUT JOINING THE MILITARY (THAT) BUT HE SEEMS TO THINK I WAS A NEWSPAPER REPORTER, BUT HE TOLD ME IF I WENT TO FRANCE I MIGHT FIND SOMETHING IN THAT LINE, I FLEW BACK TO ENGLAND INSTEAD OF TAKING A TRAIN ^{ARRIVING ->} TO FRANCE, AFTER I GOT TO ENGLAND THEY STOPPED PLANE SERVING TO FRANCE BECAUSE OF THE RIOTS, I THEN CONTACTED A REPORTER ON THE TELEGRAPH. THE PERSON I CALLED THIS PERSON WAS THAT I NOTICED THE TELEGRAPH CARRIED A LOT OF STORIES ABOUT ENGLISH SPEAKING AFRICA, HE GAVE ME AN ORG. TO GO TO IN BELGIUM BUT I WAS ARRESTED AT THE AIRPORT.

(NO I DIDNT PULL NO. HELDUPS IN CANADA)
(IF I HAD I MITE NOT OF BEEN CAUGHT.)

ALSO I GUESS YOU SAW THE LETTER I WROTE TO TRAVEL AGENT SAYING I WAS GOING TO CAPREAL, THATS WHEN I WENT TO MONTREAL. ONE OTHER THING WHILE WORKING IN CHICAGO I LIVED THE LAST COUPLE OF WEEKS ON LUNT ST CLOSER TO WORK ADDRESS ON AND WITNESS LIST.

FOLLOWING IS SOMETHINGS THAT HAPPEN WHILE I WAS IN CANADA, AFTER LEAVING ATLANTA WHICH MITE HELP YOU.

WHEN I WAS IN TORONTO, IT COULD NOT OF BEEN MORE THAN 4 OR 5 DAYS, BEFORE THE F.B.I. RELEASED THE GALT NAME. I WAS STOPPED BY A TORONTO POLICEMAN FOR CROSSING THE STREET AGAINST A RED LIGHT, HE GAVE ME A TICKET, HE TOLD ME HE HAD TO SINCE HE GAVE A CANADIAN ONE WHO HAD CROSSED WITH ME. IT CAUGHT ME BY SURPRISE AND I GAVE HIM THE ADDRESS OF 6 CONDOR ST. I THINK I TOLD YOU I INVOLVED IN ~~RA~~ A CORRESPONDENCE CLUB WHICH LISTED CANADIAN WOMEN, AND THAT I WAS THINKING OF HAVING ONE OF THESE PEOPLE SIGN A PASSPORT FORM. THIS 6 CONDOR ADDRESS WAS ONE OF TWO I HAD ON ARRIVING IN TORONTO.

ALSO ABOUT THIS TIME I BROUGHT A MAKEUP ~~KIT~~ KIT ON YONGE ST. ABOUT THE SAME TIME AS I GOT THE TICKET, IT COST ABOUT \$2.00. THE MIRROR IS STILL IN MY PERSONAL PROPERTY. I THINK THE NAME OF THE THEATRICAL STORE'S NAME WAS 'BROWN'. I BROUGHT IT IN THE EVENT THE POLICE FOUND OUT I WAS IN TORONTO, ALSO I THOUGHT IT MITE HELP TO CHANGE MY FEATURES FOR THE PASSPORT PICTURE.

CONDOR OR CONDON ST. IS IN THE EXTREME SECTION OF NORTH EAST TORONTO.

JEH

CALIF. I

MY TIME IN CALIFORNIA WILL PROBABLY BE THE MOST DIFFICULT TO RECALL CHRONOLOGICAL UNTIL I GET A FEW DATES FROM PAPERS & CORRESPONDENCE WHICH I WILL LIST AT THE END OF THIS WRITING.

UPON MY ARRIVAL I MOVED INTO AN APARTMENT AT 1535 SERRANO. (RENT \$900.00 MONTH) AFTER I

★ WAS IN L.A. ABOUT 10 DAYS I WENT TO THE POST OFFICE AND INQUIRED IF I HAD ANY MAIL (SINCE DEC.)

I WAS TOLD NO, I THEN CALLED RUAH IN NO. SOMEONE ELSE ANSWERED AND ASK ME IF I COULD

COME DOWN AROUND XMAS, I AGREED & ALSO HAD A PHONE INSTALLED AS I WANTED ONE TO INQUIRE ABOUT

JOBS. DURING THIS TIME I MADE THE FOLLOWING

EFFORTS TO OBTAIN EMPLOYMENT. ① ATTEMPT TO GET T&E (FILLED OUT FORM) WITH INTERNAL REVENUE, THIS CONSIST

OF FILLING OUT PEOPLES INCOME TAX FORMS THIS ADD WAS IN THE L.A. TIMES.

② RAN TWO ADS IN L.A. TIMES BUT ALL WANTED S.S. CARDS OR REFERENCE.

③ TOOK BARTENDING COURSE, \$25.00.

④ MADE LONG DISTANCE CALL TO BIG BEAR SKI LODGE.

ALSO TOOK DANCE COURSE BUT COMPLETE ONLY HALF OF IN, PRICE \$466.00, THE AD IN THE PAPER SAID

IT WOULD COST \$32.00 BUT THEY CONED THE COUNTRY BOY. THE REASON I TOOK THIS WAS THAT

I THOUGHT I MITE STAY IN MEXICO IF I WENT THEIR AGAIN, AT \$30 ABOUT THIS TIME I FOUND

OUT YOU COULD GO TO COLUMBIA S.A. WITHOUT A PASSPORT. (MR. FOREMAN, YOU WERE DOWN

THE PART ABOUT THE WALLACE REG.)

Filed 20 Sep 74 Collec. Ex 7 to
Deputy M.D. Hine By John Hamlin, Court Reporter

CALIF. II

WHILE I WAS IN CANADA AN ESCAPED CONVICT NAMED BENNY EDMONDSON WAS ARRESTED WORKING IN MONTREAL AT EXPO, HE HAD ESCAPED FROM THE SAME PEN. AS ME, I KNEW HIM AND HE HAD BEEN OUT ABOUT A YEAR WHEN THE FBI PUT HIM ON THE TOP 10, THEREFORE I WAGNT GOT TO CALIF. I THOUGHT THERE WAS A GOOD CHANCE I WOULD BE ADDITO THE LIST IN THE NOT TO DISTANCE FUTURE. IT WAS WHILE IN MEXICO I THOUGHT OF A WAY WHICH I MITE BEAT A CHANCE IDENTIFICATION, AND THAT WAS TO HAVE PLASTIC SURGERY. ALSO I HAD TOOK A PICTURE OF ^{MYSELF} ME IN MEXICO THE ONLY ONE I EVER HAD TAKEN OUTSIDE OF PRISON, I SAW IT MADE ME LOOK YOUNGER THAN I WAS. I HAD ALSO READ THAT IN A PHOTOGRAPH YOUR NOSE & EARS OR PROMINENT FEATURES SHOW UP, SO I DESIDED TO HAVE THEM ALTERED. I HAD ALSO READ SOME PEOPLE ARE NOT PHOTOGENIC, WHILE I AM NOT THEREFORE I MADE AN APPOINTMENT WITH DR. ^{OLD DR. →} RUSSELL HADLEY FOR PLASTIC SURGERY ON MY ^{WAS GOING} NOSE. BUT BEFORE I HAD THE SURGERY I TOOK ^{GOT A T.O.B} ABOUT 8 PICTURES OF MYSELF WITH THE CAMERA. ^{RING T.O.} I THEN RAN AND ADD IN ONE OF THE UNDERGROUND NEWS PAPERS ASKING TO EXCHANGE PHOTOGRAPHY WITH WOMEN, I THING MOST OF THESE ARE HIPPIE TYPE AS HIPPIES SELL THE PAPERS. I DIDNT GIVE MY ADDRESS IN THE ADD AS I DIDNT WANT THE POLICE OR ANY OF THE HIPPIES COMING AROUND, I INSTEAD RENTED A MAIL DROP IN ALHAMBRA CALIF. I THEN SENT \$1.00 TO THIS SAME PAPER FOR A LIST OF THESE WOMEN ADUITISERS.

JEF

CALIF III

WHEN I GOT THE LIST THEY HAD SOME ADVERTISE
 WHO WANTED TO EXCHANGE PICTURES, I SENT
 THESE 8 PICTURES I HAD TOOK OF ME ALL
 OVER THE U.S. THEY WERE ALL THE SAME A
 KIND OF PROFILE VIEW, I THEN HAD THE
 PLASTIC SURGERY. WHEN YOU OPERATED ON FOR
 PLASTIC SURGERY THEY FREEZE THE SKIN, MY
 CASE THE NOSE, THEN THEY TEAR DOWN THE
 CARTILAGE AND MOLD IT ANY WAY THEY WANT
 TO. MY NOSE WAS STRAIGHT AND POINTED BEFORE
 OPERATION AND ON ONE SIDE, AFTER HE HAD FINISHED
 I WENT BACK TO HOTEL ROOM AND WHILE NOSE
 WAS STILL NUMB I REMOVED THE TAPE PUSHED
 NOSE TO OTHER SIDE AND DOWN TO CHANGE
 WHY DOCTOR HAD SAMPED IT IN CASE HE
 REMEMBERED ME, I WAS SUPPOSED TO GO BACK
 FOR PICTURES LATER BUT NATURALLY NEVER
 DID. I WAS THEN GOING TO ANOTHER PLASTIC
 SURGEON TO HAVE EAR SET BACK BUT NEVER
 DID AS HE HAD TO MEET ROYAL AND NEVER
 HAD TIME. DURING THIS TIME I HAD
 WROTE COAST GUARD ABOUT PROCEDURE ^{FOR} ~~AND~~
 GETTING JOB ON SHIP, COAST GUARD MAY
 HAVE RECORD OR LETTER MAY HAVE BEEN LEFT
 IN ATLANTA, THIS WAS ONE REASON I WANTED
 U.S. ~~NEED~~ PLASTIC SURGERY, FOR THE PICTURE ON
 > SARGANTS PAPERS OR FOR PASSPORT DURING
 THIS TIME I SAW AN ARTICLE ABOUT THE SOUTH
 AFRICAN REGIONAL CONCIL THIS CONCIL WAS SUPPOSE
 TO HAVE INFO ABOUT ENGLISH SPEAKING COUNTRIES
 IN AFRICA, BUT IT DIDNT GIVE THE ADDRESS
 I THEN CALLED SEVERAL ORG. ASKING INFO
 ABOUT THIS CONSUL, ONE OF THEM WAS
 THE JOHN BIRCH SOCIETY.

CALIF III

THEY SAID THEY HAD THE ADDRESS AND WOULD
 SEND IT TO ME WHICH THEY DID ALONG WITH
 A PAMPHLET. THIS PAMPHLET AND THE UNDER
 GROUND NEWSPAPER ARE THE ONLY PUBLICATION
 WHICH COULD BE CALLED NON-TRIVIAL.
 (WHEN I LEFT ATLANTA I LEFT THESE TWO PUBLICATION
 ON A TABLE AND THREW THE OTHER BOOKS AWAY THAT
 MIGHT BE WHY THE HUNT CENTERED IN L.A. RIGHT AFTER
 THE SHOOTING, BOTH PUBLICATION WERE FROM CALIF.
 AND THEY MIGHT OF THOUGHT I WAS INVOLVED WITH THEM.)
 (I ALSO WENT TO LAS VEGAS ~~AND~~ NEW YORK,

I ALSO TOOK A COURSE IN HYPNOSIS WHILE IN
 L.A. I HAD READ A LOT ABOUT IT IN PRISON
 ON HOW IT WAS USED IN DENTISTRY & MEDICINE.
 THE FIRST PERSON I WENT TO WENT A HYPNOSIS
 3ND → BUT I GAVE HIM MY RIGHT NAME (RAY) ^{MAJOR}
 MISTAKE AS I THOUGHT I MIGHT TELL HIM UNDER ^{MAJOR}
 HYPNOSIS INFLUENCE. THE OTHER ONE I WENT
 TO WAS QUALIFIED. HE QUARTERED HIM IN L.A.
 AS SAYING I WAS LOOKING FOR PUBLICITY. ANOTHER
 WORDS HE WAS PLAYING THE PSYCHOLOGIST.
 ACTUAL THIS GUY WAS A PREACHER, HE RAN
 THIS BUSINESS CONSULTANT SCHOOL ON THE SIDE.
 MOST OF HIS CLIENTS WERE SALESMAN
 AND PEOPLE WHO WERE TRYING TO STOP
 SMOKING OR DRINKING AND I DON'T THINK
 HE HAD ANY DOCTORS LICENCE. IN THIS PART
 OF THE COUNTRY HYPNOTISM IS KIND OF FLOWN
 UPON I GUESS. BUT IN CALIF. THERE ARE MANY
 OF THESE SCHOOLS. (ALL OF THIS COST ABOUT \$5.00)

JEAN

CALIF. V

THEIR WAS ALSO AN ARTICLE IN LIFE WHICH SAID I MADE AN ANTI-NEGRO STATEMENT IN A L.A. BAR. IT QUOTED THE BARTENDER AS SAYING THAT I HAD COME IN ABOUT 506 TIMES AND NEVER SAID ANYTHING BUT ON THE LAST APPEARANCE MADE THE STATEMENTS. THIS IS MY VERSION; I DID GO IN THERE ABOUT 6 TIMES AND DIDNT SAY NOTHING THE ONLY REASON I WENT IN THERE WAS TO WATCH THE FLOR SHAW. ON THIS PARTICULAR NITE THERE WAS SOMEONE SITTING NEXT TO ME WHO TALKED ABOUT 30 MINUTES WITHOUT STOPPING ABOUT THE STATE OF THE WORLD THERE WAS ALSO A YOUNG GIRL SITTING ON THE OTHER SIDE OF ME, I MIGHT OF TOLD THE GUY WHO WAS TALKING TO ME WHERE I WAS FROM AS I THINK HE ASK ME, OR SHE MIGHT HAVE SEEN MY CAR WITH ALABAMA LICENCE ON IT ANY HOW WHEN THE THE CONVERSATION LEFT SHE STARTED BY ASKING ME HOW COME THEY DONT CHANGE THEIR RIGHTS IN ALABAMA I THINK I ASK HER IF SHE HAD EVER BEEN THERE OR SOMETHING LIKE THAT AND WALKED OUT THERE WAS TWO GUYS NEXT TO HER AND WHEN I WENT OUT THEY MUST OF FOLLOWED ME. (THE STORY IN LIFE DONT MENTION THIS PART) ANYHOW THE BIG ONE CAME FROM BEHIND AND PULLED MY COAT OVER MY ARMS (I HAD A SHIRT) THE SHIRT OR STARTED HITTING AND ASKING FOR MY MONEY, HE PULLED MY WATCH OFF I JERKED AWAY (AS I WAS SCARED POLICE WOULD SHOW UP) BUT HE HUNG ON TO MY COAT AND GOES HE STILL HAS IT I RAN ACROSS THE STREET TO THE CAR BUT COULDN'T GET IN AS THE

JEX

CALIF VI

KEYS WERE IN MY COAT, I HAD A \$8 UNDER THE SEAT SO MAYBE IT WAS JUST AS USUAL. I THEN RAN THROUGH A CHURCH YARD AND CIRCLED AROUND AND GOT BACK TO APARTMENT. THE NEXT DAY I WENT TO A LOCKSMITH ON HOLLYWOOD BLVD AND HAD HIM TO MAKE ME A SET OF KEYS AS I ONLY HAD ONE. I ALSO BROUGHT ANOTHER WATCH ON HOLLYWOOD BLVD. THE LOCKSMITH GUY ASK ME WHAT HAPPENED AND I TOLD HIM I LOST THEM OUTSIDE THE TUBEN. I DIDNT WANT TO TELL HIM I WAS ROBBED AS HE MITE OF WENT TO POLICE. HE ALSO TOLD ME HE WAS FROM TENNESSEE. (I KNOW THE APP. ADDRESS OF BART LOCKSMITH AND THE STORE BROUGHT THE WATCH AT) ALSO THE PANTS OF THIS SUIT COAT TONY TOOK FROM ME IS IN MY PERSONAL HERE. THE NEXT DAY I WENT BACK TO THE TUBEN AND ASKED IF MY COAT WAS THERE AS SOMEONE MITE BE FOUND IT ON STREET. BARTENDER SAID NO, THE GIRL WAS ALSO IN THERE. THIS PHASE WENT A BITTLE TIGHT BUT THE CLIENT WERE NOT AVERAGE PEOPLE.

CORRESPONDENCE WHICH WOULD HELP ME CHRONOLOGICALLY.

Have MITE HAVE
these dates

1. DATE I PUT ADD IN A PAPER
2. CORR. WITH LOCKSMITH SCHOOL.
3. DATE MADE APP. WITH PLASTIC SURG.
4. DATE I STARTED BARTENDING SCHOOL

[Signature]

J.P. ⑥

Filed 20 Sep 74 Coll. Ex 776
 Dep. Mr. Haire By John Humlin,
 Court Reporter

IT WAS IN MEXICO THAT THE MARIJUANA CHARGE AGAINST ME ALSO CAME OUT, I THINK THAT ONE REASON FOR THIS CHARGE WAS THAT ON THE WAY TO THE BEACH I PICKED UP A HIPPIE WHO WAS KITCHENING, HE PROBABLY REMEMBERED MY CAR FROM NEWSPAPER REPORTS, ANYWAY SEVERAL OF THEM WERE LIVING ON THE BEACH AND I WAS TALKING TO ONE OF THE GIRLS ABOUT THE EFFECT THE DRUG HAD ON YOU, AND I THINK OUT OF THIS CONVERSATION AND ^{BY} THEM KNOWING ME ON SIGHT THEY MITE HAVE INFORMED ON ME TO THE FBI. ALSO I WOULD THINK THAT THE HIPPIES WOULD BE SYMPATHIC TO PEOPLE LIKE KING. AND IF THEY THOUGHT I WAS INVOLVED THEY WOULD INFORM WHILE IN PUERTO RICO. UP UNTIL I STAYED THE FIRST 3 WEEKS AT THE HOTEL RIO, THE LAST WEEK AT THE TROPICANA, THE TROPICANA IS RIGHT ON THE BEACH. THERE IS ANOTHER BARTENDER WHO WORKS AT ONE OF THE HOTELS WHO MITE GIVE YOU SOME INFORMATION ON MY SOMEWHAT ILLEGAL ACTIVITIES BUT I THINK YOU SHOULD TALK TO HIM FIRST, THEN I WILL VERIFY WHAT HE SAYS, HE WAS A FAT GUY AND I DON'T REMEMBER THE HOTEL HE WORKED AT BUT WILL ALSO DRAW A DIAGRAM OF THIS HOTEL.

I THINK THAT COVERS ABOUT EVERYTHING I DID WHILE IN MEXICO.

/AS

Hotel Pelje
young room

17 pts

Aceno

Fit butander - Loui

Sabbatone

Ris - Anne - Edwards

October 17-18-19

donkeys with
blky black

Tropiana -
shatit hts in land

Miamelova

large hotel

Oliver Macdonald
Macimbo

(14)

15 pts - small white

Outy

Miamelova

the large blue

MR. HUIE;

MR. HANES READ ME YOUR FIRST STORY AND ON THIS PAPER I WILL ATTEMPT TO EXPLAIN THE PART WHICH YOU PROBABLY MISUNDERSTOOD. IT DEALS WITH PLASTIC SURGERY & LONELY HEARTS CLUBS. FIRST I DIDNT GET PLASTIC SURGERY TO CHANGE MY PERSONALLY OR FUTURE AS YOU MITE HAVE CONSTRUED BY READING THE MALTZ BOOK, I GOT THE SURGERY TO CHANGE MY FACIAL FEATURES SO IT WOULD BE HARDER TO IDENTIFY ME THROUGH PICTURES. CIRCULATED MY LAW OFFICIALS, I GOT THE MALTZ BOOK ON RECOMMENDATION OF A HYPNOSIS. IT WAS JUST A COINCIDENCE THAT I HAD SURGERY AND THE MALTZ BOOK.

THErd mistake you made in the story was in timing not fact. I joined a club with international names in it but it never come out in the paper, the article mention in life + newsmag and which you refer to in your first story is a club that I contacted in Los angeles from the L. A. FREE PRESS PAPER. WHAT I DID WAS CIRCULATE A LOT OF PICTURES AROUND THROUGH THIS CLUB THEN I HAD PLASTIC SURGERY. THE REASON I DID THIS WAS THAT I KNEW SOONER OR LATER THE F.B.I. WOULD GET ME ON THE TOP 10, AND I ASSUMED SOMEONE THAT I HAD MAILED A PICTURE TO WOULD SEND IT TO THE F.B.I., MEAN WHILE I WOULD HAVE HAD MY FEATURES ALTERED PLUS THE FACT THAT THE PICTURES MADE ME LOOK CONSIDERABLE YOUNGER.

John *(Jm)*
 I DONT KNOW HOW TO CONNECT THE PLASTIC SURGERY WITH THE LONELY HEARTS CLUB AT THIS STAGE OF THE STORY SINCE MOST OF THIS HAPPEN DURING THE LATTER STAGES OF THE STORY IN CALIFORNIA I SUPPOSE YOU COULD HINT AT SOMETHING IF YOU DONT WANT THE PLASTIC SURGERY PART TO COME OUT UNTIL AFTER THE TRIAL STARTS, HOWEVER THATS YOUR DEPT. IM JUST TRYING TO GET THE SEQUENCE OF EVENTS RIGHT FOR YOU. I GUESS ARTHUR HANAS JR GAVE YOU THE ADDRESS OF THE PLASTIC SURGEON SO YOU COULD CHECK IT OUT. IT WAS, DR. RUSSEL HANLEY AT APP. 7000 HOLLYWOOD BLVD L.A. CALIFORNIA.

THE ONLY OTHER PART OF THE STORY THAT MITE BE MISINTERPRETED IS THE ARMY PART. IT TRUE THAT I ASK TO GET OUT AFTER BEING TRANSFERRED TO THE INFANTRY BUT THIS WAS NOT DENIED, WHAT FINALLY HAPPEN WAS THAT I WAS SENT TO THE STOCKADE FOR BREAKING CONFINEMENT TO QUARTERS. I WAS THEN GIVEN A DISCHARGE UNDER HONORABLE CONDITIONS, MY ONLY COMPLAINT ON THIS POINT WAS THAT THE ARMY WAITED WITHIN 2 DAYS OF THE END OF MY 3 YEAR ENLISTMENT BEFORE THEY GAVE ME THIS TYPE OF DISCHARGE, IT SEEMS IF I WAS THAT CLOSE TO AN HONORABLE DISCHARGE THEY SHOULD HAVE WAITED THE TWO DAYS, BUT IN GENERAL I HAD NO OBJECTION TO THEIR ACTION OR NEVER MADE ANY, AND THEY WERE PROBABLY RIGHT IN TAKING THE ACTION THEY DID.

I THOUGHT I SHOULD WRITE THESE TWO PAGES BECAUSE IF THEIRS A MISTAKE IN THE STORY THROUGH MY FAULTY GRAMMAR IT MITE REFLECT ON THE CREDIBILITY OF THE REST OF THE STORY,

JEN

(JFK) (3)

YOU ALSO HAD SOMETHING ABOUT ME SCREAMING
IN MY SLEEP, I GUESS THAT WAS IN SOME
ARTICLE I DIDN'T READ, THERE BEEN A LOT
OF THIS TYPE OF THING WRITTEN I GUESS. AND
I DON'T CARE ABOUT ANSWERING ANY OF IT. I
SUPPOSE THEY WRITE THIS TYPE OF THINGS
TO SELL THEIR ARTICLE. ALSO THAT'S THE REASON
I AM GIVING YOU THIS INFORMATION.

IN MY OPINION THE PLACE TO ANSWER THESE
MAGAZINE ARTICLES IS IN A COURT OF LAW UNDER
LIBEL ACTION, THEIR THEY WOULD HAVE TO PROVE
THEIR ALLEGATIONS. ~~THEY~~

I WOULD RATHER YOU STATE THAT YOU ASK ME
(WHICH YOU DID) ABOUT THOSE CHARGES SUCH
AS SCREAMING IN MY SLEEP WHEN YOU WRITE
THE STORY. INSTEAD OF GIVING THE IMPRESSION
THAT I JUST THOUGHT THIS UP MYSELF.

JFK

FOR - MR. HUIE

I WILL ATTEMPT TO ANSWER SOME OF YOUR LETTER IN A GENERAL WAY, ITS DIFFICULT TO EXPLAIN ANYTHING WHEN THE QUESTIONS ARE RANDOM, ALSO I SEEM TO REMEMBER MORE WHEN I WRITE THAN WHEN I ANSWER QUESTIONS FROM MR. HANES.

FOR EXAMPLE IN THE LIFE MAGAZINE ARTICLE MR. HANES SHOWED ME. YESTERDAY I WAS SUPPOSED TO HAVE TOOK OUT AN ADD IN THE FREE PRESS OF LOS ANGELES. I DID HAVE THAT ADD PUT IN THAT PAPER BUT THERE WAS MORE TO IT THAN THAT, FOR INSTANCE I TOLD THEM I WANTED TO EXCHANGE PICTURES, IF YOU COULD THEIR GET A COPY OF THE PAPER WITH THE ADD IN IT AND CHECK. ALSO I RENTED A MAIL DROP FROM A PRIVATE PARTY IN ALHAMBRA CALIF. 'HEDGE PETH I THINK IS THE NAME' FOR ALL

MY MAIL FROM THIS ADD TO GO TO, THEN I SENT ABOUT 12 PICTURES TO ANOTHER ADD THAT WAS IN THE FREE PRESS, I THEN WENT TO DR. RUSSEL HADLEY AT 8747 7000 HOLLYWOOD BLVD. AND HAD PLASTIC SURGERY ON MY NOSE IT HAD BEEN MASKED TO THE LEFT. AFTER I GOT TO THE HOTEL I MOVED THE BANDAGE TO THE RIGHT TO CHANGE MY APPEARANCE MORE. I INTEND TO GO TO ANOTHER DR. AND HAVE MY EAR CHANGED, THESE THINGS ARE NOT NOTICABLE ON PERSON TO PERSON CONTACT BUT THEY SHOW UP IN PICTURES. I DIDNT HAVE TIME FOR THE EAR.

city
see Ben
& Martin
by
& my hints

7/1/74
Filed 20 Sept 74 Collier
Ex-7000 Mr. Huie
By John Hamlin, Court Reporter

(2)

for

I THINK HIS REAL NAME WAS BENNIE EDMONDSON, HE WAS ARRESTED IN MONTREAL IN JULY OR AUGUST OF 1967.

THE REASON I DID THIS WAS THAT I EXPECTED TO BE PUT ON THE TOP 10 ANY DAY SINCE I ESCAPED OVER THE WALL. (WHILE I WAS IN MONTREAL THERE WAS A ~~FORMER~~ MAN WHO ESCAPED FROM THE SAME PRISON I HAD, WHO GOT CAUGHT UP THEIR & FORGET WHAT HIS REAL NAME WAS. BUT HE WAS WORKING AT THE EXPLO-UP THEIR AND USING THE NAME OF ALEX BORMANN.) I REASONED IF I HAD PLASTIC SURGERY THEY COULDN'T VERY WELL IDENTIFY ME PLUS THE FACT I DON'T HAVE PROMINENT FEATURES AND DON'T LOOK MUCH LIKE MY PICTURE. BUT I CERTAINLY WOULDN'T HAVE CIRCULATED MY PICTURE AROUND IF I THOUGHT I WAS GOING TO BE THE OBJECT OF A WORLD WIDE MAN HUNT THE NEXT MONTH. PLASTIC SURGERY OR NOT. ANOTHER WORD I THINK SOMEONE WOULD SEE ME ON THE TOP TEN AND SEND IN ONE OF THE PHOTOS. NOW I WILL TRY TO ANSWER THE REST OF YOUR LETTER.

1. I THINK I MITE HAVE GOT INVOLVED IN THE KING AFFAIR GRADUALLY AS I HAVE EXPLAINED TO MR. HANES.
2. I THINK I EXPLAINED THAT I WAS IN TORONTO AT 188 OSSINGTON AVE. WHEN LOMAX SAID I WAS IN MILWAUKEE, YOU CAN CHECK THIS VERY EASY.

JEH

(3) *fx*

I DONT KNOW WHEN, WHERE, THE TIME OR WHY KING WAS KILLED I SUPPOSE I BECAME INVOLVED WHEN I FIRST TOOK THOSE PACKAGES IN TO THE U.S. FROM CANADA. I WOULD THINK IT WAS DESIRED BEFORE THE CAR WAS BROUGHT IT BIRMINGHAM AS NO ONE WOULD GIVE \$3,000.00 TO SHOOT NARCOTICS ACROSS THE BORDER.

I WAS UNDER THE IMPRESSION I WAS TO BE PAID IN MEXICO BUT NO MENTION WAS EVER MADE OF MURDER OF KING OR ANYONE ELSE.

AS FOR MY BEING STUPID I WOULDN'T GO THAT FAR BUT I WOULD NEITHER SAY I WAS SMART SINCE I HAVE SPENT ABOUT 12 YEARS IN PRISON. ON THE DUPE PART IM SURE UNDER ORDINARY CIRCUMSTANCES I WOULDN'T, BUT YOU HAVE TO TAKE INTO ACCOUNT THE PSYCHOLOGY ASPECT OF MY POSITION, I WAS PROMISED TRAVEL DOCUMENTS AFTER TWO JOBS AND NEVER GOT THEM AND I KNEW I WAS GOING TO HAVE TO GET THEM AND GET OUT OF THE COUNTRY OR GO BACK TO PRISON FOR ABOUT 25 YEARS, I WAS PROMISED THEM FOR SURE AFTER THE LAST JOB PLUS 10 OR 12 THOUSAND FOR THE JOB. IT HARD TO EXPLAIN IT, BUT WHEN YOU GET IN THIS FRAME OF MIND YOU DONT LOOK AT ALL THE ANGLES OR ALTERNATIVES, THE WAY I GOT MY CANADIAN PASSPORT IS AN EXAMPLE, I KNEW THERE WAS NO OTHER CHOICE BUT TO APPLY FOR IT.

JEN

98

(T)
JFK

I WOULDN'T SAY I HATED KING I DO THINK
MOST PREACHERS ARE A BITTER PHONY BUT
I WOULDN'T CONSIDER SHOOTING THEM.

I WOULD ALSO AGREE THAT BY MY NOT HAVING
ANY POLITICAL OPINIONS THAT I WON'T GET
MUCH SYMPATHY FROM EITHER SIDE.
HOWEVER I AM GOING TO TRY TO CHANGE THIS.

ALSO IN THE VERY NEAR FUTURE I AM FILING
SOME LIBEL SUITS ^(AGAINST LIFE) ~~AGAINST~~ ME OR MY FATHER
WILL, WE MAY ALSO FILE AGAINST LOMAX
AND HAVE THEM PRODUCE ALL OFF THESE
PROSTITUTES & PICTURES THEY HAVE BEEN
TALKING ABOUT.

NOW ABOUT MY BROTHERS, JOHN MY OLDEST BROTHER
HAS NEVER SAID ANYTHING TO ANYONE OR HAS
NEVER BEEN QUOTED AS SAYING ANYTHING.
JERRY TOLD ME ON HIS LAST VISIT THAT
HE DID NOT TELL LIFE THAT HE THOUGHT
~~IF~~ I WAS INVOLVED IN THE KING MURDER, OR
THAT I DID IT FOR MONEY AND WILL TESTIFY
SO IN THE FORTH COMING LIBEL SUIT.

I WOULD ALSO REFER YOU TO THE ARTICLE
IN LIFE OR NEWSWEEK QUOTING WARDEN
SWENSEN AS SAYING I WAS COLD BLOODED
AND RUTHLESS AND CAPABLE OF THE MURDER
OF KING, YESTERDAY MR. HANES SHOWED
ME A LETTER TO THE EDITOR ^{IN ASSOCIATION} OF THIS
MAGAZINE CALLING THE QUOTE A LIE.

JFK

part ⑤

IN SHORT I DONT INTEND TO INVOLVE SOMEONE OR SOME ORAGNATION THAT I DONT THINK IS INVOLVED JUST TO GET INTO THE GOOD GRACES OF SOMETHING LIKE LIFE MAGAZINE. AND WHAT I TELL YOU IS WHAT I WILL TELL THE JURY

LIFE MAGAZINE INFERED THAT AS FAR AS I WAS CONCERNED IT WAS OVER, ANOTHER WORDS THEY HAVE GOT ME CONVICTED, NOW THEIR LOOKING FOR SOMEONE ELSE, I WOULD SAY TO THIS IF LIFE CAN GET ME IN THE ELECTRIC CHAIR THROUGH THESE LIES THEN THEIR A GOOD POSSIBILITY THEIR POSITION IS NOT TO FIRM.

I HAVE ALSO TOLD MY BROTHERS NOT TO TALK TO ANY ONE EXCEPT YOU AND HANE SO IF ANY MORE STORIES COME OUT QUOTING THEM ITS FALSE.

ALSO I DONT HAVE NO OBJECTIONS TO YOU WRITING ANYTHING I SEND YOU THROUGH MR. HANE INCLUDING CRIME. AND NATURALITY IF I WRITE SOMETHING YOU THINK IS WRONG, GIVE YOUR VERSION.

THEIR ALSO IS MORE TO THE STORY ABOUT THE PLASTIC SURGERY IN CALIF. BUT I CAN EXPLAIN IT BETTER WHEN I GET TO THAT PART OF THE STORY.

I DONT WANT TO GIVE YOU THE IMPRESSION AM SOME KIND OF A SAINT BUT I THINK IF SOMEONE THOUGHT OUT SOME OF THE THING I AM SUPPOSE TO HAVE DONE, THAT THEY COULD SEE THAT MOST OF IT IS NOT LOGICAL.

JAN 6.

IN THE LIFE MAGAZINE ARTICLE THAT MR. HANES SHOWN ME YESTERDAY THE ARTICLE MENTIONED VARIOUS COUNTRIES I WAS IN AND IT SEEMS IN ALL OF THESE COUNTRIES ~~CAME FORWARD~~ PROSTITUTES AND PORNOGRAPHY PEDDLERS CAME FORWARD AND INVOLVED ME IN SOME OF THEIR ACTIVITIES, NOW ~~PERIOD~~ BETWEEN APRIL AND AUGUST OF 1967 THEY WAS A LOT OF PEOPLE WHO SAW ME AND I WORKED WITH SOME SUCH AS THE KLINGEMANS AND YET NONE OF THESE PEOPLE CAME FORWARD AND IDENTIFY ME FROM MY PICTURES IN THE PAPERS, YET ALL OF THESE PERVERTS WHO PROBABLY CAN'T EVEN OR HAVEN'T READ A PAPER HAVE CONTACTED LIFE AND SAID THEY KNOW ME, I SUPPOSE THROUGH MY PICTURE SINCE NO ONE HAS SEEN ME SINCE MY ARREST.

TO BE MORE SPECIFIC LIFE SAID AFTER I WENT BACK TO TORONTO THE SECOND TIME AND APPLIED FOR THE PASSPORT I SPENT EVERY NIGHT IN SAME GOGO PLACE CALLED THE SILVER DOLLAR, WHAT IS NOT KNOWN IS THAT I SPENT 9 DAYS IN MONTREAL ON BUSINESS DURING THIS TIME AND CAN SEND YOU TO WITNESSES WHERE I WAS STAYING TO PROVE IT, SO I EVIDENTLY COULDN'T HAVE BEEN IN SOME CLUB EVERY NIGHT.

ON THESE PHONE CALLS I WAS SUPPOSE TO HAVE MADE WHEN I WENT ~~TO~~ WITH STEIN TO NEW ORLEANS I DID MAKE TWO COMING BACK BUT I DON'T WANT YOU TO QUOTE ME JUST SAY YOU FOUND IT ON YOUR OWN. THE PHONE CALLS WERE TO MY BROTHER AT THE SPORTSMAN GOUNTRY CLUB IN WHEELING ILLINOIS. MY BROTHER WASN'T THERE BUT THE MANAGER, ANSERLOAN I AM SURE HE WOULD REMEMBER IF YOU CONTACTED HIM, IT WAS ABOUT 11:30 AM AND HE SAID HE WOULD TELL MY BROTHER I CALLED.

Filed Chie. Ex. 7-20 Sept 74
20 Sept 74 John Hamlin, Lt. Rep.

D

JEH

NOTHING HAPPEN ON THE WAY TO MEXICO FROM BIRMINGHAM. ALTHO I DID MAIL THE SAFETY DEPOSIT KEYS TO THE HAND IN BIRMINGHAM AS I WAS SURE I WOULDN'T COME BACK. I GUESS MR. HANES SHOWED YOU THE ROUTE I THINK I TOOK. I DON'T REMEMBER THE MOTEL I MET ROUAL IN BUT WILL DRAW YOU A MAP OF ITS APP. LOCATION IN LARADO MEXICO. I THINK I HAD BEEN IN THE MOTEL ABOUT 2 HRS. WHEN ROUAL CAME TO THE ROOM. HE TOLD ME WHAT HE WANTED WHICH WAS FOR ME TO FOLLOW HIM ACROSS THE BORDER, HE TOOK A CAB AND GOT OUT AFTER WE PASSED THROUGH U.S. CUSTOMS, AND GOT IN WITH ME. HE THEN DIRECTED ME TO A CAR IN FRONT OF A FRAME HOUSE (SEE DIAGRAM). AFTER GETTING THE KEYS FROM THE DRIVER HE OPEN THE TRUNK & TRANSFERED A TYRE ON A WHEEL TO MY CAR. I HAD TO PUT SOME THINGS IN THE BACK SEAT AS THE TRUNK WAS FULL. ON THE TRIP BACK HE ROPE WITH ME, WHEN WE GOT TO MEXICAN CUSTOMS HE GOT OUT & WAITED BESIDE THE BUILDING, AFTER GETTING THE VISA THE CUSTOMS MEN SEARCH THE CAR OR STARTED TO SEARCH IT I GAVE THEM \$3.00 AS ROUAL HAD SUGGESTED AND THEY STOPED THE SEARCH & PUT A MARK ON EVERY THING. I DIDNT GO THROUGH CUSTOMS THE FIRST TIME AS I WAS NOT SURE I WAS GOING INTO THE INTERIOR OF MEXICO. A VISA IS NOT REQUIRED FOR CROSSING THE BORDER. WE DROVE TO THE MOTEL WHERE I HAD CHECKED IN AND TRANSFERED THE TYRE AND WHAT EVER HE HAD IN IT TO THE CAR WE HAD GOT IT OUT OF. WE TAKED A SHORT WHILE AND HE TOLD ME WHAT HE WANTED ME TO DO WHICH WAS TO HAUL THE TYRE AND ITS CONTENTS THROUGH THE CUSTOMS CHECK IN THE INTERIOR, I GUESS THAT WOULD BE ABOUT 50 KILMS. FROM THE BORDER. (HE ALSO TOLD ME TO KEEP THE PHOTOGRAPHIC EQUIPMENT FOR THE TIME BEING.)

JEH

JUL 2

I STAYED THERE THAT NIGHT AND THE NEXT MORNING HE CAME AND AGAIN TRANSFERRED THE TYPE TO MY CAR, I FOLLOWED HIS CAR OUT OF TOWN TO THE CUSTOMS HOUSE, THEY CHECKED HIS CAR AND ~~THE~~ MINE, AFTER WE HAD GOT OUT OF SIGHT WE AGAIN TRANSFERRED THE TYPE TO HIS CAR. HE GAVE ME \$2,000.00 BUT I DON'T THINK IT WAS WRAPPED LIKE YOU GET THEM FROM A BANK (MR. HANES ASK ME ABOUT THIS) ALL I CAN REMEMBER IS THAT I AM SURE THEY WERE IN \$20.00 BILLS. HE ALSO SAID HE COULDN'T GET THE TRAVEL DOCUMENTS YET BUT HE COULD BE SURE AND GET THEM THE NEXT TIME PLUS HAVE ENOUGH MONEY ^{TO} GO INTO BUSINESS IN A NEW COUNTRY, HE MENTIONED 10 MILL THOUSANDS PILLARS, HE ALSO SAID IT WOULD INVOLVE TAKING GUNS & ASSORIES INTO MEXICO. I THEN TOLD HIM THAT I WOULD GO TO LOS ANGELES WHEN I LEFT MEXICO, HE SAID THAT WAS ALL RIGHT THAT HE WOULD CONTACT ME THROUGH GENERAL DILLERY. (THE MAIN REASON I WANTED TO GO OUT THERE ~~WAS~~ WAS TO SEE IF I COULD GET A TODAY AN OCEAN GOING SHIP) ~~I THEN~~ OBSERVATIONS; I AM SURE ROUND LICENSE PLATES WERE MEXICAN BUT NOT POSITIVE AS U.S. & MEXICO PLATES LOOK ABOUT THE SAME, ALSO THE MEXICAN CUSTOMS CHECKS MEXICAN CARS A LOT CLOSER THAN THEY DO AMERICAN TOURIST CARS. ALSO I THINK THERE IS A LOT OF JEWELRY SMUGGLING INTO ^{THE} COUNTRY. THE CUSTOMS ALWAYS ASK YOU WHAT TYPE OF JEWELRY YOU ARE TAKING INTO THE COUNTRY.

JEX

③
Jan.

I TOLD BOB I WOULD BE IN MEXICO ABOUT
A MONTH AND I DECIDED TO GO TO ACAPULCO
I DONT KNOW THE NAMES OF THE PLACES I
STOPED AT ON THE WAY BUT THE FIRST PLACE
I CHECKED IN AT AFTER I GOT TO ACAPULCO WAS
THE SAN FRANCISCO MOTEL I STAYED THERE ONE
NIGHT AND MOVED (I WILL DRAW YOU A DIAGRAM
OF THE OTHER PLACE I MOVED TO, I STAYED
THERE ABOUT 4 DAYS AND DECIDED TO GO
TO PUERTO VALLARTA. (THE REASON I STAYED &
REMEMBERED THE SAN FRANCISCO MOTEL IS THAT I
STAYED THERE IN EARLY 1959, THE REASON I
LEFT ACAPULCO WAS EVERYTHING WAS MONEY, YOU
COULDN'T EVEN PARK OR GO TO THE BEACH WITHOUT
SOMEONE WANTING PESOS.) I HAD READ ABOUT
PUERTO VALLARTA IN ARCADY OR TRUE MAGAZINE
HOURS YEARS EARLIER. ON THE WAY FROM ACAPULCO
TO PUERTO VALLARTA I STAYED AT THE
PONCHO VILLA MOTEL IN GUADALAJARA FOR 3 DAYS
I HAD AN INFECTED TOOTH AND THE MANAGER
GAVE ME THE ADDRESS OF A DOCTOR. I LEFT
THERE AND WENT TO ^{Tehuacan} TAMPICO WHICH IS THE
CUT OFF TO PUERTO VALLARTA, THIS ROAD
BETWEEN TAMPICO & PUERTO VALLARTA WAS
BAD AND THE RAIN SEASON WAS JUST CLOSING,
WHEN I GOT WITHIN ABOUT 30 KILMS. OF THE
CITY I GOT STUCK, SINCE THE ROAD IS JUST
ONE LANE SOME MEXICANS IN A TRUCK PULLED
ME OUT WITH A ROPE SO THEY COULD GET THROUGH
WHEN I ARRIVED THERE I CHECKED INTO THE
HOTEL RIO, I THOUGHT THIS WAS ABOUT THE
BEST TOWN IN MEXICO I HAD BEEN IN AND
WOULD HAVE LIKED TO ^{STAY} STAYED, THERE IS QUITE
A FEW BUSINESSES OWNED BY ENGLISH
SPEAKING PERSONS.

JEN

JAN (P. 2)

DURING MOST OF MY TIME THERE I SPENT ON THE BEACH. (I WILL ALSO DRAW A DIAGRAM OF THIS) THERE WAS ONE BAR/CLUB IN TOWN WHICH I WAS IN ABOUT 4 TIMES, PLUS TWO TIMES DURING THE DAY ON BUSINESS, IT SEEMS THAT A MALE WAITER IN THE PLACE HAD A SMALL LOT HE WANTED TO SELL OR TRADE FOR MY CAR, I WENT OUT AND LOOKED AT THE LOT ONCE, THE MAIN REASON I DIDN'T TRADE THE CAR FOR THE LOT IS THAT IT IS ILLEGAL TO TRADE YOUR CAR OR SELL IT WHILE IN MEXICO AND SINCE IT WAS A SMALL TOWN THE POLICE MIGHT HAVE SEEN THE WAITER WITH THE CAR AND TOOK IT THEN I WOULD OF HAD TO GIVE THE LOT BACK AND WOULD HAVE ALSO BEEN OUT THE CAR. AT ONE TIME I WAS THINKING ABOUT GOING BACK TO THE U.S. STEALING A MUSTANG & HE WROTE REPORT I HAD LOST MY BILL OF SALE AND GET A NEW ONE TAKE THE STOLEN ONE AND THE BILL OF SALE AND TRADE IT FOR THE LOT, IN A CASE LIKE THIS THE MEXICAN POLICE DON'T INVESTIGATE THEY JUST KEEP THE CAR, THIS WAY I WOULD HAVE STILL HAD THE ORIGINAL CAR & BILL OF SALE.

ON ANOTHER OCCASION A MAN CAME TO MY HOTEL ROOM LATE AT NIGHT AND SAID HE WAS FROM ALABAMA HE SAID HE SAW MY CAR PARKED IN FRONT OF THE HOTEL, I GUESS HE THOUGHT I WAS CRAZY AS I DIDN'T SAY MUCH AS I DIDN'T KNOW MUCH ABOUT THE STATE SO I DIDN'T WANT TO SAY MUCH. SEVERAL PEOPLE HAVE SAID THINGS TO ME ABOUT ALABAMA BOTH PRO & CON. AFTER SEEING THE CAR TAGS AND ONE TIME IN LOS ANGELES I ALMOST GOT ARRESTED IN AN ARGUMENT, THE FUNNY THING IN THAT NEITHER THESE PEOPLE NOR I KNEW ANYTHING ABOUT THE STATE. AFTER A COUPLE OF THESE RUN INS I DECIDED IF POSSIBLE I WOULD PICK ANOTHER STATE TO GO TO IF I WAS A FUGITIVE.

JEN

JEB ⑤

IT WAS HERE THAT THE FBI GOT A BLURRED PICTURE OF ME I THINK WHAT HAPPENED WAS THAT I TORE IT INTO BUT DIDNT DESTROY THE ACTUAL PICTURE OF ME, AS YOU PROBABLY KNOW EVERY COUNTRY IN THE WORLD HAVE THESE PEOPLE TAKING YOUR PICTURE IN CLUBS + THE STREET AND THEN TRY TO SELL THEM TO YOU, I HAVE BROUGHT SEVERAL OF THESE PICTURES WHEN TAKEN BY POLAROID JUST TO TEAR THEM UP. AS I TOLD YOU I HAD BROUGHT A CAMERA IN BIRMINGHAM, I WAS ~~DOWN~~ ABOUT THIS TIME THAT I THOUGHT OF ~~THE~~ ^{HAVING} PLASTIC SURGERY AFTER I HAD SENT OUT SOME PICTURES TO VARIOUS PEOPLE. I WILL ATTEMPT NOW TO EXPLAIN A LITTLE MORE CLEARLY.

I THINK THE FIRST TIME THAT I GOT TO THINKING ON THIS SUBJECT WAS UPON MY DISCHARGE FROM THE FEDERAL PRISON AT LEWENWORTH KENN. USUALLY WHEN YOUR DISCHARGED, THEY CHECK YOU WITH YOUR PICTURE BUT IN MY CASE THE OFFICER SAID HE DIDNT THINK THE PICTURE WAS OF ME AND THEY WOULDNT LET ME LEAVE UNTIL THEY CHECKED MY FINGERPRINTS ALSO I THINK I TOLD YOU WHEN I FEEL THAT PEOPLE WITH PRONOUNCED FEATURES ARE MORE EASY TO IDENTIFY THAN OTHER PEOPLE ~~THROUGH~~ THROUGH PICTURES.

ANYWAY I WAS TAKING SOME PICTURES ON THIS DESERTED BEACH AND THEN TOOK ONE OF MYSELF WITH A TIMER, I THOUGHT IT MADE ME LOOK ABOUT 7 OR 8 YEARS YOUNGER THAN THE PRISON PICTURES I HAD SAW.

THE REST OF THIS PART OF THE STORY WOULD RELATE TO CALIFORNIA

JEB

THIS STORY TAKES
UP WHERE X IS ON
OTHER STORY

pg 1

ON WATER FRONT FRONT

After I arrived in S.A. I went to the post
office after I was there about 10 days or two
weeks, a colored woman said I had nothing
but write down something down there if the
mail had been there long, but there was
nothing down there, I then called H.O. ~~Paul~~
someone said Paul wanted me to come down
about Xmas. I said you are giving the party
my address, after I got to H.O. I called the
H.O. No. 2 was asked where I was staying then
told where Paul would meet me. The
gist of the conversation was that he had
a good deal for me he wanted me to help
take some guns into Mexico and then would
be 10 or 12 thousand in it for me plus the
usual promise of Travel Documents. During
the conversation he said after I got to Cuba
I could go any place in the world I told
him I wasn't interested in going to Cuba and
I wanted the Travel Documents and part of the
money before I went into Mexico again, he
said all right I would get half the money plus the T.D.
I told him I was getting short of money and he
gave me \$500.00. He also told me he would
contact me the later part of April on the
project would start about the 1st of May.
and that he would write me the specific date
later on to meet him I told him I would probably
move but would leave a change of address.
Something I think in the Feb. he ^{wrote} and
ask me to meet him at the bar we had met
in before in H.O. that we would go from
H.O. to Atlanta Georgia. He gave me a date
and ask me to call acknowledging the letter
and also if I could meet him on that date. 84

Filed 20 Sept 74 Collier
5K:7 to Dept No. 100
By John Franklin Court Reporter

I called and said I would be there but would
 call him back if something happened. I
 couldn't make it. This left me pressed for
 time, as I was due for practice and wanting
 a couple courses. I wrote the Jackson School
 saying I was going to Atlanta about 10 and
 my course upon my arrival in N.O.
 I called Paul I was supposed to be met on
 ahead to Bix and to meet him at the
 usual place in two days. I had some packages
 for some people and I shipped them off. I
 stayed close to N.O. that day as I had
 two days to get to Bix. Upon my arrival
 in Bix I went to the stable, Paul was
 there and ready to go, when we got to Atlanta
 we started looking around for a place for me
 to stay. we finally found a place but the
 landlord was so drunk to make it next
 door where he had the room to rent but he
 said I could stay in another room room
 for the night as he was out of town for
 the weekend. I had been talking to the landlord
 a long time and Paul came into see what was
 going on; I explained to him about the room
 next door, we then went to a restaurant on
 penthouse street as I had it extra since
 morning breakfast, upon that Paul found I
 arrived in Atlanta he had it said what
 he wanted me to do, He told me while
 we were eating that he would come back the
 next day about 12 o'clock as the landlord
 would probably be there then and he could
 find out what room I had. He came there
 the next day at about that hour. I had moved
 in and I didn't know if he went next door or not.

W. H. STATE GETTING TO
 BIX AS I SET ON WORKING
 FIRST THURSDAY

but he had trouble getting in as he didn't have no key, There was a list of extra keys in the house (this place was pretty deserted and I had the run of it including the room where they keep all the spare keys) and I made a key for Raul but it didn't work too good. I was taking him to the house we decided to leave the side door open in the event he come to see me and the key I had made him didn't work, I guess the lock was working only the side door was always unlocked as he or somebody was always locking it. Raul then explained to me what he wanted me to do and that was to get a large brace rifle fitted with scopes plus ammo, also to inquire about the price of cheap foreign Rifles. After I had bought the rifle we would take it to the buyers and if it was O.K. I would then buy 10 of them, the scoped ones, and about two hundred of the cheap foreign ones. The scoped ones would half to be new the others they were not too particular about. He wanted me to keep the guns there and he would come to Altona when he got word that the buyers were ready to look at the guns. Then me and him would take the guns and show it to the buyers to get it O.K. Then I then explained to him that I had Alabama I.D. and might have trouble getting a gun in Altona, especially if I had to buy many of them. He said alright maybe I was right and that we would get the guns in Birmingham. He said also that he wasn't sure what date he wanted to make the purchase in Birmingham but that J.F. he would contact me probably by mail.

I also asked him for some money but he said he didn't have any right then but would have the next time we met. Before he left he said he would like for me to take him to Miami in a couple days, but he never did show up for the trip. While in Atlanta I got some more money and went to two different banks and exchanged Canadian currency for U.S. currency. I also secured the locksmith course as I didn't know how long I would be there. Paul never did write but came to the house personally for me, when we got to him he had one shop one off at the post office, he said after I got a chance to meet him at the stable lounge. After I checked into a motel I picked him up and we brought a paper, we got the address of the armsman supply out of the west all section. I called the armsman and they said they had a large supply of rifles. Paul told me again after we got there to get a large bore deer rifle and gave me over \$700.00, I ask the salesman for a deer rifle and he showed me one which I bought, I also inquired about some foreign guns or display. After the purchase was made Paul went back to the motel. He looked at it and said it was the wrong kind, I had a catalog they had given me a armsman and he showed me what kind he wanted. I then called the armsman and told them it was the wrong kind of rifle, I think I told him my brother in law told me this. The salesman said he would exchange it but couldn't fit the scope on until the next day, I said alright and took the rifle back.

JER

pg 6.

I told the salesman it was a deer rifle and showed him what I wanted from the catalog. (I don't think they had the exact kind but they had one almost like the one Paul wanted.) The salesman told me he had thought I was talking about a Remington when he sold me the first Rifle. I went back to the motel and told Paul that I had ordered the kind of rifle he wanted and it would be ready tomorrow. He said alright and then told me what he wanted me to do, and that was to go to Memphis and check into the new Rebel motel. I guess it was April the 3rd that he said he would meet me there at 8 or 9 o'clock at night. He then said that he had to go to N.O. on for a couple days and left. The next day I started for Memphis. I had approx 4 days to get to Memphis and I drove slow and stopped at about 3 motels on the way there. I checked into the new Rebel upon my arrival in Memphis. Paul showed up that night at about 8 or 9 o'clock he said he had a room on as it was coming out. He told me he would help to rent a room as we were in Memphis for 3 or 4 days. He told me he knew a place on the waterfront and that he would rent it in my name. I told him no, that I didn't think he should use my name if he was going to have any guns up there. I then gave him a name that I had used indirectly before (willard), and one that I wouldn't forget. He said alright and told me that if everything went alright, which he was sure it would that me and him would go back to

page 6

Bir. and buy about 10 of the super rifles
 plus a large supply of the foreign make ones.
 He mention something about shipping them down
 the river to N. Orleans. When he got ready
 to leave he told me to meet him at the
 address at about 4 o'clock, he then wrote the
 address down on a piece of paper, I wrote
 him the name to use to rent the room under.
 He also said that if he wasn't at the room
 he would be in the town underneath. The
 next day I stilled around around a lot after
 checking out of the motel, I then went to a
 downtown parking lot and stilled looking for the
 address, I think I asked the parking attendant about
 the address, plus a couple of bartenders. (I saw
 one guy twice in both towns on main & he
 looked at me kind of funny) after I found what
 I was sure was the address I went and
 got the car and parked it near the town.
 Then I went in the town with the
 intention of asking the address but Paul was
 in there; he wasn't in there the first time.
 He got up as I came in, I told him I had
 had a little trouble finding the place. He asked
 me if I had brought the car with me I pointed
 to it and said that it is. After we had got
 up to the room he told me I might as well
 bring my things up, as we were here 3 or 4
 days. Also to go down to a store (which he
 directed me) and get a pair of improved binoculars
 as the people wanted some of them too.
 I went to the store and ask for a set
 of improved glasses but the salesman told
 me you had to get those at my surplus
 as you could get that type of lens at civil's stores

pse 7.

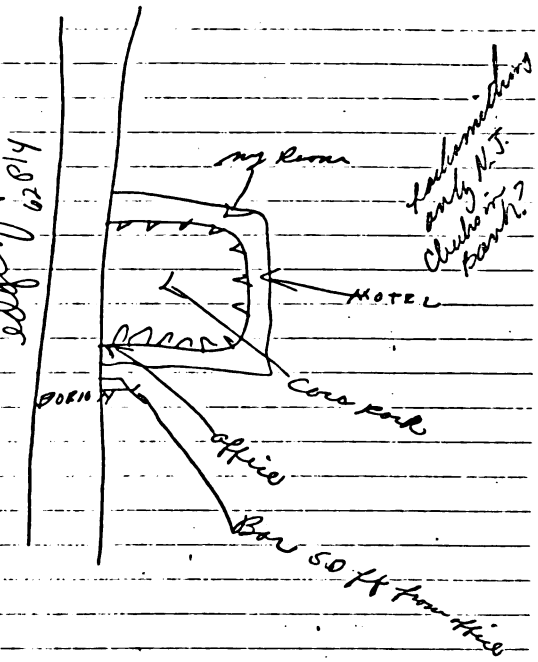
I have bought a set of regular business trousers
 I could get the line at a cheaper store.
 On the way back I got my suitcase out of
 the back of the car, I also put a bedspread
 in the case as I didn't want to sleep on
 the one they had there if I had to stay there.

JFK

Filed 20 Sept. 74 Colloc. Ex. 7 to
 Dep. Mr. Hure Ray John Kimline,
 Court Reporter

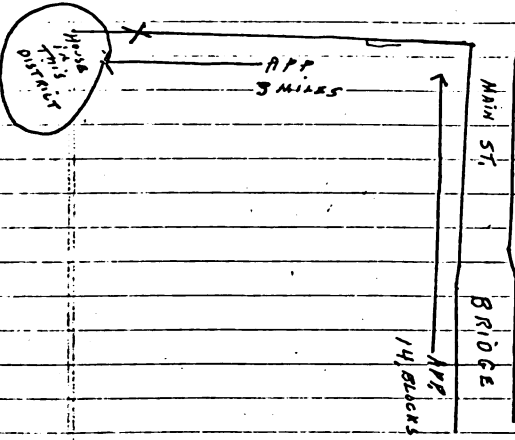
edge of town either
 614 or RAYNS

MONTREAL



TEXAS

IT WAS NIGHT WHEN WE ENTERED AT
THIS HOUSE. BUT IT WAS PLAIN AND I
REMEMBER RIGHT THE WHITE PAINT
WAS GETTING OLD.
X APP WHERE CRE WAS PAINTER HOUSE.



MEXICO

HOUSE IN NUEVO LAREDO TEX.

APP.

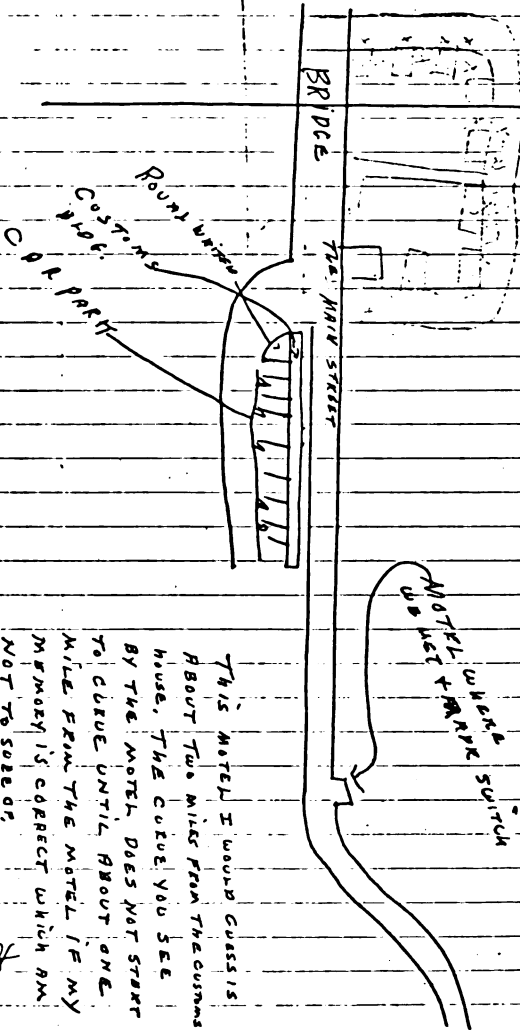
APP.

LORDO
TERAS

HUENLAKHO
MERICHO

23.5M

JEH



THIS MOTEL I WOULD GUESS IS ABOUT TWO MILES FROM THE CURNANS HOUSE. THE CUEVE YOU SEE BY THE MOTEL DOES NOT START TO CUEVE UNTIL ABOUT ONE MILE FROM THE MOTEL IF MY MEMORY IS CORRECT WHICH RM NOT TO SOBE OF,

JEH

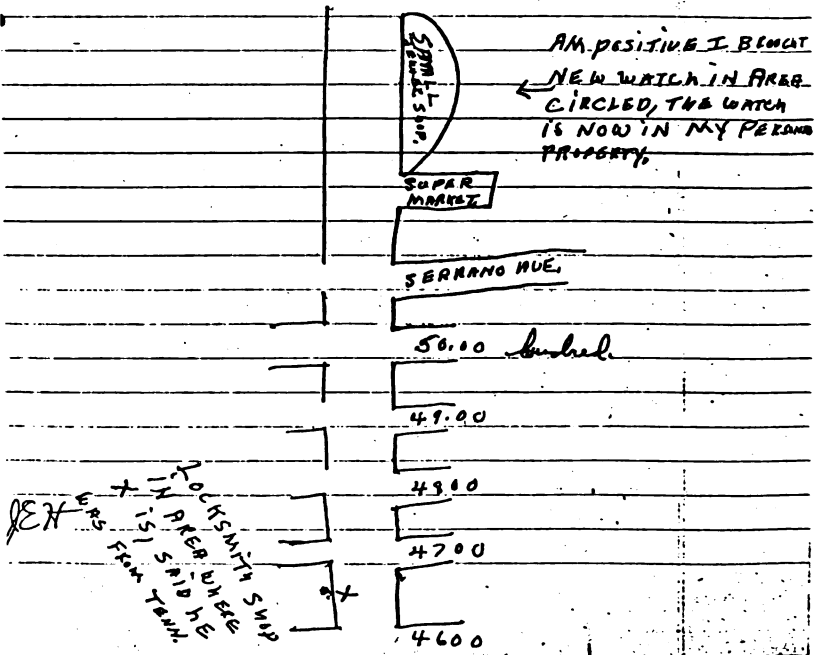
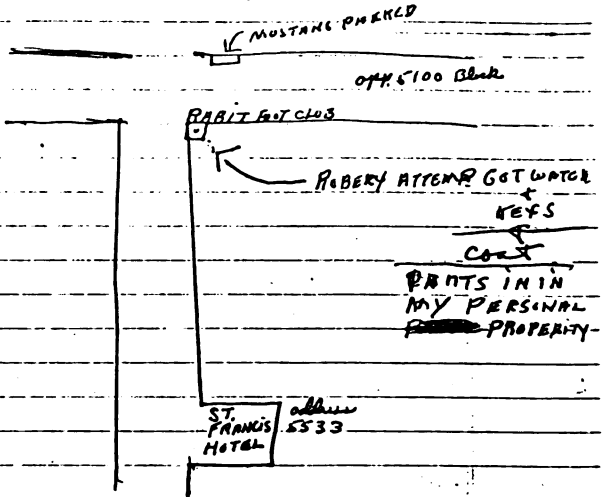
C - column
 X - con parte
~~column~~

LA PRIMA HOTEL

NUEVO

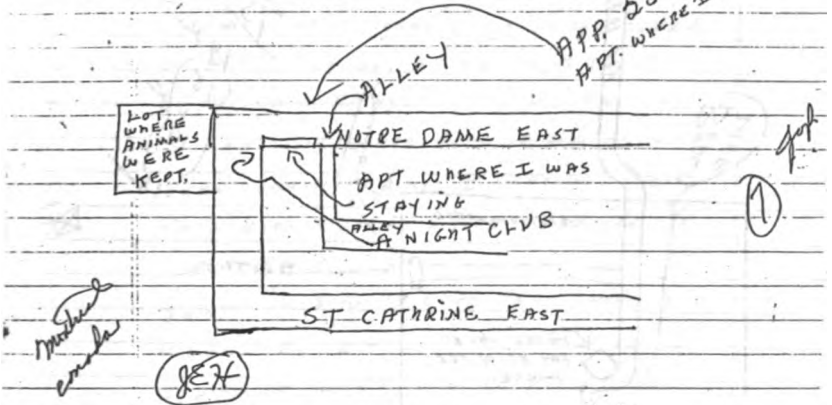


One of the guys who robbed me
was a bartender at the club, he was about 28 yr.



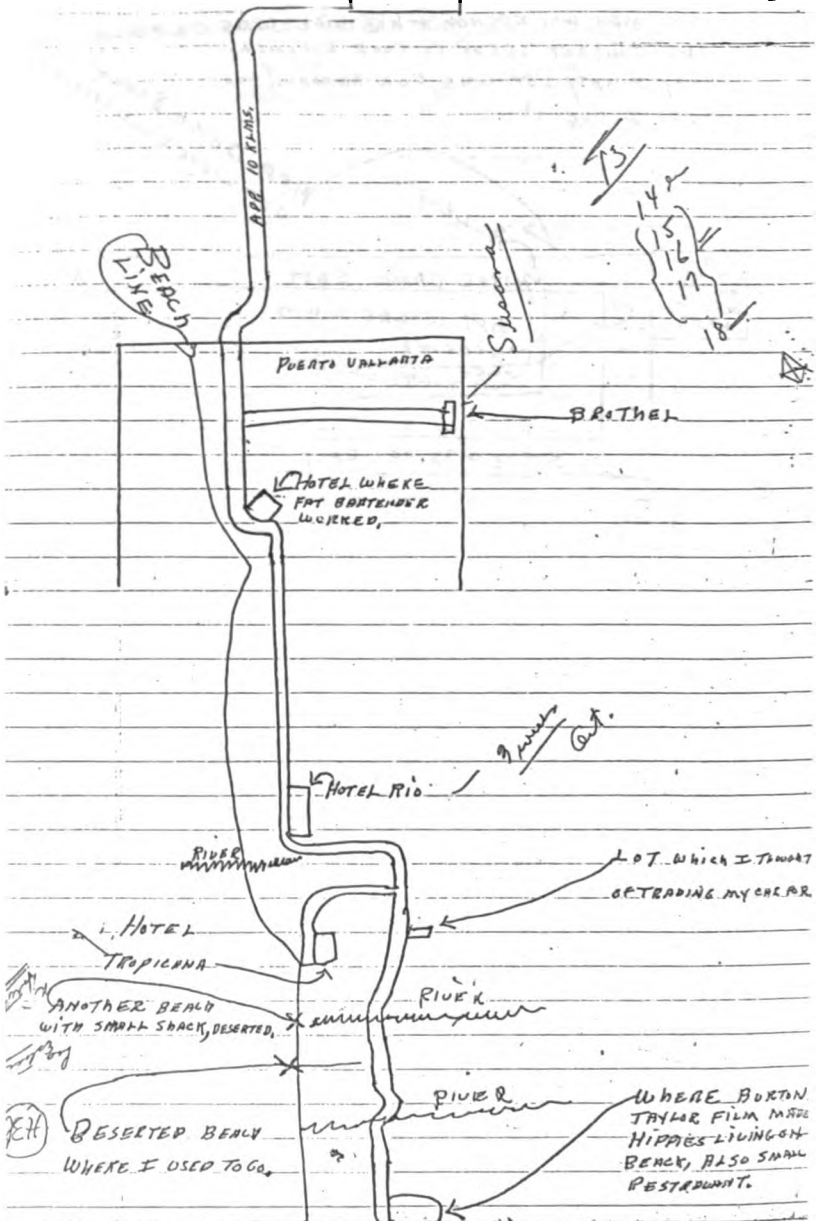
THIS IN A DIAGRAM WHERE I WAS STAYING
 THE MAN WAS FRENCH HIS WIFE WAS GERMAN
 SHE COULDN'T SPEAK TO GOOD ENGLISH.

THAT EMPTY LOT WAS FOR ANIMALS, FOR
 EXPO I GUESS!



AIRPORT

JFK



EXPLANATIONS

①

FROM TIME TO TIME I WILL ATTEMPT
TO EXPLAIN WHY I DID WHAT I DID.

YOU HAVE MENTIONED SEVERAL TIME ABOUT
CRIMES AND WHERE I GOT PISTOLS WHEN
I FIRST GOT OUT OF PRISON, I DIDN'T
COMMIT ANY CRIMES IN THE U.S. BECAUSE
I HAD SOME MONEY, ALSO IF I WOULD HAVE
BEEN COMMITTING CRIMES I CERTAINLY WOULDN'T
HAVE BEEN WASHING DISHES. THE OTHER REASON
FOR NOT COMMITTING CRIMES IN THE U.S. IS
THAT IF I WOULD HAVE BEEN CAUGHT I
WOULD HAVE HAD TO DO TIME IN THE
STATE I WAS CAUGHT IN PLUS WHAT
I HAD LEFT IN MISSOURI! IF I WOULD
HAVE BEEN CAUGHT IN CANADA THEY
WOULD HAVE JUST SENT ME BACK TO
THE U.S. JEF

ALSO BY ROBBING A BROTHEL I (2)
 FIGURED THEY MITE NOT OF CALLED THE
 POLICE, SOME OF THIS INFORMATION I
 AM GIVING YOU IS NOT KNOWN TO THE
 FBI, AND THEY MITE USE SOME OF IT TO
~~HARASS~~ HARASS SOME OF MY RELATIVES
 THEY HAVE THREATEN TO PUT ALL OF THEM
 IN JAIL AT ONE TIME OR ANOTHER
 INCLUDING MY SISTER, THEREFORE IF
 THEY STARTED UP AGAIN ON THE
 INFORMATION I AM GIVING YOU I
 WOULD APPRECIATE IT IF YOU WOULD
 MAKE A MILD PROTEST.

THANKS

Filed 20 Sept. 74
 Collec. Ex. 7 to
 Dep. of Mr. Huie
 By John Hamlin,
 Court Reporter

Mr. Huie

Filed 20 Sep. 74 Collec Ex 7 to
Dep. Mr. Huie By John Hamlin
Court Reporter

I read Hershman pilot yesterday. I had already read
the other several years ago in the orange.

But getting back to the Hershman Book is seemed
allright not a lot of statements nonsense.

I regard to my lodging during my 7 years in prison.

1. when I first arrive at the prison I was in a 2 man
cell for about 2 weeks.

2. When I got out of isolation for the first time I
was in a 2 man cell also for about 2 weeks.

3. While I was in isolation the last time for about
7 months I was kept in a 3 man cell.

4. Right after I was release from isolation the last time
I was in a 2 man cell for about a month.

5. The rest of my time at the prison was spent in a
one man cell, I don't remember who was in the cell
with me and don't like to mention names, clerk with order to work.

1. My Brothers John & Fred Ray were my only visitors except various lawyers.

2. I think I got a visit on the average of about once every 8 months.

3. About 10 to 16 visits

4. no women visits.

5. When I had my last visit I would rather you checked on that when you went for to the prison.

6. I read most all kinds of books & newspapers & magazines such as Time, Geography, and Newsweek. But I think I read more law books than anything else since you help to do a lot of your own legal work in prison.

7. I went to my brother about once a week and read the same amount in return.

8. This is very little occasional. I am in prison and what I do read is not much. I read only news, sports, and a little history, geography, and science.

9. I had very little conversation with what they call case
Some workers

10. on a typical day in prison I would get up about 8 o'clock
go to the kitchen for breakfast go back to cell
go to work at 11 o'clock go to yard about 12:30
and Humber or ply Handbell come back in
about 2:30 finish work about 6:30 after
count was closed we had certain evening for
different things for instance Monday would be
show night Tuesday night we would go
to library. every two weeks we would
exchange shifts then I would get up at 4 P.M.
and finish at 11: P.M. other with everything
was the same. Most of my time was
spent thinking up ways to get out of prison
legal or illegal.

long & V. m. - a two classes
liver - a type & records
work area - back out
TV out - front of

11. On watching T.V. They told me with you
about all I ever watched was sports
programs & news I think that where I
first saw Arthur Hanes & F. Lee Bailey.

12. we had indoor hot phone in the cell but I
hardly ever listened to them I did ^{buy} a small
transistor to take with me when I left prison

13. I never attended church. I was christened a Catholic
but never attended I think the prison read
will show I was a protestant but I use to
tell them something different on arrival at
different prisons.

14. I joined the Eagles when I was about 16 yrs
old in Altamonte. it was located on E. Broadway
I wasn't allowed to drink about all I did was
play the slot machine once in awhile and
while belong to it and he got me in.

15. regarding the \$304.00 I would start by saying getting
 money in prison is very easy and I could have
 spent the rest of the day explaining all of them
 for instance in my case I didn't smoke I worked
 in the kitchen so I didn't help to buy food
 so I could take the \$24.00 a month which
 we were allowed to spend at the commissary
 buy cigs. with it and sell the cigs to
 someone who did smoke for cash. also its
 a simple matter to give a prison employee
 \$20.00 to bring you a hundred dollars in.
 my brother didn't bring me any money it
 against the law for anyone to have money sent
 to you except the legal way. no I didn't
 steal money from the other prisoners also
 this is almost impossible at cash is illegal
 and anyone who has it keeps it hid.

I will explain everything from the Beginning on
 the next page so you can get the better understanding of it

Dear Arthur;

8-31-68

There are some things I forgot to
tell Huie see if you can get them
to him. Thanks.

Filed 20 Sept. 74
Colla. Ex. 7 to
Dep. Mr. Huie
By John Hamlin,
Court Reporter

Mr. Hines

H-R

2-31-69

I WOULD LIKE TO CLARIFY ON
 ONE POINT I WROTE IN THE LAST PAPERS
 WHEN I QUITE WORKING AT THE INDIAN
 TRAIL RESTURANT I DIDNT GO TO
 EAST ST. LOUIS I WENT TO QUINCY
 ILL. I THINK I STAYED THEIR 607 DAYS
 I DIDNT SEE ANYOF MY RELATIVES
 AS I SAID THE ONLY PERSON I SAW WHO
 KNEW ME WAS TED CROWLEY HOWEVER
 I DIDNT STAY AT THE HOTEL THEIR
 I STAYED A FEW DAY AT A HOTEL ON
 THE CORNER OF ~~5TH AND~~ 3RD ^{DEH}
 AND OAK BUT I DONT KNOW WHAT
 NAME I USED, (ALSO IN RECORDS
 TO HELPING MY BROTHERS I WASNT
 SPEAKING OF MONEY BUT VERBAL
 SUPORT IF THE F.B.I. GET ON THEM

FROM THE INFORMATION I HAVE GAVE YOU.)
AFTER I LEFT QUINCY I WENT
BACK TO WHERE I WORKED AND GOT
MY CHECK WHICH WAS AT A POST OFFICE
BOX I HAD RENTED IN WINNETKA.
THEN I WENT TO E. ST. LOUIS ILL

for Thanks

(JEN)

UPON MY ARRIVAL IN BIRMINGHAM ^{Feb. ①}
 I CHECKED INTO A HOTEL FOR ONE NIGHT,
 (I THINK HANES WAS THE HOTEL ADDRESS)

THE NEXT DAY I MOVED INTO CHERKES
 PLACE, AS I SAID BEFORE SPUAL SAID
 HE WOULD FIND A MEETING PLACE IN

BIRMINGHAM AND MAIL ME THE ADDRESS,
 (I ALSO HAD A N.O. PH. NO. HE GAVE ME) I RECD

THE LETTER FROM HIM ABOUT MY 2ND OR 3RD
 DAY IN BIRMINGHAM, AT THIS TIME I DIDNT
 HAVE VERY GOOD I.D. UNDER THE GALT NAME

BUT ALL THE POSTAL CLERK ASK ME WHEN
 I ASK FOR MY MAIL AT THE GENERAL
 DELIVERY WINDOW WAS MY MIDDLE ^(JH)
 INITIAL. IN THE LETTER ROOM ASK ME
 TO MEET HIM AT THE STARWITE RESTAURANT
 I RIGHT ACROSS THE STREET FROM THE
 POST OFFICE.

I MET HIM THERE EITHER THE ~~FOR~~ ⑪
 NEXT DAY OR THE DAY AFTER. HE WANTED
 ME TO GET A GOOD CAR, AROUND \$2,000.00.
 IF I REMEMBER RIGHT IT TOOK ME ABOUT 3000
 DAYS TO FIND THE RIGHT ONE. DURING THIS
 TIME WE WOULD MEET AT THE STARLITE CAFE
 OR THE ONE ACROSS THE STREET. I HAD ALSO
 GIVEN HIM MY PHONE NO. AND HE HAD
 CALLED ME ONCE, I THINK THE REASON WAS
 BECAUSE IT WAS ON A SUNDAY ^{THAT HE CALLED} AND A LOT
 OF THE PLACES WERE CLOSED ON SUNDAY.
 THE CAR I FINALLY BROUGHT A 1966 MUSTANG
 HAD ABOUT 18,000 MILES ON IT AND WAS
 IN GOOD CONDITION, I COST ~~1,995.00~~ 1,995.00.
 THE ONLY THING I DIDN'T LIKE
 WAS THE COLOR IT WAS WHITE
 BOB DIDN'T MENTION THAT TO.

⑪

J.P. (11)

POUL ALSO GAVE ME \$500.00

LIVING EXPENSES PLUS \$500.00 FOR
PHOTOGRAPHIC EQUIPMENT, I DON'T WANT

TO GO INTO THIS TOO MUCH AS I DON'T KNOW

TO MUCH ABOUT THE EQUIPMENT I WAS

BUYING, I DO KNOW IT WAS A NEW

TYPE OF CAMERA OR MOUNT AND HAD

SOMETHING TO DO WITH DISTANT MOUNT

TAKING & INFRARED. I ORDERED SOME

OF THIS EQUIPMENT SINCE I THOUGHT I

COULD GET IT CHEAPER, THEY SENT

ME THE WRONG THINGS AND I HAD

TO SEND SOME OF IT BACK. I ENDED

UP LOSING A CHECK FOR \$1400 BY

THIS. POUL WENT BACK TO

NEW ORLEANS (I GUESS) AFTER THE

CAR PURCHASE. I GAVE HIM A SET

OF THE KEYS AT HIS REQUEST. ~~RE-1111~~

HE TOLD ME BEFORE HE LEFT THAT WE WOULD BE TAKING SOMETHING INTO MEXICO IN A COUPLE MONTHS AND THAT HE WOULD WRITE ME WHERE TO MEET HIM.

(HE ALSO HAD TAKEN MY BIRMINGHAM ADDRESS)

MY STAY IN BIRMINGHAM WAS UNEVENTFUL

I THINK I TOLD YOU I WENT TO THAT DANCE SCHOOL 3 TIMES, IT COST \$4.00 TOTAL. I

THOUGHT I MITE HAVE TO GO TO A LATIN COUNTRY AND IT HELPS SOCIALLY IN THOSE COUNTRIES TO KNOW A LITTLE ABOUT LATIN DANCES, HOWEVER YOU HAVE TO LEARN

THE STANDARD DANCE FIRST TO LEARN

THE LATIN IF YOU CAN BELIEVE ~~JEH~~

THE SCHOOLS. ALSO I HAVE TOLD YOU ABOUT MY EXPERIENCES WITH THE DOCTORS IN BIRMINGHAM.

~~FOR~~ (U)
 GOING BACK TO CANADA A MINUTE
 WHEN I LEFT THEM I BROUGHT SOME CANADIAN
 PAPERS WITH ME, I GUESS YOU SAW THE
 ARTICLE IN NEWSWEEK LINK ME WITH
 A HIPPIE LONELY HEARTS CLUB, WHAT I
 DID WAS ENROLL IN ONE OF THESE
 INTERNATIONAL CLUBS WHILE IN BIRMINGHAM,
 THE PEOPLE THAT BELONG TO THESE CLUBS
 ARE NOT CRIMINALS BUT THEIR NOT WHAT
 YOU WOULD CALL SQARRE, I STILL HAD
 NOT RULED OUT A CANADIAN PASSPORT AND
 I THOUGHT I MITE CONTACT SOMEONE
 IN CANADA THROUGH THIS CLUB, AFTER I
 GOT THEIR ADDRESS I WOULD GO TO CANADA
 AND MAKE THEIR ACQUAINTANCE THROUGH
 NORMAL CHANNELS, ANOTHERS WORDS NOT
 TELLING THEM I WAS FROM THE U.S.
 OR HAD BEEN WRITING TO THEM BUT
 I WAS A CANADIAN FROM ANOTHER

CITY AND AFTER AWHILE ASK ^{FOR} (11)
 THEM TO SIGN A PASSPORT FORM. HOWEVER
 I NEVER HEARD FROM ANYONE AND I
 FORGOT ABOUT IT UNTIL I GOT TO CAMBODIA.
 ALSO AFTER READING SOME OF THE
 MATERIAL ON MOVIE CAMERAS I GOT
 INTERESTED IN PICTURES & BROUGHT
 A CAMERA BUT THIS PART OF THE
 STORY WILL BE LATER.
 I ALSO BROUGHT NEW LICENCE TAGS
 ABOUT THE FIRST OF APRIL. I REMEMBER
 THE MAN WHO LATER GOT ELECTED MAYOR
 SHOOK HANDS WITH ME AS I WAS WAITING
 IN LINE TO BUY THE TAGS AND ASK
 ME TO VOTE FOR HIM. (12)
 I ALSO HAD TAKEN A DRIVERS
 TEST AND PASSED IT.

(VII)
JUL

SOMETIME, I WOULD GUESS ABOUT THE
 5TH OR 6TH OF OCT, RAY WROTE ME AND
 ASK ME TO MEET ME IN LOREDO, HE GAVE
 ME AN ADDRESS AND A DATE. I CALLED
 HIM & TOLD HIM I HADNT GOT ALL THE
 PHOTOGRAPHIC EQUIPMENT YET ALSO I HAD A
 FEW OTHER MINOR THINGS TO DO SUCH AS
 WAIT FOR SOME BOOKS I HAD ORDERED. I TOLD
 HIM I COULD BE THERE ON A CERTAIN DATE
 BUT IF SOMETHING CAME UP AND I COULDN'T
 I WOULD CALL HIM WHICH HE SAID WAS
 ALLRIGHT. AFTER I GOT THE LETTER FROM
 RAY I QUITE TAKING ROOM & BOARD
 FROM CHERRES AND JUST TOOK A ROOM AS
 I WASNT SURE JUST WHEN I WOULD LEAVE.

(XVIII)
AUG

WHILE IN BIRMINGHAM I TOLD PAPA
 I WORKED ON A SHIP & SHIPYARDS.

I ALSO RENTED A BANK SAFETY DEPOSIT BOX
 WHICH HADNT KNOWN THE NAME
 I MAILED THEM THE KEYS BACK FROM LOUISIANA.

J.M. 0

YOU ASK ABOUT THE DOCTOR WHO GAVE
ME ANTI DEPRESSANT PILLS IN BIRMINGHAM
I THINK IF I GAVE YOU A SHORT HISTORY
ON THIS SUBJECT YOU MITE BETTER UNDER
STAND. BUT I WILL ALSO MENTION THIS SUBJECT
FROM TIME TO TIME WHEN IT RELATES TO THE
STORY.

THE FIRST TIME I EVER BECAME INTERESTED
IN HYPNOSIS OR ORCOPTISM I THINK THEY CALL
IT WAS WHILE I WAS WORKING IN THE
HOSPITAL KITCHEN AT THE MO PRISON, AN
INMATE HAD SEVERAL BOOKS ON THE SUBJECT
WHICH I READ MOST OF THEM DEALT WITH
THE USE OF HYPNOSIS IN MEDICINE &
DENTISTRY, HOWEVER I NEVER DID FOLLOW
UP THE SUBJECT AS THE PRISON LIBRARY
WOULDN'T LET THIS TYPE OF BOOKS IN.

J.M.

I THINK I TOLD YOU I TRIED ~~FA~~ (1)
 TO GET TO FULTON STATE HOSP. WITHOUT
 SUCCESS. AFTER I HAD ATTEMPTED TO GET OUT AND
 WAS PUT IN ISOLATION I MADE ANOTHER
 ATTEMPT WHICH WAS ^{SUCCESSFUL} ~~SUCCESSFUL~~, AFTER I
 HAD BEEN IN ~~THE~~ ISOLATION ABOUT 6 MONTHS
 ANOTHER PRISONER TOLD ME WHAT TO SAY
 TO HAVE A MENTAL EXAMINATION, ~~THEY~~ WERE

1. SAY YOU HAD AMNESIA
2. HAD COMPULSIVENESS
3. HEARD VOICES
4. SEE THINGS

UNDER MISSOURI LAW IF YOUR ATT. ~~FA~~ (2)
 REQUEST A MENTAL EXAMINATION THE
 COURT MUST GRANT AN EXAMINATION
 I FORGET WHAT I TOLD THE JUDGE
 NO. 1 OR NO. 2, BUT I GOT THE
 EXAMINATION. THE COURT RECORDS WOULD TELL
 WHAT I TOLD THE JUDGE,

Dr. (11)

WHEN I GOT TO BIRMINGHAM I GOT THE
FLU OR SOMETHING WITH A SORE THROAT.
I WENT TO A DOCTOR SCHWARTZ WHO GAVE
ME SOME SALT PILLS PLUS SOME PILLS
I GUESS THEY WERE FOR SLEEPREST.
LATER ON I WAS STILL FEELING BAD WHEN
I WENT TO THE OTHER DOCTOR FOR
THE PILLS BUT I AM NOT SURE IF THEY
WAS ANTI DEPRESSANT PILLS, I SAW AN
ARTICLE IN THE MAGAZINE WHICH
SAID THEY WERE A RECURRENT, I TOLD THIS
DR. (I THINK HE WAS A PSYCHIATRIST) (KA)
OTHERWISE HE COULDN'T GIVE PRESCRIPTIONS)
I HAD BEEN WORKING ON A SHIP + WAS
FEELING BAD AND HE GAVE ME A PRESCRIPTION

WILL DRAW MAP OF
WHERE TWO DR. OFFICE'S ARE,
ALSO CALIF. HYPNOSIS

GOING BACK TO CANADA A ¹⁻¹ MINUTE. I HAD BOUGHT TWO BOOKS
 ON HYPNOSIS WHILE THEIR AND THE
 BOOK PSYCHOCEPHALY BY MALTZ, WHEN I
 GOT TO LOS ANGELES I CALLED A WIDELY
 KNOWN AUTHOR ON HYPNOSIS, I CAN'T THINK
 OF HIS NAME BUT HE WAS AN OFFICE
 ON HOLLYWOOD BLVD IN THE 7000 BLOCK.
 HE GAVE ME THE NAME OF A PSYCHOLOGIST
 IN BEVERLY HILLS WHOES ADDRESS WAS
 IN THE 9900 BLOCK IN BEVERLY HILLS
 HIS NAME MITE OF BEEN SCHWARTZ TO,
 (ALSO HE COULD GIVE THE NAME OF ^{JEH}
 THEREAFTER WHO RECOMMEND HIM AS I ASSUME
 THEY WERE ^{TO GATHER} ~~TO GATHER~~.) I WENT TO
 HIM ABOUT 3 TIMES BUT HE
 DIDN'T KNOW NOTHING ABOUT HYPNOSIS
 SO I STOPPED GOING TO HIM.
 I ALSO FORGET WHAT I TOLD HIM WAS BOTHERING
 ME, EITHER OPM POSSIBLE OR AMNESIA.

I HAD ALSO GAVE HIM MY RIGHT ^{for} ^①
 NAME (RAY) SINCE I ~~WAS~~ THOUGHT HE MITE
 GET ~~ME~~ ME UNDER HYPNOSIS AND FIND
 OUT MY RIGHT NAME, (I HAD ALSO GIVEN
 HIM MY PHONE NO. AND THIS IS ONE OF
 THE REASONS I MOVED FROM THE SERRANO
 ST. ADDRESS AS I THOUGHT I MITE BE
 PUT ON THE TOP 10 AND HE WOULD
 FIND OUT) I THEN ANSWERED AND ADD
 IN THE PAPER OF AND HYPNOSIS SCHOOL
 WHEN I WENT THEIR, IT WAS IN THE
 130.00 BLOCK ON CKENSHAW ACROSS
 FROM A COLLEGE I FOUND OUT IT ^{SEH}
 WAS A BUSINESS CONSULTANT OFFICE
 THIS HYPNOSIS USE THE ART TO IMPROVE
 SALESMAN'S & ACTORS. I WENT THEIR
 2 OR 3 TIMES AND HE WAS PRETTY
 GOOD, HE RECCOMENED READING

THE MALTZ BOOK WHICH I ⁽¹⁾
 HAD, PLUS (HOW TO IMPROVE YOUR MEMORY)
 ALL OF THESE BOOKS ARE STILL IN
 MY PERSONAL PROPERTY, AND THIS
 IS THE EXTENT OF MY PILL & TAKING
 AND HYPNOSIS, I THOUGHT I WOULD
 MENTION THIS SUBJECT SINCE A LOT OF
 PEOPLE LOOK UPON HYPNOSIS AS SOME KIND
 OF BLACK MAGIC, I KNOW ONE OF THE
 NEWSPAPERS SAID I HAD A BOOK CALLED
 PHYCO IN MY ~~PERSONAL~~ PROPERTY THEY
 LEFT THE CLEANING OFF.

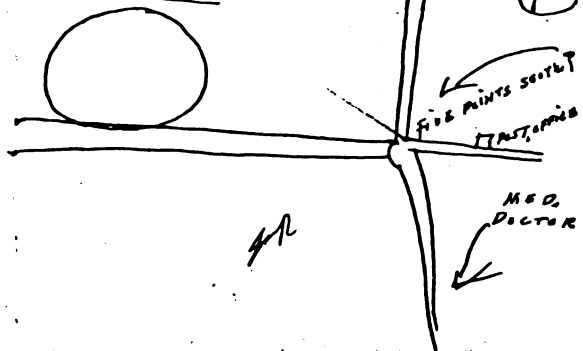
(YES)

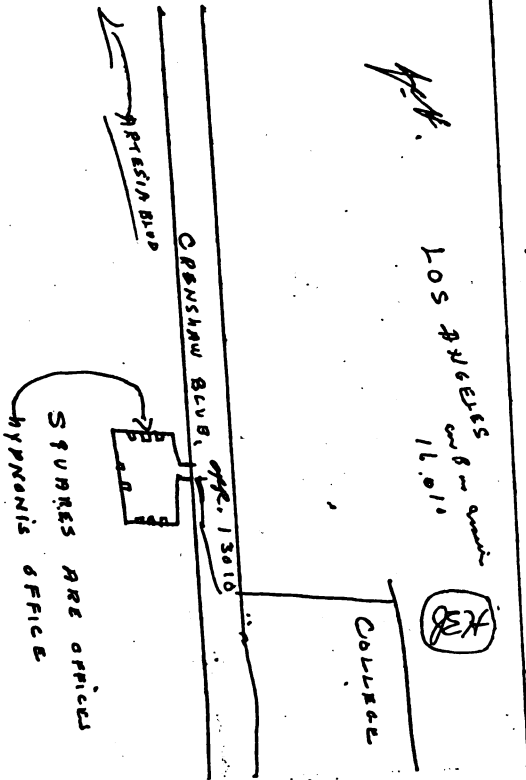
THE MEDICAL DR. SWARTZ OFFICE WAS
IN A PRIVATE RESIDENCE SITTING ON A HILL NO TO FAR
FROM THE MEDICAL CENTER I WOULD SAY WITH OUTSTANDING
NOT TO FAR FROM THE HOTEL I STAYED ON RIGHT SIDE
OF THE STREET GOING SOUTH,

3005
HIGHLAND
AVE.

JOHN COOPER
HIGH SCHOOL

THE PILL DR.
OFFICE WAS IN A
NEW BUILDING ABOUT 3000
HIGH THE BUILDING WAS BLACK STONE
IT WAS IN THE REGION OF THE
CIRCLE I THINK





on Louis Lomax
 Filed 20 Sep 74 Collec. Ex. 7 to
 Depo. Mr. Lomax by J. H. Martin, Court Reporter
 Most of these articles such as the one 1.
 he wrote were just something they
 made up, the articles he wrote were
 carried in one of the Toronto
 Newspapers, it was either the
 Toronto Star or the Toronto Telegram.
 One of the articles said I was in
 Milwaukee with a European woman,
 the other that the F.B.I. was in
 some way helping me, and the
 other said that I had drawn a
 bunch of signs in a phone booth
 I think he said Iron Crosses
 + bones + sickles

JEF

most all of these articles (2)
 were silly and I don't care
 about reading them rather I
 will just tell you and you
 can check on them. Letting
 back to Lomp when he was
 suppose to be right behind me
 I was staying at 102 Ossington
 in Toronto you could check this
 out and save all the trouble
 of checking a Lomp's articles.

I am almost certain the address
 was 102 OSSINGTON HOWEVER
 IT MITE OF BEEN 106 - THE
 NAME I USE THEIR WAS, PAUL BRIDGMAN.

ON THE CONVERSATION I HAD WITH
 ABOUT I CANT BE CERTAIN OF WHAT ALL
 I SAID, I KNOW WE TALKED IN GENERAL
 ABOUT THE FACT THAT HE (NEW NEW ORLEANS)
 AND THAT WE MITE MAKE SOME MONEY BY
 TAKING THINGS INTO MEXICO & CONVERSATION
 ABOUT ME GOING TO MOBILE. HOWEVER I
 WAS NEVER POSITIVE UNTIL HE LEFT ME
 IN DETROIT IF I WOULD HAVE COULD
 TRAVEL DOCUMENTS OF OFF HIM THEIR
 I WOULD HAVE NEVER WENT TO ALABAMA
 AND I THINK HE HAD IT. ABOUT BY
 OPINION OF BIRMINGHAM IT SEEMS
 A LOT LIKE ST. LOUIS EXCEPT NOT
 AS BIG.

JEH

Admission points that could be used against me.
MENTAL HISTORY

1. INTERNEED AT EULTON MO STATE HOSPITAL FOR
 2 MONTHS. AT OWN REQUEST TO GET OUT OF
 ISOLATION, FOUND SAME.

2. RECEIVED ANTI DEPRESSION PILLS FROM DR. AT BIRMINGHAM
 WHO? WHEN?

3. UPON ARRIVAL AT LA. CALIT CONTACTED FAMAUS
 HYPNOSIS () AT THIS TIME I WAS
 READING OR STORING THIS TYPE OF MATERIAL.
 HE RECOMMENDED A CLINICAL PSYCHOLOGIST ALTO
 GOING UNDER THE NAME OF GOLT I GAVE
 him MY RIGHT NAME (TERRY) AS IT WAS MY
 BELIEF I.E HE WAS A HYPNOSIS TE WOULD
 TELL him MY REAL NAME WHILE UNDER
 THE IN FLUENCE OF HYPNOSIS.

Filed 20 Sept 74 C. Allen
 Ex. 7 to Sup. Mr. Hise
 By John Glendon,
 Court Reporter

page II

AFTER APP. 3 ~~THAT~~ SESSIONS WITH HIM
 I DECIDED HE WAS NOT A QUALIFIED HYPNOSIS
 WHERE UPON I WENT TO A BUSINESS
 CONSULTANT ON CRESSHAW BLVD. APP. THE
 10000 BLOCK. (ACROSS FROM COLLEGE) HE WAS
 SATISFACTORY AND RECOMMEN. SEVERAL BOOKS
 TO STUDY AMONG THEM (HOW TO INCREASE
 YOUR MEMORY POWER & PHYCOCERTIC).

JEH

POINTS THAT COULD BE USED
AGAINST ME.

1. TAKING NEW ORLEANS PEOPLE IN LA. TO REGISTER
FOR W. ALTHO THEY REQUESTED IT. LATER I TOLD
ONE OF THE ~~PEOPLE~~ PERSONS TO REREGISTER IN
THE REPUBLICAN PARTY AND VOTE FOR SEN. KENNEDY.
SHE HAD TOLD ME HER BOY FRIEND WAS IN TROUBLE
AND WANTED SOME POLITICAL HELP I TOLD
HER I DIDNT THINK THE W PEOPLE WOULD
BE TO SYMPATHIC TO CRIMINALS

2. BUYING FREE PRESS PAPER TO RUN AD.
THIS IS A VERY LIBERAL PUBLICATION.

3. ARGUMENT IN RABBIT FOOT CLUB IN LA. ABOUT ALABAMA
I WAS ALSO ROBBED THERE BY HER BOY FRIENDS &
LATER (NEXT DAY) HAD TO HAVE A LOCKSMITH TO
OPEN MY CAR HIS ADDRESS IS APP. 5200 HOLLYWOOD
BLVD.

① ۱۱۱۱

I THINK IT WILL PROBABLY BE IMPOSSIBLE FOR ME TO ACCOUNT FOR EVERY DAY SINCE SOMETIME IN THE PERIOD I USED DIFFERENT HOTELS & A FEW TIMES I WAS UP ALL NIGHT TRADING OR SLEEPING IN THE CAR HOWEVER I THINK I CAN GIVE YOU ENOUGH INFO TO GET A FAIR IDEA WHERE I WAS AT.

ON THOSE PHONE CALLS I GOT ONE PHONE
CALL THEIR THAT I REMEMBER I THINK
WHERE SHE SAT THE 3 FIGURE IS THAT
THE FIRST TIME THE PARTY CALLED
THE TELEPHONE OPERATOR AT THE
RESTAURANT SAID I DIDNT WORK THEIR
SO THE PARTY CALLED THE NEXT DAY

trial to Sep. 14 comm. ex. 10
dep. Mr. Hise By John Hamlin,
Court Reporter

MIL
②

AND THAT TIME GOT THROUGH, THIS WAS
 AN ACQUAINTANCE AND HAD NO BEARING ON
 THE CASE.
 THE REASON WHY I QUITE THE ICB WAS THAT I
 HAD BEEN THERE ABOUT 2 MONTHS AND THAT
 I HAD USED THAT SS CARD BEFORE, ~~FOR~~
~~IF~~ THERE FARE I THOUGHT THE FBI WOULD
 BE ON TO ME UNDER THAT NAME BEFORE
 LONG, BUT I SEE NOW THAT I WAS
 OVER ESTIMATED THEM. IT WOULD SEEM
 THAT AFTER THEY RUN OUT OF INFORMERS
 THEY LOSE THEIR IMAGINATION.
 NO, NO ONE IN CHICAGO CONTACTED ME. I DON'T KNOW
 IF THERE IS ANY WAY FOR YOU TO VERIFY IT OR
 NOT BUT WHILE LIVING WITH THE PINNELLY

Sept 6

I WROTE TO THE CANADIAN EMBACY FOR
INFO. ON IMMIGRATION.

I THINK I EXPLAINED THAT I DIDNT GO
ST. LOUIS AS THE POLICE WERE PROBABLY
WATCHING MY RELATIVES ALSO. IF I WOULD
HAVE BEEN ARRESTED IN MISSOURI I
COULDNT HAVE MADE A FUGITIVE BOND.
I EXPLAIN THE CHRYSLER CAR IN THE
OTHER PAPERS I AM NOT SURE
WHAT DAY I LEFT CHICAGO.

MY BROTHER JERRY WAS LIVING IN NORTHAM
AT THE TIME HE WAS MARRIED, NO I
DIDNT GO OUT THEIR AND VISIT HIM I

RX SUPPOSE THE FBI HAS ASK HIS WIFE
~~JERRY~~ IF I WAS OUT THEIR, ALSO

7-7
①

THEIR SEPARATELY NOW. I THINK I DID
 MENTION MY BROTHER TO MRS. KLINGMAN TO
 A COUPLE OF TIMES. I DID HAVE A FAIRLY
 GOOD TOB. THEIR BUT I THINK YOU KNOW
 IF I WOULD HAVE BEEN ARRESTED THEIR
 THAT I WOULD HAVE BEEN SENT BACK
 TO MISSOURI. I DONT KNOW WHERE I WAS
 JULY 4TH. HOWEVER I TOLD YOU THE CHRYSLER
 WAS GIVING ME A LOT OF TROUBLE & I SOLD IT ~~AND~~
 FOR \$500.00 & BROUGHT THE 62 RED PLYMOUTH
 FOR \$200.00 THIS DEALER WAS ON MAIN STREET
 IN EAST ST. LOUIS. MAIN STREET IS THE STREET
 • JEN THAT CONNECT E. ST. LOUIS & BELLEVUE I WOULD
 SAY I BROUGHT THE CAR BETWEEN THE 1500 &
 3000 BLOCK ON MAIN THE LOT WAS ON

J.H. C

THE LEFTHAND SIDE OF THE STREET GOING
TOWARD BELLVILLE, I USED THE PAYNS NAME
I KNOW I SPENT A FEW DAYS IN QUINCY ILL
BEFORE I WENT TO EAST ST LOUIS SOME OF MY
RELATIVES LIVE THEIR.

NO, NO ONE GAVE ME ANY MONEY HOWEVER I
DID GET A NEW PISTOL BUT I DIDNT PAY FOR
IT RIGHT THEN AS I WAS SHORT OF MONEY,
ALSO ABOUT THAT \$13.00 AS YOU KNOW THE
JUSTICE DEPT. HAS BEEN LETTING EVIDENCE
OR THEIR VERSION OF EVIDENCE ~~WAS~~ (SEE REAR
D.I.C.E.T AUGUST 1968) ABOUT THIS CASE MR
HANES TOLD ME THAT THERE WAS A STORY
ABOUT ME ROBBING A BANK OR SUPERMARKET

J.A. ⑥

I SUPPOSE THEY WERE ASSUMING THAT I RODED
 THIS PLACE RIGHT AFTER I GOT OUT THEREFORE
 THEY CAME UP WITH THIS STORY, THEY WILL
 FIND OUT NOW THAT I HAVE TOLD YOU THAT
 I HAVE BEEN WORKING AND SO THEY WILL
 HAVE TO COME UP WITH ANOTHER STORY TO
 TIE WITH THE FACT THAT I WAS WORKING.
 BUT WOULDN'T IT SEEM LOGICAL IF THEY THOUGHT
 I HAD COMMITTED A CRIME BEFORE I LEFT
 FOR CANADA THEY WOULD HAVE PUT OUT A
 BULLETIN FOR ME.

J.A.

Jan. 6

AM GOING TO GIVE YOU THIS WOMAN NAME HOWEVER
 I WOULD RATHER YOU NOT SAY I TOLD YOU
 ALSO SHE HAS PROBABLY BEEN QUESTIONED BY
 THE R.C.M.P. AS I TOLD YOU SHE WORKED
 FOR THE CANADIAN GOVERNMENT AND I USE
 THE GALT NAME. I THINK I ALSO TOLD
 YOU I DESIDE NOT TO ASK HER TO SIGN ANYTHING
 FORM SINCE SHE WORKED FOR THE GOVERNMENT
 AND PORCH SAID HE WOULD GET ME ONE.
 HER NAME IS CLARA KARTING I THINK HER
 PHONE IS LISTED IN THE PHONE BOOK ALSO IT MITE
 BE A SUBURB OF OTTAWA
 JEF ALSO I THINK I TOLD HER I WORKED FOR
 A REAL ESTATE COMPANY.

W. J. J.

NO ONE WOULD REMEMBER ME AT CAMP BOOKS.
THE REASON I WENT TO TORONTO FIRST IS IT IS ON
THE ROUTE TO MONTREAL, I WAS JUST TAKING ONE NIGHT.
I STAYED IN THE SMALL TOWN OF DOELON. RIGHT
OUTSIDE OF MONTREAL THE DAY AFTER I
LEFT TORONTO. I DON'T KNOW IF I USED THE NAME
GALT OR RAINS, IF YOU COULD GET THAT DATE
YOU COULD BACKTRACK TO TORONTO.
I F. ARRIVED IN BIRMINGHAM THE 25TH OF AUGUST
I MOST OF CAME THROUGH WINDSOR THE 23RD OF AUG.

NO I NEVER READ THE CAPOTE BOOK I KNOW
IT WAS ABOUT THE HANSBY OR IOWA KILLINGS, I
CONSIDER IT A WASTE OF TIME TO READ THIS
TYPE OF BOOKS.

(10)

L.A.

THE ST. FRANCIS HOTEL IS LOCATED AT 5533
HOLLYWOOD BLVD. I ALSO LIVED AT 1535 N. SERRANO
THE WAITRESS NAME IS MARIE DENNA I THINK
SHE WORKS IN THE BAR AT THE HOTEL.

GETTING BACK TO QUINCY ILL. FOR A MINUTE IN HITSUKA
WHERE I STAYED BUT TED CROWLEY WHO RUNS THE CAM
HOTEL ON 5TH + WILSON. AMITE REMEMBER THE DAYS I
WAS THEIR, I TOLD YOU I NEVER HAD A PICTURE TAKEN
UNTIL I HAD SOME CIRCULATED THROUGH A LANSBY HENRI
OUTFITS, BUT I FORGOT THEY HAD ONE TAKEN
WHEN I WENT IN THE ARMY HER NAME IS MRS.
FRANK FULLER I THINK HER ADDRESS IN 2601
CHESTNUT ST. QUINCY ALSO, HANES SAID YOU WANTED A
PICTURE FOR THE MAGAZINE ARTICLE.

THIS IS ANOTHER STUFF

JEK

I It was Sunday I was working the ~~morning~~ 11 AM.
 TO, 7 P.M. SHIFT IN THE BREAD SLICING ROOM.
 IF YOU WERE WORKING IN THE FOOD SERVICE DEPT.
 YOU COULD EAT IN THE KITCHEN, I CAME DOWN
 THAT MORNING ABOUT 8 O'CLOCK A.M. I BROUGHT
 WITH ME IN A SACK ABOUT 20 CANDY BARS,
 RAZOR, BLADE, PIECE OF MIRROR, PIECE OF SOAP,
 TRANSISTOR RADIO, THIS IS NOT UNUSUAL AS
 YOU CAN SHOWER & SHAVE IN A BATHROOM IN THE
 KITCHEN. UPON EATING A GOOD BREAKFAST (I
 KNEW THIS MITE BE THE LAST ONE FOR AWHILE) OF
 ABOUT 6 EGGS I WENT TO THE BREAD ROOM
 WHERE I HAD HIDDEN A WHITE SHIRT AND A
 PAIR OF THE STANDARD GREEN PRISON PANTS
 DYED BLACK WITH STENCIL INK. I PUT THESE
 ON THEN PUT MY PRISON CLOTHING OVER THE
 TOP ON THEM. I THEN PROCEEDED TO THE
 ELEVATOR WHERE I WENT DOWN TO THE NEXT

Filed 20 Sep. 1962 C.W.
 Ex-17 Sep. 1962 Hille
 By J.M. Almond
 Court Reporter

FLOOR AND OUT ONTO THE DOCK. BEFORE I
 HAD CAME DOWN ON THE ELEVATOR I HAD
 TRANSFERRED THE ARTICLES MENTIONED TO MY
 POCKETS & UNDER MY SHIRT AND PICKED
 UP A HOOK ABOUT 4 FT. LONG THE USE
 TO POLL PANS AROUND IN THE KITCHEN.
 I THEN PROCEEDED TO THE WALL (SEE DIAGRAM)
 I HAD STUDIED THE GUARD'S ACTIONS ON THE
 TOWER FOR ~~SE~~ COUPLE WEEKS THEY ALL
 ACT DIFFERENT WORKING IN THE TOWERS
 SOME OF THEM DOZ. BUT THEY HAVE TO
 CALL IN EVERY 15 MINUTES SO IF YOU TAKE
 ANY ACTION YOU HAVE TO DO IT RIGHT
 AFTER YOU SEE THEM CALL IN. (SEE DIAGRAM
 FOR THE ROUTE I TOOK AND HOW I GOT OVER
 THE WALL) AFTER I GOT OVER THE WALL (I HAD
 ACCURATE ABOUT \$30000 IN PRISON WHICH I HAD
 IN MY SACK AND A SS NUMBER NOT A CARD.)

III I PROCEEDED AROUND THE WALL (SEE DIAGRAM) ACROSS
 THE RAILROAD TRACTS AND ALONG THE RIVER
 UNTIL I WAS OUT OF SITE OF THE TOWER
 GUARDS. I THEN TOOK OF MY PRISON CLOTHES.
 HAD THE PANTS BUT KEPT THE ^{PANTS} SHIRT AS
 I WANTED TO WEAR IT AT NIGHT ALSO IT
 WAS COOL AT NIGHT. I PUT THE SHIRT AND
 THE OTHER ARTICLES IN THE SACK. I THEN
 WENT TO DOWN THE TRACT TO A RAILROAD
 BRIDGE WHERE I HIDE OUT FOR THE DAY LISTEN
 TO THE RAIDS BUT I DIDN'T HEAR ANYTHING
 ON THE RAIDS. I FOUND OUT LATER THE WARDEN
 DIDN'T REPORT ME MISSING AS HE THOUGHT
 I WAS HIDING IN THE PRISON. THE DIRECTION
 I WAS TAKING WAS IN THE DIRECTION OF
 ST. LOUIS I KNEW THEY THE POLICE WOULD THINK
 I WOULD GO THEIR SO I CROSSED THE BRIDGE
 AND HEADED BACK THE OTHER WAY TOWARD
 KANSAS CITY, I WALKED ALL THAT NIGHT EXCEPT

the FOR SHORT RESTS IT WAS A LITTLE COLD
BUT I WASN'T COMPLAINING.

2nd day I sleep and listen to radio reports.

2nd night AFTER SLEEPING DURING THE DAY

AND LISTING TO REPORTS ON THE RADIO I

AGAIN STARTED WALKING THAT NIGHT IT WAS

SIMILAR TO THE FIRST NIGHT THE ONLY THING

THAT I CAN SEEM TO REMEMBER IS SEEING THE

STARS MAYBE BECAUSE I HADN'T SAW THEM

FOR AWHILE.

3rd Day I AM GETTING TIRED OF CANDY BARS

ALSO ABOUT OUT, I SLEEP, SINCE THE AREA

IS MOSTLY BLUFFS I CAN SEE QUITE FAR ON

THE HIGH ONES, I SEE A POLICE CAR

NOW AND THEN (HIGHWAY VORTEX) NATURALLY

THINK THEIR AFTER ME. ALSO IT SEEMS

JEH BY THE RADIO REPORTS THAT THEY HAVE

DECIDED THAT I HAVE ESCAPED.

3rd night
~~1st~~

DURING MY NIGHT TRAVELING I
 OCCASIONALLY COME BY A HOUSE BY THE
 TRACTS ~~T~~ ^{THAT} ~~HAS~~ STRONG LIGHTS WHICH
 FLOOD THE TRACTS THERE FORE I HAVE TO
 DETOUR, SOME TIME THIS LEAD ME THROUGH WATER
 SMALL CREEKS AND BAD TRAVELING IN GENERAL AND
 THIS IS HAVING AN EFFECT ON MY FEET AND I
 HAVE TROUBLE GETTING MY SHOES ON AFTER I TAKE
 THEM OFF. ALSO I CAME BY A TRAILER THIS
 NIGHT IT SETS BY THE RIVER AFTER BEARING A
 SMALL LOCK I ENTER IT I FIND A HARE A BOTTLE
 OF WINE + SOME FOOD I TAKE WHAT FOOD I
 CAN CARRY AND DRINK THE WINE ALSO TAKE
 A BLANKET ^{ITS} ITS COOL AFTER EATING + DRINK
 I FALL OFF TO SLEEP AND WAKE UP WITH IT
 RAINING ON ME THE WINE MUST HAVE GOT
 ME I GET UP AND WALK THE REST OF THE NIGHT

JEH

II

4TH DAY, SAME THING SLEEPING WATCHING
AND LISTENING TO RADIO.

4TH NIGHT. THIS IS ABOUT LIKE THE THIRD
EXCEPT I CAN'T WALK AS MUCH.

MORNING OF 5 DAY. AS DAYLIGHT COMES IT RAINING
I DESIDE TO BUILD A FIRE AS ITS RAINING
I FIND A TUNNEL ITS ALARGE ONE ABOUT 4 FT HIGH
RUNNING UNDER THE TRACT I HAD GOT SOME
MATCHES OUT OF THE TRAINER AFTER I GET
THE FIRE GOING GOOD I HAVE SOME MOTOR
I PUT THE FIRE OUT BUT TO HAVE TWO
RAILROAD WORKERS GET OF A HANDCAR AND COME
DOWN TO CHECK THE SMOKE I TELL THEM
FIRST PEOPLE I BEEN HUNTING AND GOT WET. STARTED THE
I TALK TO, FIRE TO DRY OUT THEY SAY OK AND LEAVE.
I STAY THEIR THE REST OF THE DAY. MY FEET
ARE IN SUCH CONDITION THAT I DONT TAKE

III MY SHOES OF AS I DON'T THINK I CAN GET
TO BE ON IF I DO,

5TH NIGHT. MORE WALKING. GETTING LOW ON FOOD.
THERE IS A LOT OF SPRINGS ALONG THE TRAILS.
YOU CAN HEAR THEM RUNNING AT NIGHT SO
I HAVE PLenty TO DRINK. AT THE BEGINNING OF
DAY LIGHT I CAN SEE A TOWN AND LIGHTS.

6TH DAY. I FIGURE ~~SOME~~ THE HEAT IS OF NOW.
SO I DECIDE I WILL GO INTO THIS TOWN IF
IT'S BIG ENOUGH. (I HAVE ALREADY WENT THROUGH
SEVERAL SMALL TOWNS AT NIGHT.)

Jeff

6TH NIGHT. AFTER WALKING A COUPLE HOURS I
GET TO THE TOWN. I HAVE CLEAN UP THE
BEST I CAN. DURING THE DAY I GO INTO THE
TOWN AND BUY TWO CANS OF BEER AND SOME
SANDWICHES AND GO BACK TO THE RAIL ROAD TRACTS.

Jeff

~~LEAVES~~ THAT NIGHT I CATCH A TRAIN THAT'S
 HEADING BACK TO ST. LOUIS I GET THERE
 EARLY IN THE MORNING AND CATCH A CAB
 TO EAST ST. LOUIS AFTER GETTING A PAIR OF
 OVER SIZE SHOES + A JACKET I CALL A FRIEND
 WHO TAKES ME TO A SMALL TOWN OUT OF
 EAST ST. LOUIS WHERE I CATCH THE BUS
 TO CHICAGO.

Edwardsville

EX

(7)

I In relation to my previous attempt + how to carry same.

On my first attempt which was in the fall of 1961
 I was working in the cleaning plant this was 6 of
 was working there and we were on a special contract
 which meant we were not central until after 7 P.M.
 which meant that it was due by the time we had
 to go to our cells on the night of the attempt I simply
 hid in the plant until the other inmates went to the
 cell house I then removed some slabs from the wall
 2x8 oak boards nailed them together they were about 8 ft by
 nailed steps on the board and went to a blind spot
 on the wall ~~with the intention of going to the
 roof and jumping over the wall~~
~~was in the plant~~

Filed 20 Sept 74 Collier
 Ex. 7 to Sup. Mr. Hume
 By John Hemminger
 Court Reporter

II The beds were made out of oak and were very
 heavy, then for when I got about $\frac{2}{3}$ up the ladder
 JH the nails pulled out. Due to my weight &
 the heavy ladder, I had about \$6.00 which I had
 assembled by selling commings.
 The second was also a failure I got a job in the
 coal house one night when the cell house went to the
 stars I took some wire cutters I had over by and
 the screen out of the back windows I took a long
 iron pole which was used to open windows, forced a
 hole in it went through the hole into a tunnel
 which connects all the cell houses I crawled up the
 tunnel until I got to the security chief office
 JH crawled over it looked the pale on the administrative
 building roof, it was raining lightly that night and

~~the~~ the pole had got out when I got shot in the
 Top my head slipped off and I fell on my own
 resulting in it getting numb I then hid in a
 small Bailey near by which housed a generator.
 I came out the next night but they had a guard
 in the security office & he caught me when I fell
 back into the office of the Bailey my shoes came off I had
 4 10 Dollar Bills in one shoe & 4 1/2 in the other
 I lost the 10 but the one went lost and the
 officer got them when they searched me. I had
 recounted the story the same way doing
 favors and they I suggest you talk to some
 gods on these matters as the women will
 tell you he is running a very subtle game.

~~the~~ on my drink I would say I drink a couple cans
of beer about every night in my room I went to
a club which average about one a week I would
drink vodka & orange juice as I don't like the taste
of alcohol.

on the sociological question I sleep about 6 hrs. a
night I can't remember seeing I don't know if I
snore or jump but the girls don't mention it if
I do I sleep in pajamas if I have them I have
considered marriage as almost everything else
no I can't say that my women say meat makes
JEK app. 6 months is the longest I ever went with
one woman, also I never thought I was
financial able for marriage, as it would

JH Interfer with my trading. also I have never
 been a homosexual, masochist or dyke.
 JH This was nothing except about my trip from Chicago to
 Montreal I stayed one night in Toronto on my
 way in DORION. you could pretty much call me an
 Down a small town the next day I moved in at
 2608 E. Notre Dame St. in Montreal.

I could be more accurate about the Montreal contact if
 I had a mental map, but I know the town was
 close to the river or dock, custom house and a German
 club. one of the streets if it was St. Germain they were
 to have two seamen clubs in Montreal but they combined
 JH them (one Catholic or priest.) into one with the ships
 you could find the location.

on the S.S. Card, yes I have a card containing
 D own name but I couldn't not use that
 while on escape, the card I used was mine.
 I got years ago, after I was out I sent
 J.F. the number in to the S.S. office and they sent
 me the card.
 for J.D. I had Temporary Drivers License + on title.
 plus S.S. Card I bought the car of a private
 person so didn't help to show J.D. fast money.
 or buying a gun that a single mother for one who
 has criminal conviction it usually goes like this.
 J.E.H. A Bugler will rob a sporting goods store
 and sell them to a fence you then come by
 them from the fence after one job you can
 throw the gun away, even if they catch you

VII

with it then not much they can do as
you was some place else when it was stolen.

JFK

WHEN I LEFT CHICAGO AFTER GIVING MY JOB I HAD
ABOUT \$45.00 AND A CAR, I DIDN'T HAVE MANY
POSSESSIONS JUST CLOTHING & SPORTSWEAR & PANTS,
I THEN WROTE FOR E. ST. LOUIS ON THE WAY THERE
I HAD CAR TROUBLE BUT MADE IT TO E. ST. LOUIS
THAT NITE I STAYED THERE WITH THE FRIEND WHO
HAD TAKEN ME TO EDWARDSVILLE WHEN I HAD ESCAPED,
I TOLD HIM I WAS LEAVING THE COUNTRY AND ASK
HIM TO TELL MY FAMILY NOT TO WAIT 304 DAYS IN
CASE THE POLICE SAW HIM I DIDN'T TELL HIM
WHICH COUNTRY I WAS GOING TO SO NO ONE
WOULD KNOW NO EVEN FAMILY, WHETHER HE DID

VIII
 THIS OR NOT I DON'T KNOW, THE NEXT DAY I
 BROUGHT ANOTHER CAR FOR \$200.00. I ALSO GOT A
 NEW 32 PISTOL FROM MY FRIEND BUT DIDNT PAY HIM
 AS I WAS SHORT OF MONEY, I TOLD HIM I WOULD
 SEND HIM THE MONEY. I THEN LEFT FOR
 ORANGE THERE WAS A LOT OF TRAFFIC GOING TO
 KY. SO NO TROUBLE CROSSING BORDER.
 MY STOPS FROM E. ST. TOWN TO MONTICELLO WERE
 1ST NIGHT JERSEYVILLE, INDIANA, AND TONTICOMMON, IN
 3 MOUNTAIN DIVISIONS. WHILE IN THE PRISON I HAD
 READ A LOT ABOUT PEOPLE GETTING TRAVEL DOCUMENTS IN
 CANADA. I ALSO RECALLED A BROKER FROM N.Y.
 JPH NAME BURELL OR BIRRELL GIVE COMMISSION FOR
 TRAVEL. THE FIRST THING I DID AFTER MY
 ARRIVAL IN MONTICELLO WAS

VIII TO CALL A TRAVEL AGENCY AND ASK WHAT
 DOCUMENTS WAS NECESSARY TO GET A PASSPORT.
 THEY TOLD ME NONE BUT I HAD TO HAVE SOMEONE
 WHO KNOW ME FOR TWO YEARS (I LATER FOUND OUT THIS
 WAS WRONG) I THEREFORE HAD TO FIND ANOTHER WAY
 TO GET OUT OF CANADA I WAS ALSO GETTING SHORT
 ON MONEY AFTER LEASING A ~~APART~~ APARTMENT FOR
 6 MONTHS, I PAID THE FIRST & LAST MONTHS RENT
 WHICH TOTALLED \$1500 THIS WAS THE PLACE
 IN THE 2600 BLOCK ON NOTRE DAME EAST,
 ON ST. CATHERINE EAST IN MONTREAL BETWEEN
 THE 1800 BLOCK & 2000 BLOCK THERE IS A LOT OF
 NIGHT CLUB AND PROSTITUTES HANG OUT IN
 THESE PLACES, THE PROCEDURE IS THE
 GIRL LEAVES THE CLUB WITH YOU AND THE

I TWO OF YOU TAKE A CAB TO AND. APARTMENT.
 RUN BY WHO EVER SHE IS WORKING FOR, I PICK UP
 ONE OF THESE GIRLS, THE BEST LOOKING ONE I
 COULD FIND AS I THOUGHT SHE WOULD BE
 IN THE MORE PROSPEROUS PLACE, WE WENT
 TO THE APARTMENT WHERE UPON I GAVE HER
 \$25.00 WHICH SHE TOOK TO THE OFFICE, RETX
 I LEFT I GOT THE ADDRESS, THE NEXT NIGHT
 I TOOK MY CAR AND PARKED CLOSE TO THIS
 HOUSE THEN WENT BACK TO THIS CLUB AND
 PICKED UP THE SAME GIRL, WE THEN CAUGHT
 A CAB TO THE SAME HOUSE AFTER I HAD
 GAVE HER ANOTHER \$25.00 AND WE WERE
 READY TO LEAVE I PUT THE GUN ON HER
 AND TOOK HER TO THE OFFICE. AFTER SHE

VI HAD GOT THE MANAGER THERE BY KNOCKING I PUT
 THE GUN ON HIM I HAD HER TAKE HER
 STOCKING OFF + TIE HIS HANDS AND FEET WHILE
 HE LAYED ON BED, AFTER A LITTLE PERSUASION
 I GOT A \$1700 OUT OF A CABINET & THEN
 TOLD THE GIRL TO GET UNDER THE BED
 AND LEFT. AFTER A COUPLE DAY I WENT TO
 BROUGHT GREY ROCKS, FOR A WEEK, WHEN I GOT BACK I
 BROUGHT SOME CLOTHING AND STARTED HANGING
 AT TIPTOP AROUND THE WATERFRONT, (BUT GOING BACK TO
 TALKING ON GRAY ROCKS FOR A MINUTE THE LAST DAY
 AGAINST THEM & MET THIS GIRL SHE WAS GOING TO
 WEST EXPO AND SAID SHE WOULD STOP BY
 MY ADDRESS WHEN SHE CAME TO MONTREAL.)

SEA

II MY REASON FOR FREQUENTING THE WATERFRONT WAS
 TO SEE IF I COULD GET SOME DRUNKEN SEAMANS
 PAPERS OR GET A JOB ON A SHIP. I HAD CALLED
 THE UNION HALL & THEY SAID THEIR WAS NO
 JOBS AVAILABLE AT THE TIME. I THINK THE
 FIRST TIME I CONTACTED PAUL WAS ABOUT
 THE 2ND TIME I FREQUENTED THE BAR WITH
 THE PILOT WHEELS IN THE WINDOWS. HE STARTED
 THE CONVERSATION I KNOW HE ASK ME IF I WAS
 AND AMERICA I TOLD HIM YES AFTER SOME
 GENERAL CONVERSATION I TOLD HIM I WAS THINKING
 ON IMMIGRATING TO CANADA AND QUESTIONED
 HIM ON THE PROSPECTS OF GETTING A JOB ON A
 SHIP, HE HAD INDICATED TO ME THAT HE HAD
 WORKED ON A SHIP OR WAS WORKING ON ONE.

XIII ALL TOGETHER I WOULD SAY I ~~HAD~~ TALKED TO HIM ABOUT 7 OR 8 TIMES, IT WAS ABOUT THE THIRD TIME THAT I TOLD HIM I HAD BEEN IN A LITTLE TROUBLE IN THE U.S. AND COULDN'T FIND WORK ON CERTAIN JOBS SUCH AS SHIPS (THIS IS NOT SO PEOPLE WITH RECORDS CAN WORK ON SHIPS AND I THINK HE MITE OF KNOW THIS) AS YOU PROBABLY KNOW YOU JUST DON'T TELL ANY ONE THE FIRST TIME YOU MEET THEM YOU HAVE BEEN IN TROUBLE WITH THE LAW

JEK I ALSO TOLD HIM THAT I WOULD LIKE TO IMMIGRATE TO ANOTHER ENGLISH SPEAKING COUNTRY IF I COULDN'T FIND WORK IN CANADA AND THAT IF I HAD SEWING MACHINE PAPER I COULD USE THEM TO SEW SHIP AND THEN TO DISSEMBLY, ANOTHER WORDS USE

THE PAPERS LIKE A PASSPORT, IT WAS AT ABOUT
 THIS STAGE THAT HE TOLD ME THAT HE MIGHT
 BE ABLE TO GET ME THE PAPERS OR A PASSPORT
 BUT I WOULD HAVE TO HELP HIM TO FIND THAT
 I COULD MAKE A LITTLE MONEY TO HELP ME WHEN
 I GOT TO MY COUNTRY OF CHOICE. I TOLD HIM
 ALL RIGHT IF IT WASN'T TOO RISKY HE THEN TOLD
 ME OF THE PLAN TO TAKE SOME PACKAGES ACROSS
 THE BORDER, ~~RECEIVED FROM~~ I ASK HIM WHAT AND
 HE TOLD ME I WASN'T GETTING PAID TO ASK QUESTIONS.
 WE THEN MADE PLANS TO MEET AT WINDSOR THAT
 WAS HIS IDEA I WOULD GUESS BECAUSE THERE
 WERE TWO CROSSING POINTS THERE, ONE A TUNNEL
 THE OTHER A BRIDGE. DURING THIS TIME THE GIRL
 I MENTION CAME BY MY PLACE SHE SAID SHE WAS
 GOING TO EXPO AND HAD TO BE BACK TO WORK SHORTLY
 SHE HAD A GIRL FRIEND WITH HER AND SHE STAYED
 AT MY PLACE THAT NIGHT I DIDN'T HAVE TOO MUCH TIME
 TO TALK TO HER WITH REGARDS TO SIGNING A PASSPORT

FORM FOR ME AND I DIDNT WANT TO ~~ASK~~ ^{XIX} ~~HER~~ ^{P.R.} TO DIRECT SINCE SHE MITE GO
 TO THE POLICE SO I TOLD HER I MITE DRIVE
 UP AND SEE HER BEFORE I RETURNED TO THE
 STATES. ME + ROUAL HAD AGREED ON A DATE
 TO MEET AT THE WINDSOR TRAIN STATION,
 I CHECKED OUT OF THE APT. AND
 FORFEITED MY LAST MONTH'S RENT, ~~OR~~
 I HAD ABOUT 500 DAYS BEFORE ~~IT~~ WAS TO
 MEET ROUAL IN WINDSOR I DROVE TO
 OTTAWA FIRST AND CALLED THIS GIRL I
 FOUND OUT THE NEXT DAY THAT SHE WORKED
 FOR THE CANADIAN GOVERNMENT SO I DESIDED
 AGAINST ASKING HER TO SIGN A PASSPORT
 FORM ESPECIALLY SINCE THEIR WAS A
 PROSPECT ROUAL WOULD GET ME ONE.
 AFTER TWO DAYS THEIR I LEFT FOR
 WINDSON I WAS DUE TO MEET ROUAL AT
 37.00 PM IN THE RR. STATION.

(EX)

AFTER I ARRIVED AT THE STATION ^{5:15} ~~5:00~~
 I WAITED ABOUT 30 MINUTES AND HE
 CAME IN WITH AN ATTACHE CASE AND
 SAID LET'S GO ON THE WAY TO THE TUNNEL
 HE TOOK 3 PACKAGES OUT AND PUT THEM
 BEHIND THE BACK PART OF THE SEAT WHERE
 YOU REST YOUR BACK, I LET HIM OFF AFTER
 THIS AND HE SAID HE WOULD MEET ME
 ON THE OTHER SIDE (I THINK IT WAS
 WHERE THEY EXCHANGE MONEY) BUT TOLD
 ME TO GIVE HIM ABOUT FIVE MINUTES
 TO GET A CAR TO CROSS, I WENT
 THROUGH THE CUSTOM ALLRIGHT AND
 HE MET ME ON THE OTHER SIDE
 HE THEN DIRECT ME TO A SIDE
 STREET WHERE HE REMOVED THE

(X)

PACKAGES, HE THEN DIRECTED ME TO ^{XVII} ~~FA~~
 WHAT I AM FAIRLY SURE IS THE BUS
 STATION HE WENT IN THEIR WHILE I
 DROVE AROUND THE BLOCK, I PICKED
 HIM UP, THEN HE SAID WE HAD TO GO
 BACK AGAIN, HE DIDN'T HAND THE CASE,
 HE TOLD ME WHERE TO MEET HIM, TRAIN
 STATION, AND HE AGAIN GOT A CAR,
 WHILE I WAITED ABOUT 10 MINUTES
 WHEN I GOT TO THE RR STATION HE WAS
 STANDING IN FRONT WE WENT THROUGH
 THE SAME PROCEDURE EXCEPT WE DID
 NOT GO OVER THE BRIDGE I NOTICED THE
 CUSTOMS OFFICER WAS ~~SHAKING~~ SHAKING
 DOWN ABOUT EVERY OTHER CAR AND
 I REMEMBERED THE TV SET IN THE
 TRUNK THAT I HAD BROUGHT IN
 MONTREAL.

(JEA)

XXXX
XX

I Declined the T.V. sets. I had
to pull in a line a customs officer, come
out and not only looked at the T.V. set
but searched the car he pulled on the back
seat but since you had to raise it
up plus the fact I had clothing lying
on the back seat, he didn't get the seat
out, This procedure took about 30 minutes
and cost about \$4.50. Paul was a little
nervous and wanted to know where I had
been I showed him a receipt I got from
the customs officer for paying the import
tax on the T.V. we then went through the
same procedure except when I picked him up
The second time we went to a side
street & parked, He gave me \$750.00 but
told me he couldn't as yet get any
travel Documents; (JEF)

XVII

He then told me that if I would go ^{just} along with him he would not only get me turning documents but also 10 or 12 thousand dollars. He then told me what he wanted me to do:

No 1. get rid of the car I had (it was old).

"2. go to Mobile Ala. where we would meet at a place of his choice.

I then ask him what I was expected to do and I got the impression that he wanted me to take weapons into Mexico or help in some way, he assured me it would be relatively safe. I then agreed to go along with what he asked except I told him I would rather go to Birmingham instead of Mobile.

Because once I have an allergy, the airplane on the Gulf coast bothers me.

Two. Birmingham is longer hence easier to get lost in.

(JPH)

HE THEN TOLD ME HE WOULD GO TO ~~DETROIT~~
 BIRMINGHAM TO SET UP A MEETING PLACE
 AND THAT HE WOULD WRITE ME A CORDIAL
 BILIBERY LETTER TO BIRMINGHAM TELLING ME
 WHERE + WHEN TO MEET HIM, AND THAT HE WOULD
 FINANCE A CAR PLUS LIVING EXPENSES, I THEN TOOK
 HIM BACK TO THE STATION AND LEFT FOR CHICAGO
 I DIDNT STOP IN DETROIT I STAYED IN A MOTEL
 THAT NIGHT IN A MOTEL ABOUT 5 MILES EAST
 OF GARY INDIANA, THE NEXT DAY I SOLD THE
 CAR IN CHICAGO + CAUGHT A TRAIN FOR
 BIRMINGHAM.



1st
I

 1000
SHEFFIELD BUREAU
CONST. NEW BUREAU

114 ERSY PK

3 am

EXT

After I reached Chicago I started looking for
 a place to stay, I rented a room on
 Sheffield I think (see diagram) It was about
 1/2 block from Livery park on the left hand
 side of the street going south, there was a
 Building a new Bldg. right across the street
 from my room. The next day I brought
 a Tribune and got the lot I mentioned out
 of the west end section. There was nothing over the
 while in Chicago I remember one of the female
 employees gave me one package to wrap
 my clothes. The car I brought for \$100.00 was
 also got out of a Tribune add.
 Now I didn't go to attend or see my
 relatives. my reason for not seeing my
 relatives ^{is} that criminal charges can be filed
 against a relative or a person for harboring
 a fugitive if the police can prove it.
 Filed 20 Sep 74 Collee. Ex. 1 to Dep. Mr. Hise by John Hamlin, Court Reporter

I didn't see any women until I went to Canada,
 I don't know what day I reached Chicago. you
 could check on this by getting my address
 from the restaurant or the room I rented which
 is on file with the restaurant. I didn't steal
 anything. I still had ⁴ \$72.00.
 I then arrived close to the 1st on Dixon, it was
 a liquor store I was in there about a day, time
 while I lived in Chicago. I had a S.S. card
 which I had used years ago I later got a
 card by filling out a form.
 I went to work in Hartford in May 1944 and was
 laid off in Dec 1945, I was the young, the long, and
 in bus. the place I worked was the International Shoe Co.,
 The only people I can remember are
 Mr. Milton Hart, Dave Gray and Clayton Hideraka,
 all foremen. The only business I could recommend
 is the ~~Alton~~ ~~Banking~~ ~~and~~ ~~the~~ Wedge Bank
 200 East Broadway, in Alton,

The only people I know
 for in the Alton area were
 a few men some were in
 43 & 44.

It Interfer with my study. also I have never
been a homosexual, masochist or dyke.

JH. There was nothing except about my trip from Chicago to
Montreal I stayed one night in Toronto on one
in DORION. you could probably check on the one in
Dorion a small town the next day I would be at
2608 E. Haverdon St. in Montreal.

I could be more accurate about the Montreal contact if
I had a Montreal map, but I know the town was
close to the river or dock, custom house and Anderson's
Club: one of the street light was lit. Since they are
to have two separate clubs in Montreal but the combined
JH. them (one Catholic on first.) into one with the signs
you could find the location.

on the S.S. Card, yes I have a card containing
 D own name but I couldn't not use that
 while on escape, the card I used ~~my name~~
 I got yena ozo, after I was out I sent
 J.H. the money in to the S.S. office and they sent
 me the card.

for I.D. I had Temporary Driving License + a title.
 plus S.S. Card I bought the car of a private
 person so didn't help to show I.D. Just money
 as buying a gun that a simple matter for one who
 has criminal conviction it usually goes like this.
 J.H. A Bugler will not a sporting goods store
 and sell them to a fence you then can buy
 them from the fence after one job you can
 throw the gun away, because they catch you

VIII TO CALL A TRAVEL AGENCY AND ASK WHAT DOCUMENTS WAS NECESSARY TO GET A PASSPORT. THEY TOLD ME NONE BUT I HAD TO HAVE SOMEONE WHO KNEW ME FOR TWO YEARS (I LATER FOUND OUT THIS WAS WRONG). I THEREFORE HAD TO FIND ANOTHER WAY TO GET OUT OF CANADA. I WAS ALSO GETTING SHORT ON MONEY AFTER LEASING AN ~~APARTMENT~~ APARTMENT FOR 6 MONTHS, I PAID THE FIRST & LAST MONTHLY RENT WHICH TOTALLED \$150.00. THIS WAS THE PLACE IN THE 1600 BLOCK ON NOTRE DAME EAST, ON ST. CATHERINE EAST IN MONTREAL BETWEEN THE 1400 BLOCK & 2000 BLOCK THERE IS A LOT OF NIGHT CLUB AND PROSTITUTES HANG OUT IN THESE PLACES. THE PROCEDURE IS THE GIRL LEAVES THE CLUB WITH YOU AND THE

I TWO OF YOU TAKE A CAB TO AND APARTMENT
 RUN BY WHO EVER SHE IS WORKING FOR, I PICKUP
 ONE OF THESE GIRLS, THE BEST LOOKING ONE I
 COULD FIND AS I THOUGHT SHE WOULD BE
 IN THE MORE PROPER PLACE, WE WENT
 TO THE APARTMENT WHERE UPON I GAVE HER
 \$25.00 WHICH SHE TOOK TO THE OFFICE, AFTER
 I LEFT I GOT THE ADDRESS, THE NEXT NIGHT
 I TOOK MY CAR AND PARKED CLOSE TO THIS
 HOUSE THEN WENT BACK TO THIS CLUB AND
 PICKED UP THE SAME GIRL, WE THEN CAUGHT
 A CAB TO THE SAME HOUSE AFTER I HAD
 GAVE HER ANOTHER \$25.00 AND WE WERE
 READY TO LEAVE I PUT THE GUN ON HER
 AND TOOK HER TO THE OFFICE, AFTER SHE

II HAD GOT THE MANAGER THERE. BY KNOCKING I PUT
 THE GUN ON HIM I HAD HER TAKEN HER
 STOCKING OFF & TIE HIS HANDS AND FEET WHILE
 HE LAYED ON BED, AFTER A LITTLE PERSUASION
 I GOT APPROX \$1,700 OUT OF A CABINET & THEN
 TOLD THE GIRL TO GET UNDER THE BED
 AND LEFT. AFTER A COUPLE DAY I WENT TO
 BROUGHT GREY ROCKS, FOR A WEEK, WHEN I GOT BACK I
 BROUGHT SOME CLOTHING AND STARTED HANGING
 ATTACHED AROUND THE WATERFRONT, (BUT GOING BACK TO
 TALKING ON GRAY ROCKS FOR A MINUTE THE LAST DAY
 AT THE TIME THEIR I MET THIS GIRL SHE WAS GOING TO
 WEST EXPO AND SAID SHE WOULD STOP BY
 MY ADDRESS. (WHEN SHE CAME TO MONTREAL.)

III MY REASON FOR FREQUENTING THE WATERFRONT WAS
 TO SEE IF I COULD GET SOME DRUNKEN SEAMANS
 PAPERS OR C.B.T. P.T.O.B. ON A SHIP. I HAD CALLED
 THE UNION HALL & THEY SAID THEIR WAS NO
 T.O.B.S. AVAILABLE AT THE TIME. I THINK THE
 FIRST TIME I CONTACTED PAUL WAS ABOUT
 THE 2ND TIME I FREQUENTED THE BAR WITH
 THE PILOT WHOBBIS IN THE WINROWS. HE STARTED
 THE CONVERSATION & KNOW HE ASK ME IF I WAS
 AND AMERICA I TOLD HIM YES AFTER SOME
 GENERAL CONVERSATION I TOLD HIM I WAS THINKING
 ON IMMIGRATING TO CANADA AND QUESTIONED
 HIM ON THE PROSPECTS OF GETTING A T.O.B. ON A
 SHIP. HE HAD INDICATED TO ME THAT HE HAD
 WORKED ON A SHIP OR WAS WORKING ON ONE.

XIII ALL TOGETHER I WOULD SAY I ~~WAS~~ TALKED TO
 HIM ABOUT 7 OR 8 TIMES, IT WAS ABOUT THE
 FOURTH THIRD TIME THAT I TOLD HIM I HAD BEEN
 IN A LITTLE TROUBLE IN THE U.S. AND COULDN'T
 FIND WORK ON CERTAIN JOBS SUCH AS SHIPS
 (THIS IS NOT SO, PEOPLE WITH RECORDS CAN WORK ON
 SHIPS AND I THINK HE MIGHT KNOW THIS)
 AS YOU PROBABLY KNOW YOU JUST DON'T TELL ANY ONE
 THE FIRST TIME YOU MEET THEM YOU HAVE BEEN
 IN TROUBLE WITH THE LAW
 I ALSO TOLD HIM THAT I WOULD LIKE TO IMMIGRATE
 TO ANOTHER ENGLISH SPEAKING COUNTRY IF I COULDN'T
 FIND WORK IN CANADA AND THAT IF I HAD SEAMANS
 PAPER I COULD USE THEM TO BOARD SHIP
 AND THEN TO DISSEMBLY, ANOTHER WORDS USE

THE PAPERS LIKE A PASSPORT, IT WAS AT ABOUT
 THIS STAGE THAT HE TOLD ME THAT HE MIGHT
 BE ABLE TO GET ME THE PAPERS OR A PASSPORT
 BUT I WOULD HAVE TO HELP HIM TO FIND THAT
 I COULD MAKE A LITTLE MONEY TO HELP ME WHEN
 I GOT TO MY COUNTRY OF CHOICE. I TOLD HIM
 ALL RIGHT IF IT WASNT TOO RISKY HE THEN TOLD
 ME OF THE PLAN TO TAKE SOME PACKAGES ACROSS
 THE BORDER, ~~FROM ENGLAND~~ I ASK HIM WHAT AND
 HE TOLD ME I WASNT GETTING PAID TO ASK QUESTIONS.
 WE THEN MADE PLANS TO MEET AT WINDSOR THAT
 WAS HIS IDEA I WOULD GUESS BECAUSE THERE
 ARE TWO CROSSING POINTS THERE, ONE A TUNNEL
 THE OTHER A BRIDGE. DURING THIS TIME THE GIRL
 I MENTION CAME BY MY PLACE SHE SAID SHE WAS
 GOING TO EXPO AND HAD TO BE BACK TO WORK SHORTLY
 SHE HAD A GIRL FRIEND WITH HER AND SHE STAYED
 AT MY PLACE THAT NIGHT I DIDNT HAVE TO RUSH TIME
 TO TALK TO HER WITH REGARDS TO SIGNING A PASSPORT

FORM FOR ME AND I DIDNT WANT TO ~~IT~~
 ASK HER TOO DIRECT SINCE SHE MITE GO
 TO THE POLICE. SO I TOLD HER I MITE DRIVE
 UP AND SEE HER BEFORE I RETURNED TO THE
 STATES. ME + ROUAL HAD AGREED ON A DATE
 TO MEET AT THE WINDSOR TRAIN STATION,
 I CHECKED OUT OF THE APT. AND
 FORFEITED MY LAST MONTH'S RENT, ~~AND~~
 I HAD ABOUT 300 DAYS BEFORE ~~IT~~ WAS TO
 MEET ROUAL IN WINDSOR I DROVE TO
 OTTAWA FIRST AND CALLED THIS GIRL I
 FOUND OUT THE NEXT DAY THAT SHE WORKED
 FOR THE CANADIAN GOVERNMENT SO I DESIGNED
 AGAINST ASKING HER TO SIGN A PASSPORT
 FORM ESPECIALLY SINCE THEIR WAS A
 PROSPECT ROUAL WOULD GET ME ONE.
 AFTER TWO DAYS THEIR I LEFT FOR
 WINDSON I WAS DUE TO MEET ROUAL AT
 37.00 PM IN THE R.R. STATION.

(EX)

AFTER I ARRIVED AT THE STATION ^{SIX} ~~SIX~~
 I WAITED ABOUT 30 MINUTES AND HE
 CAME IN WITH AN ATTACHE CASE AND
 SAID LET'S GO ON THE WAY TO THE TUNNEL
 HE TOOK 3 PACKAGES OUT AND PUT THEM
 BEHIND THE BACK PART OF THE SEAT WHERE
 YOU REST YOUR BACK, I LET HIM OFF AFTER
 THIS AND HE SAID HE WOULD MEET ME
 ON THE OTHER SIDE (I THINK IT WAS
 WHERE THEY EXCHANGE MONEY) BUT TOLD
 ME TO GIVE HIM ABOUT FIVE MINUTES
 TO GET ACROSS TO CROSS, I WENT
 THROUGH THE CUSTOM ALLRIGHT AND
 HE MET ME ON THE OTHER SIDE
 HE THEN DIRECT ME TO A SIDE
 STREET WHERE HE REMOVED THE
 (REX)

PACKAGES, HE THEN DIRECTED ME TO ^{XVII} ~~FA~~
 WHAT I AM FAIRLY SURE IS THE BUS
 STATION HE WENT IN THEIR WHILE I
 DROVE AROUND THE BLOCK, I PICKED
 HIM UP, THEN HE SAID WE HAD TO GO
 BACK AGAIN, HE DIDN'T HAND THE CASE,
 HE TOLD ME WHERE TO MEET HIM, TRAIN
 STATION, AND HE AGAIN GOT A CAB,
 WHILE I WAITED ABOUT 10 MINUTES
 WHEN I GOT TO THE RR STATION HE WAS
 STANDING IN FRONT WE WENT THROUGH
 THE SAME PROCEDURE EXCEPT WE DIDN'T
 GO OVER THE BRIDGE I NOTICED THE
 CUSTOMS OFFICER WAS ~~SLAM~~ SHAKING
 DOWN ABOUT EVERY OTHER CAR AND
 I REMEMBERED THE TV SET IN THE
 TRUNK THAT I HAD BROUGHT IN
 MONTREAL.

(JLX)

XVIII
TH.

I Dislaid the T.V. set. I had
 to pull in a line a customs officer come
 out and not only looked at the T.V. set
 put search the car he pulled on the back
 seat but since you had to raise it
 up plus the fact I had clothing lying
 on the back seat, he didn't get the seat
 out, This procedure took about 30 minutes
 and cost about \$4.50. Paul was a little
 nervous and wanted to know where I had
 been I showed him a receipt I got from
 the customs officer for paying the import
 tax on the T.V. we then went through the
 same procedure except when I picked him up
 The second time we went to a side
 street & parked, He gave me \$750.00 but
 told me he couldn't as yet get any
 travel Documents; (JFH)

20117

He then told me that if I would go ~~just~~
 along with him he would not only
 get me turning documents but also 10 or
 12 thousand dollars. He then told me what
 he wanted me to do:

No. 1. get rid of the car I had (it was old).
 "2. go to Mobile Ala. where we would meet
 at a place of his choice.

I then ask him what I was expected to do
 and I got the impression that he wanted me
 to take weapons into Mobile or help in
 some way, he assured me it would be relatively
 safe. I then agreed to go along with what
 he asked except I told him I would
 rather go to Birmingham instead of Mobile
 Because my I love on allergy, the
 atmosphere on the Gulf coast bothers me.
 Two. Birmingham is longer hence easier to
 get lost in.

(JEH)

~~RECEIVED~~
 He THEN TOLD ME HE WOULD GO TO
 BIRMINGHAM TO SET UP A MEETING PLACE
 AND THAT HE WOULD WRITE ME A CAREFUL
 DILIGENT LETTER TO BIRMINGHAM TELLING ME
 WHERE + WHEN TO MEET HIM, AND THAT HE WOULD
 FINANCE A CAR PLUS LIVING EXPENSES, I THEN TOOK
 HIM BACK TO THE STATION AND LEFT FOR CHICAGO
 I DIDNT STOP IN DETROIT I STAYED IN A MOTEL
 THAT NIGHT IN A MOTEL ABOUT 5 MILES EAST
 OF GARY INDIANA, THE NEXT DAY I SOLD THE
 CAR IN CHICAGO + CAUGHT A TRAIN FOR
 BIRMINGHAM.



Feb
I

After I reached Chicago I started looking for a place to stay. I rented a room on Sheffield I think (see diagram). It was about 1/2 block from Livery park on the left hand side of the street going south. There was a Building, a new Bldg. right across the street from my room. The next day I brought a Tribune and got the lot I mentioned out of the west end section. There was nothing special while in Chicago I remember one of the female employees gave me one or two packages to wrap my clothes. The car I brought for \$100.00 was also got out of a Tribune ad.

no I didn't go to attend or see any relatives. my reason for not seeing any relatives ^{is} that criminal charges can be filed against a relative or anyone else for harboring a fugitive if the police can prove it.

File 20 Sep 74 Col. Ex. 7 to Dep. Mo. Hise by John H. Hise, Court Reporter

II I didn't see any women until I went to Canada.
I don't know what day I reached Chicago. you
could check on this by getting my address
from the restaurant or the room I rented which
was on file with the restaurant. I didn't steal
anything. I still had ^{my} \$2000.

Let.

Then another close to that on Dixon, it was
a liquor store I was in there about a day, time
while I lived in Chicago. I had a S.S. card
which I had used years ago I later got a
card by filling out a form.

I went to work in Hartford in May 1944 and was
laid off in Dec 1945, I was too young, too long out
in bus. the place I worked was the International Shoe Co.,
The only people I can remember are
Mr. Milton Hart, Dave Gray and Clayton Hiderschak
all foremen the only business I could recommend
is the ~~Alton Savings and~~ Wedge Bank

Let on East Broadway in Alton.

The only thing I can remember
is in the Alton area where
I found some women on
a Sunday in 43 & 44.

FORM FOR ME AND I DIDNT WANT TO ~~IX~~ ^{IX}
 ASK HER TO DIRECT SINCE SHE MITE GO
 TO THE POLICE SO I TOLD HER I MITE DRIVE
 UP AND SEE HER BEFORE I RETURNED TO THE
 STATES. ME + ROUAL HAD AGREED ON A DATE
 TO MEET AT THE WINDSOR TRAIN STATION,
 I CHECKED OUT OF THE APT. AND
 FORFEITED MY LAST MONTH'S RENT, ~~ME~~
 I HAD ABOUT 603 DAYS BEFORE ~~IX~~ WAS TO
 MEET ROUAL IN WINDSOR I DROVE TO
 OTTAWA FIRST AND CALLED THIS GIRL I
 FOUND OUT THE NEXT DAY THAT SHE WORKED
 FOR THE CANADIAN GOVERNMENT SO I DESIDED
 AGAINST ASKING HER TO SIGN A PASSPORT
 FORM ESPECIALLY SINCE THERE WAS A
 PROSPECT ROUAL WOULD GET ME ONE.
 AFTER TWO DAYS THERE I LEFT FOR
 WINDSOR I WAS DUE TO MEET ROUAL AT
 37.00 PM IN THE R.R. STATION.

(IX)

AFTER I ARRIVED AT THE STATION ^{5:15} ~~5:00~~
 I WAITED ABOUT 30 MINUTES AND HE
 CAME IN WITH AN ATTACHE CASE AND
 SAID LET'S GO ON THE WAY TO THE TUNNEL
 HE TOOK 3 PACKAGES OUT AND PUT THEM
 BEHIND THE BACK PART OF THE SEAT WHERE
 YOU REST YOUR BACK, I LET HIM OFF AFTER
 THIS AND HE SAID HE WOULD MEET ME
 ON THE OTHER SIDE (I THINK IT WAS
 WHERE THEY EXCHANGE MONEY) BUT TOLD
 ME TO GIVE HIM ABOUT FIVE MINUTES
 TO GET A CAB TO CROSS, I WENT
 THROUGH THE CUSTOM ALLRIGHT AND
 HE MET ME ON THE OTHER SIDE
 HE THEN DIRECT ME TO A SIDE
 STREET WHERE HE REMOVED THE

(RX)

He then told me that if I would go ^{with} ~~just~~ along with him he would not only get me traveling documents but also 10 or 12 thousand dollars. He then told me what he wanted me to do:

- No. 1. get rid of the car I had (it was old).
- "2. go to Mobile Ala. where we would meet at a place of his choice.

I then ask him what I was expected to do and I got the impression that he wanted me to take weapons into Mexico or help in some way, he assured me it would be relatively safe. I then agreed to go along with what he asked except I told him I would rather go to Birmingham instead of Mobile.

Because my I have an allergy, the doctors on the Gulf coast bother me. Two. Birmingham is longer leave easier to get lost in.

(JEH)

He then told me he would go to ~~XXXXXX~~
 BIRMINGHAM TO SET UP A MEETING PLACE
 AND THAT HE WOULD WRITE ME A CABLE
 DELIVERY LETTER TO BIRMINGHAM TELLING ME
 WHERE + WHEN TO MEET HIM, AND THAT HE WOULD
 FINANCE D CAR PLUS LIVING EXPENSES, I THEN TOOK
 HIM BACK TO THE STATION AND LEFT FOR CHICAGO
 I DIDNT STOP IN DETROIT I STAYED IN A MOTEL
 THAT NIGHT IN A MOTEL ABOUT 5 MILES EAST
 OF GARY INDIANA, THE NEXT DAY I SOLD THE
 CAR IN CHICAGO + CAUGHT A TRAIN FOR
 BIRMINGHAM.

fact.

I

After I reached Chicago I started looking for a place to stay. I rented a room on Sheffield I think (see diagram). It was about 1/2 block from Livery park on the left hand side of the street going south. There was a Building a new Bldg. right across the street from my room. The next day I brought a Tribune and got the lot I mentioned out of the west end section. There was nothing useful while in Chicago. I remember one of the female employees gave me one or two packages to wrap my clothes. The car I brought for \$100.00 was also got out of a Tribune ad. No I didn't go to Alton or see any relatives. My reason for not seeing any relatives ^{is} that Criminal Charges could be filed against a relative or anyone else for harboring a fugitive if the police compromised.

KH Filed 20 Sep. 74 Col. Ex. 2 to Dep. Mo. Hise by John Hamlin, Court Reporter

1000
SHEFFIELD AVE

CONST. NEW BLDG.

714 ERSY PK

3 mi

I didn't see any women until I went to work.
I don't know what day I reached Chicago. you
could check on this by getting my address
from the restaurant or the room I rented which
was on file with the restaurant. I didn't steal
anything. I still had app^{ly} \$29.00.

There are box closets. There is on Division it also
a liquor store I was in there about a day, time
while I lived in Chicago. I had a S.S. card
which I had used years ago I later got a
card by filling out a form.

I went to work in Hartford in May 1944 and was
laid off in Dec 1945, I was a young, long hair
in bus. the place I worked was the International Shoe Co.
The only people I can remember are
Mr. Milton Hart, Dave Gray and Clayton Hidenchay
all foremen. The only Business I could recommend
is the ~~Alton~~ ~~Bank~~ ~~and~~ Wedge Bank
on East Broadway in Alton.

The only people I know
in Alton are some
of them some women in
Alton 43844

I suppose, Ed's Alton police could give
you a little info about me.

If you go to Jefferson City I will tell you what
on my record and you can see if there are
any discrepancies.

1. attempt escape 6 months isolation
2. refusing to work ~~with~~ on a job which was
rewards for exp. offenders - 30 days back up
3. Taking contraband through control center. 30 days back.
4. attempt escape. Isolation approx 9 months 2 months
of the ones at the prison, it is reported at
my request, see att. William Gugg who was expelled
from me after charges were filed concerning the matter
The people who were most associated with
me were,

The warden

Major Poiry

EX Officer Higgins, Dr. Proctor

I wait correct on my.

The first 6 years there were nothing on my medical record about this time I had some trouble with low blood pressure which was diagnosed as symptomatic nervous trouble I then attempted to make it seem more severe and he sent to father as security was more deep then.

I found out later that Dr. Park had wrote a report that I was taking stimulants, I then ask one of the doctors about this and he said Park was mistaken as frequent blood test were taken of me so I would suggest if the bring up this subject ask them if I was ever given a medical test first.

no I didn't do any driving in fact it didn't interest me much until I was 18 years old.

JEN The car I had in mind was 1960 Chrysler.

After I reached Chicago I started looking for
 a place to stay. I rented a room on
 Sheffield I think (see diagram) It was about
 1/2 block from Livery park on the left hand
 side of the street going south they were a
 Building a new Bldg. right across the street
 from my room. The next day I brought
 a Tribune and got the job I mentioned out
 of the west end section. There was nothing special
 while in Chicago I remember one of the female
 employees gave me one or two packages to wrap
 my uncle. The car I brought for \$100.00 was
 also got out of a Tribune add.
 no I didn't go to attend or see any
 relatives. my reason for not seeing any
 relatives ^{is} that criminal charges could be filed
 against a relative or anyone else for harboring
 a fugitive if the police compromised.

EX Filed 20 Sep 74 Col. Ex. 1 to Dep. Mr. Heise by John Hamlin, Court Reporter

dk

I didn't see my woman until I went to Canada,
 I don't know what day I reached Chicago you
 could check on this by getting my address
 from the restaurant or the room I rented which
 is on file with the restaurant. I didn't steal
 anything I still had over \$700.00.
 This ambon close to the 1 on Adams is also
 a liquor store I was in there about a day, time
 while I lived in Chicago. I had a S.S. card
 which I had used years ago I later got a
 card by filling out a form.
 I went to work in Hartford in May 1944 and was
 laid off in Dec 1945, I was too young to buy art
 in bus. the place I worked was the International Shoe Co.,
 The only people I can remember are
 Mr. Milton Hart, Dave Gray and Clayton Hidersha,
 all foremen the only Business I could recommend
 is the ~~other~~ ~~Bank~~ ~~at~~ Wedge Bank
 200 ON East Broadway in Alton.

Take only every person I mentioned
 to in the Alton area none
 to from some way over in
 43 & 44.

I suppose, the Alton police could give you a little info about me.

If you go to Jefferson City I will tell you what on my record and you can see if there is any discrepancy.

1. Attempt escape 6 months in state

2. refusing to work with on a job which was reserved for sex offenders - 30 days back up

3. Taking contraband through control center - 30 days back up

4. attempt escape, 3 months in state 9 months in state of the area at the prison, at the hospital at my request, see att. William Gung who was appointed for me after charges were filed concerning the matter. The people who were most associated with me were,

The warden

Major Poiry

Officer Higgins, Dr. Rook

I wait correct on my.

The first 6 years this was nothing on my
 medical record about this time I had some trouble
 with low blood pressure which was diagnosed
 as sympathetic nervous trouble I was attempted to
 make it seem more severe and he saw to falter
 as security was more deep than.

I found out later that Dr. Park had wrote
 a report that I was taking stimulants, I
 then ask one of the doctors about this
 and he said Park was mistaken as frequent
 blood test were taken of me so I would
 suggest if the bring up this subject ask
 them if I was ever given a medical test
 first.

no I didn't do any driving in fact it didn't
 interest me much while I was in prison
 later.

JEF The car I had in Chicago was 1960 Chrysler.

Dear Mr. H.

After reading the guidelines of the information that
you will need to complete your work I think
I can give you most of the information required,
However I can't give anyone information that would
lead to the prosecution of anyone else. I think
you can understand the in short I don't want to
burn my bridges and I think owe something to
those who have helped me in the past, But
since I have worked mostly alone the above statement
would cover a very small part of the story,
also there may be difficulty in recalling all
the transient steps I made in my travels.
I think it might be helpful to you in
understanding my actions before and after the escape
if I give you just a little of my thoughts
and intentions.

Filed 20 Sept. 74 @ 11:30
Ex. 7 to Dep. Mr. Hise
By John Hamlin,
Court Reporter

First, at the time of my escape I was waiting trial
 on attempt escape, I had just got out of isolation
 for this attempt, I had tried without success although
 3 times on the sentence including once from the
 County jail in St. Louis, add to this the workmen
 had sent word to me of what to expect if
 I was caught trying again. Therefore when I got
 out I knew I had to use a little self discipline
 I didn't go around my relatives or friends or places
 I had known to frequent. my intention was to get
 enough money and the means to get out of
 the U.S. Therefore when I went to work
 at the Indian trail restaurant at Winnetka Ill.,
 after my escape it was for the purpose of
 establishing I. D. and to accumulate capital.
 J.E.H. regardless of what newspapers say I wasn't taking
 dope, staying drunk, and hunting prostitutes.

It wasn't that the women part didn't interest
me but after 7 1/2 yrs. I thought I could
wait a couple more months I thought after you
investigate you will get a clear picture.

III

4-1-1

83X

QUESTIONS

I HAVE HAD ~~AS MANY~~ RECOGNICES TWICE ON CONVICTIONS THE FIRST TIME I GOT 3 YEARS + 9 MONTHS THE OTHER PARTIAL CO. 3 YRS. THIS WAS A FEDERAL CRIME.

THE OTHER TIME I GOT 20 YRS AND THE OTHER PARTIAL GOT 7 YRS. SO I AM A LITTLE GUN SHY ON COMMITTING CRIMES WITH OTHER PEOPLE, THIS WAS ON THE CHARGE I ESCAPED ON.

ONE OTHER THING ON MEXICO;

MY NAME HAS BEEN MENTION IN CONNECTION WITH RHODESIA IN SOME OF THE MAGAZINE ARTICLES, WHILE IN PUERTO VALLARTA I CAME ACROSS AN ADD. IN THE NEWS MAGAZINE - U.S. NEWS AND WORLD REPORT - ASKING PEOPLE WHO WANTED TO IMMIGRATE TO RHODESIA TO WRITE TO SOME ADDRESS IN RHODESIA. I WROTE TO THIS ADDRESS AND TOLD THEM I WAS A FORMER U.S. CITIZEN BUT NOW STATELESS HAVING BEEN IN A FOREIGN ARMY AND LOST MY CITIZENSHIP, HOWEVER I NEVER RECEIVED AN ANSWER TO MY IMMIGRATION REQUEST. ITS POSSIBLE THEY KNEW THIS WAS A FALSE STATEMENT SINCE THE U.S. SUPREME COURT HAD RECENTLY RULED IN A CASE INVOLVING A U.S. CITIZEN OF JEWISH ORIGIN WHO HAD FOUGHT IN THE ISRAELI ARMY THAT U.S. CITIZENSHIP COULD NOT BE REVOKED FOR SERVICE IN A FOREIGN ARMY.

YOU HAVE ASK ME WHERE I GOT THE NAME GALT NAME, I SAID I DIDNT THINK IT IMPORTANT AS I COULNT PROVE WHAT I SAY, BUT I HAD CHIEF THAT NAME ABOUT 30+ YRS. BEFORE I REMEMBER I HAD TAKEN IT BECAUSE IT WAS UNUSUAL, HENCE EASY TO REMEMBER.

March-7-1969

To whom it may concern.

I James Earl Ray have been charge with
 the murder of or Martin Luther King.
 I would like to state that I have
 no intention of talking with anyone about
 this charge, such as prisoners or guards.
~~Another~~ work I don't intend to make any
 oral statements, this would be in keeping
 with my past position, I of I have
 right to say of the above mention
 matter it will be only in open court
 with attorney of my choice or anything
 which I write out and sign, my reason
 for making this statement is that it is
 the practice of some state prosecution
 to use this method to secure conviction,
 also some newspapers and maggin outlets
 will use this device to sell books.

Signed;

James Earl Ray
 Shelby County Jail
 Memphis Tennessee.

Witnessed by

①

Part of
2nd
copy

FOR - MR. HOIE

I WILL ATTEMPT TO ANSWER SOME OF YOUR LETTER IN A GENERAL WAY, ITS DIFFICULT TO EXPLAIN ANY THING WHEN THE QUESTIONS ARE RANDOM, ALSO I SEEM TO REMEMBER MORE WHEN I WRITE THAN WHEN I ANSWER QUESTIONS FROM MR. HANES.

FOR EXAMPLE IN THE LIFE MAGAZINE ARTICLE MR. HANES SHOWED ME YESTERDAY I WAS SUPPOSED TO HAVE TOOK OUT AN ADD IN THE FREE PRESS OF LOS ANGELES I DID HAVE THAT ADD PUT IN THAT PAPER BUT THERE WAS MORE TO IT THAN THAT, FOR INSTANCE I TOLD THEM I WANTED TO EXCHANGE PICTURES, IF YOU GO OUT THERE GET A COPY OF THE PAPER WITH THE ADD IN IT AND CHECK. ALSO I RENTED A MAIL DROP FROM A PRIVATE PARTY IN ALHAMBRA CALIF. 'HEDGE PETH I THINK IS THE NAME' FOR ALL MY MAIL FROM THIS ADD TO GO TO, THEN I SENT ABOUT 12 PICTURES TO ANOTHER ADD THAT WAS IN THE FREE PRESS, I THEN WENT TO DR. RUSSEL HADLEY AT 7000 HOLLYWOOD BLVD. AND HAD PLASTIC SURGERY ON MY NOSE IT HAD BEEN WASHED TO THE LEFT. AFTER I GOT TO THE HOTEL I MOVED THE BANDAGE TO THE RIGHT TO CHANGE MY APPEARANCE MORE. I INTEND TO GO TO ANOTHER DR. AND HAVE MY EAR CHANGED, (THESE THINGS ARE NOT NOTICABLE ON PERSON TO PERSON CONTACT BUT THEY SHOW UP IN PICTURES) I DIDNT HAVE TIME FOR THE EAR,

city
free press
election
hedge peth

not think

(2)

I THINK HIS REAL NAME WAS
BENJIE EDMONDSON, HE WAS ARRESTED
IN MONTREAL IN JULY OR AUGUST OF 1967.

THE PERSON I DID THIS WAS THAT I
EXPECTED TO BE PUT ON THE TOP 10
ANY DAY SINCE I ESCAPED OVER THE
WALL. (WHILE I WAS IN MONTREAL THEIR
WAS A ~~FORMER~~ MAN WHO ESCAPED FROM
THE SAME PRISON I HAD, WHO GOT CROCK
UP THEIR & FORGET WHAT HIS REAL
NAME WAS BUT HE WAS WORKING AT
THE EXPO UP THEIR AND USING THE NAME
OF ALEX BOR MANN.) I REASONED IF
I HAD PLASTIC SURGERY THEY COULDN'T VERY
WELL IDENTIFY ME PLUS THE FACT I
DONT HAVE PROMINENT FEATURES AND DONT
LOOK MUCH LIKE MY PICTURE.
BUT I CERTAINLY WOULDN'T HAVE CIRCULATED
MY PICTURE AROUND IF I THOUGHT I
WAS GOING TO BE THE OBJECT OF A
WORLD WIDE MAN HUNT THE NEXT MONTA
PLASTIC SURGERY OR NOT. ANOTHER WORD I THOUGHT
SOMEONE WOULD SEE ME ON THE TOP TEN AND SEND IN ONE OF THE ^{PHOTOS}
NOW I WILL TRY TO ANSWER THE REST OF YOUR LETTER.

1. I THINK I MITE HAVE GOT INVOLVED IN THE
KING AFFAIR GRADUALLY AS I HAVE EXPLAINED TO
MR. HANES.
2. I THINK I EXPLAINED THAT I WAS IN TORONTO
AT 100 OSSINGTON AVE. WHEN LOMAX SAID
I WAS IN MILWAUKEE, YOU CAN CHECK THIS
VERY EASY.

(3) *fx*

I DON'T KNOW WHEN, WHERE, THE TIME OR WHY KING WAS KILLED I SUPPOSE I BECAME INVOLVED WHEN I FIRST TOOK THOSE PACKAGES IN TO THE U.S. FROM CANADA.

I WOULD THINK IT WAS DESIRED BEFORE THE CAR WAS BROUGHT IT BIRMINGHAM AS NO ONE WOULD GIVE \$3,000.00 TO ABOUT NARCOTICS AGAINST THE BOXER.

I WAS UNDER THE IMPRESSION I WAS TO BE PAID IN MEXICO BUT NO MENTION WAS EVER MADE OF MURDER OF KING OR ANYONE ELSE.

AS FOR MY BEING STUPID I WOULDN'T GO THAT FAR BUT I WOULD NEITHER SAY I WAS SMART SINCE I HAVE SPENT ABOUT 12 YEARS IN PRISON. ON THE DUPE PART I'M SURE UNDER ORDINARY CIRCUMSTANCES I WOULDN'T, BUT YOU HAVE TO TAKE INTO ACCOUNT THE PSYCHOLOGY ASPECT OF MY POSITION, I WAS PROMISED TRAVEL DOCUMENTS AFTER TWO JOBS AND NEVER GOT THEM AND I KNEW I WAS GOING TO HATE TO GET THEM AND GET OUT OF THE COUNTRY OR GO BACK TO PRISON FOR ABOUT 25 YEARS, I WAS PROMISED THEM FOR SURE AFTER THE LAST JOB PLUS 10 OR 12 THOUSAND FOR THE J.B. IT HARD TO EXPLAIN IT, BUT WHEN YOU GET IN THIS FRAME OF MIND YOU DON'T LOOK AT ALL THE ANGLES OR ALTERNATIVES. THE WAY I GOT MY CANADIAN PASSPORT IS AN EXAMPLE, I KNEW THERE WAS NO OTHER CHOICE BUT TO APPLY FOR IT.

J.H. ② 3rd
C-17

IT WAS IN MEXICO THAT THE MARIJUANA
CHARGE AGAINST ME ALSO CAME OUT, I THINK THAT
 ONE REASON FOR THIS CHARGE WAS THAT ON THE WAY
 TO THE BEACH I PICKED UP A HIPPIE WHO WAS
 HITCHHIKING, HE PROBABLY REMEMBERED MY CAR FROM
 NEWS PAPER REMETS, ANYWAY SEVERAL OF THEM WAS
 LIVING ON THE BEACH AND I WAS TALKING TO
 ONE OF THE GIRLS ABOUT THE EFFECT THE DRUG
 HAD ON YOU, AND I THINK OUT OF THIS
 CONVERSATION AND ^{BY} ~~BY~~ THEM KNOWING ME ON
 SIGHT THEY MITE HAVE INFORMED ON ME TO THE FBI.
 ALSO I WOULD THINK THAT THE HIPPIES
 WOULD BE SYMPATHIC TO PEOPLE LIKE KING. AND
 IF THEY THOUGHT I WAS INVOLVED THEY WOULD INFORM.
 WHILE IN PUERTO VALLARTA I STAYED THE FIRST 3 WEEKS
 AT THE HOTEL RIO, THE LAST WEEK AT THE
 TROPICANA, THE TROPICANA IS RIGHT ON THE BEACH.
 THERE IS ANOTHER BARTENDER WHO WORKS AT ONE
 OF THE HOTELS WHO MITE GIVE YOU SOME INFORMATION
 ON MY SOMEWHAT ILLEGAL ACTIVITIES BUT I THINK YOU
 SHOULD TALK TO HIM FIRST, THEN I WILL VERIFY
 WHAT HE SAYS, HE WAS A FAT GUY AND I
 DON'T REMEMBER THE HOTEL HE WORKED AT
 BUT WILL ALSO DRAW A DIAGRAM OF THIS HOTEL.
 I THINK THAT COVERS ABOUT EVERYTHING I DID
 WHILE IN MEXICO.

James B. Edwards
July 1890

17 sets

Acorns

Fat birds - Loam

Sabotage

Rig - Anne - Edwards

October 7-18-19

clerk's work
old books

Thyris -
chickadee in tank

Thermal

large hotel

3 large Thermal
Macomber

15/100 - small

Thermal

Butt

from 1000 ft

MR. HUIF;

MR. HANES READ ME YOUR FIRST STORY AND ON THIS PAPER I WILL ATTEMPT TO EXPLAIN THE PART WHICH YOU PROBABLY MISUNDERSTOOD.

IT DEALS WITH PLASTIC SURGERY & LONELY HEARTS CLUBS.

FIRST I DIDNT GET PLASTIC SURGERY TO CHANGE MY PERSONA OR FUTURE AS YOU MITE HAVE CONSTRUED BY READING THE MALTZ BOOK, I GOT THE SURGERY TO CHANGE MY FACIAL FEATURES SO IT WOULD BE HARDER TO IDENTIFY ME THROUGHT PICTURES CIRCULATED MY LAW OFFICIALS, I GOT THE MALTZ BOOK ON RECOMMENDATION OF A HYPNOSIS. IT WAS JUST A COINCIDE that I had Surgery and the Maltz Book.

The mistake you made in the story was in timing not fact. I joined a club with intersting names in it but it never come out in the paper, the article mention in life + newsmag and what you refer to in your first story is a club that I control in the orgin from the S. A. FREE PRESS PAPER. WHAT I DID WAS CIRCULATE A LOT OF PICTURES AROUND THROUGH THIS CLUB THEN I HAD PLASTIC SURGERY- THE REASON I DID THIS WAS THAT I KNEW SOONER OR LATER THE F.B.I. WOULD GET ME ON THE TOP 10, AND I ASSUMED SOMEONE THAT I HAD MAILED A PICTURE TO WOULD SEND IT TO THE F.B.I., MEAN WHILE I WOULD HAVE HAD MY FEATURES ALTERED PLUS THE FACT THAT THE PICTURES MADE ME LOOK CONSIDERABLE YOUNGER.

(J.P.)

I DINT KNOW HOW TO CONNECT THE PLASTIC SURGERY WITH THE LONELY HEARTS CLUB AT THIS STAGE OF THE STORY SINCE MOST OF THIS HAPPENED DURING THE LATTER STAGES OF THE STORY IN CALIFORNIA. I SUPPOSE YOU COULD HINT AT SOMETHING IF YOU DONT WANT THE PLASTIC SURGERY PART TO COME OUT UNTIL AFTER THE TRIAL STARTS, HOWEVER THATS YOUR DEVT. IM JUST TRYING TO GET THE SEQUENCE OF EVENTS RIGHT FOR YOU. I GUESS ARTHUR HANES JR. GAVE YOU THE ADDRESS OF THE PLASTIC SURGEON SO YOU COULD CHECK IT OUT. IT WAS, DR. RUSSEL HANLEY AT APP. 7000 HOLLYWOOD BLVD. L.A. CALIFORNIA.

THE ONLY OTHER PART OF THE STORY THAT MITE BE MISINTERPRETED IS THE ARMY PART. IT TRUE THAT I ASK TO GET OUT AFTER BEING TRANSFERRED TO THE INFANTRY BUT THIS WAS NATURALLY DENIED, WHAT FINALLY HAPPEN WAS THAT I WAS SENT TO THE STOCKADE FOR BREAKING CONFINEMENT TO QUARTERS. I WAS THEN GIVEN A DISCHARGE UNDER HONORABLE CONDITIONS, MY ONLY COMPLAINT ON THIS POINT WAS THAT THE ARMY WAITED WITHIN 2 DAYS OF THE END OF MY 3 YEAR ENLISTMENT BEARS THEY GAVE ME THIS TYPE OF DISCHARGE, IT SEEMS IF I WAS THAT CLOSE TO AN HONORABLE DISCHARGE THEY SHOULD HAVE WAITED THE TWO DAYS. BUT IN GENERAL I HAD NO OBJECTION TO THEIR ACTION OR NEVER MADE ANY, AND THEY WERE PROBABLY RIGHT IN TAKING THE ACTION THEY DID.

I THOUGHT I SHOULD WRITE THESE TWO PAGES BECAUSE IF THEIRS A MISTAKE IN THE STORY THROUGH MY FAULTY GRAMMAR IT MITE REFLECT ON THE CREDIBILITY OF THE REST OF THE STORY.

(JFK) (3)

YOU ALSO HAD SOMETHING ABOUT ME SCREAMING
 IN MY SLEEP, I GUESS THAT WAS IN SOME
 ARTICLE I DIDN'T READ, THERE BEEN A LOT
 OF THIS TYPE OF THING WRITTEN I GUESS AND
 I DON'T CARE ABOUT ANSWERING ANY OF IT I
 SUPPOSE THEY WRITE THIS TYPE OF THINGS
 TO SELL THEIR ARTICLE. ALSO THAT'S THE REASON
 I AM GIVING YOU THIS INFORMATION.

IN MY OPINION THE PLACE TO ANSWER THESE
 MAGAZINE ARTICLES IS IN A COURT OF LAW UNDER
 LIBEL ACTION, THEIR THEY WOULD HAVE TO PROVE
 THEIR ALLEGATIONS. ~~AND~~

I WOULD RATHER YOU STATE THAT YOU ASK ME
 (WHICH YOU DID) ABOUT THESE CHARGES SUCH
 AS SCREAMING IN MY SLEEP WHEN YOU WRITE
 THE STORY. INSTEAD OF GIVING THE IMPRESSION
 THAT I TOT THOUGHT THIS UP MYSELF.

FORM FOR HER AND I WENT WITH HER
 ASK HER TO DIRECT SINCE SHE MITE GO
 TO THE POLICE. I TOLD HER I MITE DRIVE
 UP AND SEE HER BEFORE I RETURNED TO THE
 STATES. HE + ROUAL HAD AGREED ON A DATE
 TO MEET AT THE WINDSOR TERMIN STATION,
 I CHECKED OUT OF THE APT. AND
 FORFEITED MY LAST MONTH'S RENT, ~~OR~~
 I HAD ABOUT 303 DAYS BEFORE ~~IT~~ WAS TO
 MEET ROUAL IN WINDSOR I DROVE TO
 OTTAWA FIRST AND CALLED THIS GIRL I
 FOUND OUT THE NEXT DAY THAT SHE WORKED
 FOR THE CANADIAN GOVERNMENT SO I DESINED
 AGAINST ASKING HER TO SIGN A PASSPORT
 FORM ESPECIALLY SINCE THERE WAS A
 PROSPECT ROUAL WOULD GET ME ONE.
 AFTER TWO DAYS THERE I LEFT FOR
 WINDSOR I WAS DUE TO MEET ROUAL AT
 5:00 PM IN THE RR. STATION.

AFTER I ARRIVED AT THE STATION ^{TOP} ~~ST~~
 I WAITED ABOUT 30 MINUTES AND HE
 CAME IN WITH AN ATTACHE CASE AND
 SAID LET'S GO ON THE WAY TO THE TUNNEL.
 HE TOOK 3 PACKAGES OUT AND PUT THEM
 BEHIND THE BACK PART OF THE SEAT WHERE
 YOU REST YOUR BACK, I LET HIM OFF AFTER
 THIS AND HE SAID HE WOULD MEET ME
 ON THE OTHER SIDE (I THINK IT WAS
 WHERE THEY EXCHANGE MONEY) BUT TOLD
 ME TO GIVE HIM ABOUT FIVE MINUTES
 TO GET ACROSS TO CROSS, I WENT
 THROUGH THE CUSTOM ALLRIGHT AND
 HE MET ME ON THE OTHER SIDE
 HE THEN DIRECT ME TO A SIDE
 STREET WHERE HE REMOVED THE

WHAT I AM, AIRLY SURE IS THE IS
 STATION HE WENT IN THEIR WHILE I
 DROVE AROUND THE BLOCK, I PICKED
 HIM UP, THEN HE SAID WE HAD TO GO
 BACK AGAIN, HE DIDN'T HAVE THE CASE,
 HE TOLD ME WHERE TO MEET HIM, TRAIN
 STATION AND HE AGAIN GOT A CAR,
 WHILE I WAITED ABOUT 10 MINUTES
 WHEN I GOT TO THE RR STATION HE WAS
 STANDING IN FRONT WE WENT THROUGH
 THE SAME PROCEDURE EXCEPT WE DID
 WENT OVER THE BRIDGE I NOTICED THE
 CUSTOMS OFFICER WAS ~~SEEN~~ SHAKING
 DOWN ABOUT EVERY OTHER CAR AND
 I REMEMBERED THE TV SET IN THE
 TRUNK THAT I HAD BROUGHT IN
 MONTREAL.

- Lasted the 4. set. I had
 to pull in a line a customs officer came
 out and not only looked at the T.V. set
 just search the car he pulled on the back
 seat but since you had to raise it
 up plus the fact I had clothing being
 on the back seat, he didn't get the seat
 out, This procedure took about 30 minutes
 and cost about \$4.50. Paul was a little
 nervous and wanted to know where I had
 been I showed him a receipt I got from
 the customs officer for paying the import
 tax on the T.V. we then went through the
 same process except when I picked him up
 The second time we went to a side
 street + parked, He gave me \$750.00 but
 told me he couldn't or get get any
 travel documents;

He then told me - that if I would go first
along with him he would not only
get me twenty Documents but also 10 or
12 thousand dollars. He then told me what
he wanted me to do:

No 1. get rid of the car I had (it was old).
"2. go to Mobile Ala. where we would meet
at a place of his choice.

I then ask him what I was expected to do
and I got the impression that he wanted me
to take weapons into Mexico or help in
some way, he assured me it would be rather
safe. I then agreed to go along with what
he asked except I told him I would
rather go to Birmingham instead of mobile

Because once I have on already the
clothes on the half coat better me.

Two. Birmingham is longer leave easier to
get lost in.

Birmingham

HE THEN TOLD ME HE WOULD GO TO
 BIRMINGHAM TO SET UP A MEETING PLACE
 AND THAT HE WOULD WRITE ME A CABLE
 DIRECTLY LETTER TO BIRMINGHAM TELLING ME
 WHERE & WHEN TO MEET HIM, AND THAT HE WOULD
 FINANCE A CAR PLUS LIVING EXPENSES, I THEN TOOK
 HIM BACK TO THE STATION AND LEFT FOR CHICAGO
 I DIDNT STOP IN DETROIT I STAYED IN A MOTEL
 THAT NIGHT IN A MOTEL ABOUT 5 MILES EAST
 OF GARY INDIANA, THE NEXT DAY I SAW THE
 CAR IN CHICAGO & CAUGHT A TRAIN FOR
 BIRMINGHAM.

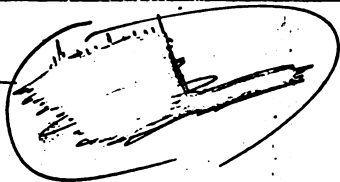
(H)

Dund...

I In relation to my previous attempt + how to comply with.

Feb.

On my first attempt which was in the fall of 1961
I was working in the churning plant there were 6 of
us working there and we were on a special contract
which meant we were not covered until after 7 P.M.,
which meant that it was due by the time we had
to go to our cells on the night of the attempt I supply
him with the plot until the other inmates went to the
cell house I then removed some slabs from the wall
2x8 oak boards nailed them together they were about 3 ft long
nailed strips on the board and went to a blind spot
on the wall ~~and then I went to the cell house~~
~~and then I went to the cell house~~
~~and then I went to the cell house~~



THE MERCHANT

II The Banks were made out of oak and were very
 long, thus far when I got about $\frac{2}{3}$ up the ladder
 ft. M. L's the nails pulled out due to my weight &
 the long ladder. I had about 6000 cables & had
 assembled by selling commences.
 The second was also a fiber I got a fit in the
 coal house one night when the cell house went to the
 when I took some more cables I had over by cut
 the screen out of the book windows I took a long
 iron pole which was used to open windows put a
 hook on it went through the hole into a tunnel
 which connects all the cell houses I crawled up the
 tunnel until I got to the security chief office
 crawled over it looked the pole on the administration
 building roof, it was rising slightly that night and

Merchant

the

feel

the pole had got quiet when I got shot to the
top of head slipped off and I fell on my own
resulting in it getting numb I stumbled in a
small building near by which housed a generator.
I came out the next night but they had a guard
in the security office & he caught me, when I fell
off of the building my shoes came off I had
4 10 Dollar Billain one shoe & 4 1/2 in the other
I lost the 10 but the one went back and the
officer got them when they search me. I had
accounted the money the same way doing
 favors as they. I suggest you talk to some
gods on these matters as the women will
tell you he is running a subway school, etc.

Jeff City

~~the~~
Drinking

on my drink. I would say I drink a couple cans
of beer about every night in my room I go out to
a club which average about one a week I would
drink under + over five as I don't like to
of alcohol

first
Marriage

on the sexual question I sleep about 6 hrs. a
night I can't remember seeing I don't know if I
come or jump but the girls don't mention it if
I do. I sleep in pajamas if I have them. I have
considered marriage, or almost everything else.
no I can't say that my woman says next week.
app. 6 months is the longest I ever wait with
one woman, also I never thought I was
promised able for marriage, but it would

Interfer with my trading. Also I have never
been a homosexual, or a socialist or a Jew.

JH

There was nothing essential about my trip from Chicago to
Montreal. I stayed one night in Toronto or one
in DORION you could probably check on the one in
Dorion a small town the next day I would be at
2608 E. Hated & some of in Montreal.

I could be more accurate about the Montreal contact if
I had a Montreal map, but I know the Town was
close to the river or dock, custom house and Anderson's
Club. one of the streets by it was St. Louis they used
to have two separate clubs in Montreal but they combined
them (one Catholic on first.) into one with the info
you could find the location.

It

for

Getting
a gun

on the S.S. card, yes I have a card with my
own name but I couldn't use that
while on escape, the card I used someone
I got years ago, after I was out I sent
the number in to the S.S. office and they sent
me the card.

for I.D. I had Temporary Driving License + an title.
plus S.S. card I bought the crop of a private
person so didn't h'f to show I.D. Just money.
on buying a gun that a simple matter for one who
has criminal conviction it usually goes like this.
A Buyer will not a sporting goods store
not sell him to a fence you then come
then from the fence after one fit you can
throw the gun away, even if they catch you

III

with it there not much they can do as
 you was some place else when it was stolen.

f.k.

WHEN I LEFT CHICAGO AFTER QUITTING MY JOB I HAD
 ABOUT \$4500 AND A CAR, I DIDN'T HAVE MANY
 POSSESSIONS JUST CLOTHING & SPORTSWEAR & PANTS,
 I THEN HEADED FOR E. ST. LOUIS ON THE WAY THERE
 I HAD CAR TROUBLE BUT MADE IT TO E. ST. LOUIS
 THAT NITE I STAYED THERE WITH THE FRIEND WHO
 HAD TOOK ME TO EDWARDSVILLE WHEN I HAD ESCAPED,
 I TOLD HIM I WAS LEAVING THE COUNTRY AND ASK
 HIM TO TELL MY FAMILY NOT TO WAIT 304 DAYS IN
 CASE THE POLICE SAW HIM I DIDNT TELL HIM
 WHICH COUNTRY I WAS GOING TO SO NO ONE
 WOULD KNOW NO EVEN FAMILY, WHETHER HE DID

3 or 4

VIII

THIS OR NOT I DON'T KNOW, THE NEXT DAY =
BRIGHT. ANOTHER CAR FOR \$200.00 I ALSO GOT A
NEW 32 PISTOL FROM MY FRIEND BUT DIDNT PAY HIM
AS I WAS SHORT OF MONEY, I TOLD HIM I WOULD
SEND HIM THE MONEY. I THEN LEFT FOR
CANADA THERE WAS A LOT OF TRAFFIC GOING TO
ET PO SO NO TROUBLE CROSSING BORDER.

My Stop from E. St. went to Montreal where
1st night Indianapolis Indiana, and Toronto Canada,
3 Montreal Dorion. While in the prison I had
read a lot about people get Travel Documents in
Canada I also received a letter from N.Y.
some Buell or Buell get a Canadian passport
Therefore the first thing I did upon my
arrival in Montreal was

VIII

J.A.

TO CALL A TRAVEL AGENCY AND ASK WHAT DOCUMENTS WAS NECESSARY TO GET A PASSPORT, THEY TOLD ME NONE BUT I HAD TO HAVE SOMEONE WHO KNEW ME FOR TWO YEARS (I LATER FOUND OUT THIS WAS WRONG) I THEREFORE HAD TO FIND ANOTHER WAY TO GET OUT OF CANADA & WAS ALSO GETTING SHORT ON MONEY AFTER LEASING AN ~~APART~~ APARTMENT FOR 6 MONTHS, I PAID THE FIRST & LAST MONTHS RENT WHICH TOTALLED \$150.00 THIS WAS THE PLACE IN THE 1200 BLOCK ON NOTRE DAME EAST, OR ST. CATHERINE EAST IN MONTREAL BETWEEN THE 1400 BLOCK & 2000 BLOCK THERE IS A LOT OF NIGHT CLUB AND PROSTITUTES HANG OUT IN THESE PLACES, THE PROCEDURE IS THE GIRL LEAVES THE CLUB WITH YOU AND THE

I
TWO OF YOU TAKE A CAB TO AND APARTMENT
RUN BY WHO EVER SHE IS WORKING FOR, I PICKED UP
ONE OF THESE GIRLS, THE BEST LOOKING ONE I
COULD FIND AS I THOUGHT SHE WOULD BE
IN THE MORE PROSPEROUS PLACE, WE WENT
TO THE APARTMENT WHERE UPON I GAVE HER
\$25.00 WHICH SHE TOOK TO THE OFFICE, AFTER
I LEFT I GOT THE ADDRESS, THE NEXT NIGHT
I TOOK MY CAR AND PARKED CLOSE TO THIS
HOUSE THEN WENT BACK TO THIS CLUB AND
PICKED UP THE SAME GIRL, WE THEN CAUGHT
A CAB TO THE SAME HOUSE. AFTER I HAD
GAVE HER ANOTHER \$25.00 AND WE WERE
READY TO LEAVE I PUT THE GUN ON HER
AND TOOK HER TO THE OFFICE. AFTER SHE

II HAD GOT THE MANAGER THERE BY KNOCKING I PUT
 THE GUN ON HIM I HAD HER TAKE HER
 STOCKING OFF + TIE HIS HANDS AND FEET WHILE
 HE LAYED ON BED, AFTER A LITTLE PERSUASION
 I GOT APPROX 1,700.00 OUT OF A CABINET I THEN
 TOLD THE GIRL TO GET UNDER THE BED
 AND LEFT. AFTER A COUPLE DAY I WENT TO
 BROUGHT GREY ROCKS, FOR A WEEK, WHEN I GOT BACK I
 CLOTHING BROUGHT SOME CLOTHING AND STARTED HANGING
 AT TIP TOP AROUND THE WATERFRONT, (BUT GOING BACK TO
 TALKERS ON GRAY ROCKS FOR A MINUTE THE LAST DAY
 COULDNEST THEIR I MET THIS GIRL SHE WAS GOING TO
 WEST EXPO AND SAID SHE WOULD STOP BY
 MY ADDRESS. WHEN SHE CAME TO MONTREAL.)

III

MY REASON FOR FREQUENTING THE WATER FRONT WAS TO SEE IF I COULD GET SOME DANISH SEAMANS PAPERS OR GET A JOB ON A SHIP I HAD CALLED THE UNION HALL & THEY SAID THERE WAS NO JOBS AVAILABLE AT THE TIME. I THINK THE FIRST TIME I CONTACTED RAUL WAS ABOUT THE 2ND TIME I FREQUENTED THE BAR WITH THE PILOT WHEELS IN THE WINDOW. HE STARTED THE CONVERSATION I KNOW HE ASK ME IF I WAS FROM AMERICA I TOLD HIM YES AFTER SOME GENERAL CONVERSATION I TOLD HIM I WAS THINKING ON IMMIGRATING TO CANADA AND QUESTIONED HIM ON THE PROSPECTS OF GETTING A JOB ON A SHIP, HE HAD INDICATED TO ME THAT HE HAD WORKED ON A SHIP OR WAS WORKING ON ONE.

XIII

4A.

ALL TOGETHER I WOULD SAY I ~~WAS~~ TALKED TO
 HIM ABOUT 7 OR 8 TIMES, IT WAS ABOUT THE
 THIRD TIME THAT I TOLD HIM I HAD BEEN
 IN A LITTLE TROUBLE IN THE U.S. AND COULDN'T
 FIND WORK ON CERTAIN JOBS SUCH AS SHIPS
 (THIS IS NOT SAY PEOPLE WITH RECORDS CAN WORK ON
 SHIPS AND I THINK HE MITE BE KNOW THIS)
 AS YOU PROBABLY KNOW YOU JUST DON'T TELL ANYONE
 THE FIRST TIME YOU MEET THEM YOU HAVE BEEN
 IN TROUBLE WITH THE LAW.
 I ALSO TOLD HIM THAT I WOULD LIKE TO IMMIGRATE
 TO ANOTHER ENGLISH SPEAKING COUNTRY IF I COULDN'T
 FIND WORK IN CANADA AND THAT IF I HAD SEWMAKING
 PAPER I COULD USE THEM TO BOARD SHIP
 AND THEN TO DISSEMBLY, ANOTHER WORDS USE

THE PAPERS. KING & PASSPORT, IT WAS AT ABOUT
 THIS STAGE THAT HE TOLD ME THAT HE MIGHT
 BE ABLE TO GET ME THE PAPERS OR A PASSPORT
 BUT I WOULD HAVE TO HELP HIM TO FIND THAT
 I COULD MAKE A LITTLE MONEY TO KEEP ME WHEN
 I GOT TO MY COUNTRY OF CHOICE. I TOLD HIM
 ALL RIGHT IF IT WASN'T TOO RISKY HE THEN TOLD
 ME OF THE PLAN TO TAKE SOME PACKAGES ACROSS
 THE RIVER, ~~THE~~ ~~RIVER~~ I ASK HIM WHAT AND
 HE TOLD ME I WASN'T GETTING PAID TO ASK QUESTIONS.
 WE THEN MADE PLANS TO MEET AT WINDSOR THAT
 WAS HIS IDEA I WOULD GUESS BECAUSE THEIR
 WERE TWO CROSSING POINTS THERE, ONE A TUNNEL
 THE OTHER A BRIDGE. DURING THIS TIME THE GIRL
 I MENTION CAME BY MY PLACE. SHE SAID SHE WAS
 GOING TO EGYPT AND HAD TO BE BACK TO WORK SHORTLY
 SHE HAD A GIRL FRIEND WITH HER AND SHE STAYED
 AT MY PLACE THAT NIGHT I DIDN'T HAVE TO WASTE TIME
 TO TALK TO HER WITH REGARDS TO SIGNING A PASSPORT

Dear Mr. A.

2nd Copy

②
page

I

J.P.

After reading the guidelines of the informant that
 you will need to complete your work I think
 I can give you most of the information required,
 However I can't give anyone informant that would
 lead to the prosecution of anyone else I think
 you can submit this in short I don't want to
 burn my bridges and I think one something I
those who have helped me in the past, but
since I have worked mostly alone the above statement
 would cover a very small part of the story,
 also there may be difficulty in recalling all
 the transit stops I made in my travels.
 I think it might be helpful to you in
 understanding my actions before and after the stops
 if I give you just a little of my thoughts
 and intentions.

First, at the time of my escape I was waiting trial
 on attempt escape, I had just got out of prison
 for this attempt, I had tried without success ⁱⁿ
 3 times on the same including one from the
 county jail in St. Louis, and to the the woman
 had sent word to me of what to expect if
 I was caught trying again. Therefore when I got
 out I knew I had to use a little self discipline
 I didn't go around my relatives or friends or places
 I had known to frequent. My intention was to get
 enough money on the mean to get out of
 the U.S. Therefore when I went to work
 at the Indian trail restaurant at Winnetka Ill.
 after my escape it was for the purpose of
 establishing I. D. and to accumulate capital.
 regardless of what newspaper says I wasn't the
elope, party drunk, and hunting prostitute

It wasn't that the women part didn't interest
me but after 7 1/2 yrs. I think I could
wait a couple more months I think after you
investigate you will get a clear picture.

III

4/11

Mr. Hui

3rd 1957

I read Hirschman pilot yesterday, I had all my real
 the other several years over the way.

But getting back to the Hirschman Book is seemed
 alright not a lot of stationary nonsense.

I require to my living during my 7 prison years.

1. when I first arrive at the prison I was in a two
man cell for about 2 weeks
2. When I got out of isolation for the first time I
 was in a two man cell also for about 2 weeks.
3. While I was in isolation the last time for about
 7 months I was kept in a 3 man cell
4. right after I was released from isolation the last time
 I was in a 2 man cell for about a month.
5. The rest of my time at the prison was spent in a
 one man cell, I don't remember who was in the cell
 with me and don't like to mention names, clerk with no doubt.

1. Mary Britton, "He & Liza Ray are my only
nephews except various cousins.

4 hours a week
4 times a month

2. I think I get a visit on the average of about once every 8 months.

3. about 10 To 14 nests

4. no women visits

John
F. Kennedy
Library

5. in when I had my last visit I would rather
you checked on the when you went to the prison.

6. I read most all kinds of books + newspapers
+ magazine such as Time, Globe, and London and Boston
But I think I read more true book than anything
else since your help to do a bit of your own
best work in prison,

Person
Person

7. I want to my father about once a week and rec'd
the same amount in return.

Grade 4
Exemplar

8. This is very little vegetation being in
prison and what there was did not interest me.
(Ante rectus, well, ligament, distal hab., most ant.)
sedentary; position, most of the lower trunk.

9. I had an intensive conversation with valley-king while working

10. on a typical day in prison I would get up about 8:00, go to the kitchen for breakfast, go back to cell, go to work at 11:00, go to yard about 12:30 and Google or play Handball come back in about 2:30 finish work about 6:30. after count was closed we had certain easing for different things for instant money, sometimes show night, Tuesday night we would go to library. every two weeks we would exchange shifts then I would get up at 4 AM and finish at 11: AM. after which everything was the same. most of my time was spent thinking up ways to get out of prison legal or illegal.

long + vmm
turn
and aim

to change
type + words
last act
TV air
long

Jeff
City

11. on entering J.V. They had me on the yard
about all I ever watched was sports
programs & news I think that where I
first saw Arthur Hume & F. Lee Bailey.

12. we had radio had phones in the cell but I
hardly ever listened to them I did ^{buy} a small
transistor to take with me when I left prison.

13. I never attended church I was christen a Catholic
but never attended. I think the prison record
will show I was a prot but I use to
tell them something different on arrival at
different prisons.

14. I join the League when I was about 16 yrs.
old in Alton Ill. it was located on E. Broadway
I wasn't allowed to drink about all I did was
play the slot machine once in awhile my
uncle belong to it and he got me in.

Eagles in Alton - Willie Maher

Don't SMOKE
fist.

15. regarding the \$300.00 I would start by saying money in prison is very scarce and I could not
spend the rest of the day explaining all of them.
for instance in my case I didn't smoke I worked
in the kitchen as a dish boy to buy food
so I could take the \$20.00 a month which
we were allowed to spend at the commissary
for cigs. with it and sell the cigs to
someone who did smoke for cash. Also it's
a simple matter to give a prison envelope
\$20.00 to bring you a hundred dollars in.
many buyers didn't bring me any money it
against the law for anyone to have money sent
into you except the legal way. no I didn't
steal money from the other prisoners also
this is almost impossible at cash is illegal
and anyone who has it keeps it hid.
I will explain everything from the beginning on
the next page so you can understand it.

The Merchant

After I reached Chicago I went looking for
 a place to stay, I rented a room on
 Sheffield I think (see diagram) It was about
 1/2 block from Diversey park on the left hand
 side of the street going south, there was a
 Building, a new Bldg right across the street
 from my room. The next day I brought
 a Tribune and got the first I mentioned out
 of the west end section. There was nothing special
 while in Chicago I remember one of the female
 employees gave me an orange to wrap
 my ankles. The car I brought for \$100.00 was
 also got out of a Tribune ad.
 so I didn't go to Allen or see my
 relatives. my reason for not seeing my
 relatives is that criminal charges could be filed
 against a relative or anyone else for harboring
 a fugitive if the police discovered.

I didn't see my room until I went to work.
I don't know what day I reached Chicago you
could check on this by getting my address
from the restaurant or the room I rented which
is on file with the restaurant. I didn't steal
anything I still had approx \$70.00.

There a bar close to the L. on Dixon, it also
a liquor store I was in there about a day. time
while I lived in Chicago. I had a S.S. card
which I had used years ago I later got a
card by filling out a form.

I went to work in Hartford in May 1944 and was
laid off in Dec 1945, I was to again, to live at
in home. The place I worked was the International Shoe Co.
The only people I can remember are
Mr. Milton Hart, Dave Gray and Clayton Hildner
all women the only business I could recommend
is the ~~the~~ Wells & Bonke
on East Broadway in Alton.

Take only all the papers I want
for in the Alton area
to prove some insurance
and pay in 43 & 44.

Tawney period

I say a Ed Allen, police chief give
you a little info about me.

If you go to Jefferson City I will tell you what
on my record and you can see if there is
any discrepancy.

1. attempt escape 6 months isolation.
2. refusing to work with on a job which was
reserved for sex offenders - 30 days lock up.
3. Taking contraband through control center, 30 days lock.
4. attempt escape. Isolation goes 9 months 2 months
of this one at the Fulton state hospital at
my request, see att. William Gray who was appointed
for me after charges were filed concerning the matter.
The people who were most assents with
me were,
The warden
Major Perry
Officer Higgins Dr. Rook.

check

↑
JEFF CITY

I was in on my.

The first to appear this was nothing on my
medical record about this time I had some trouble
with low blood pressure which was diagnosed
as sympathetic nervous system I had attempted to
make it seem more severe and he set to fall
as security was more def there.

I found out later that Doc Park had wrote
a report that I was not stimulating, I
then ask one of the doctors about this
and he said Park was mistaken as former
blood test were done of me so I would
suspect if the bring up this subject ask
them if I was ever giving a medical test
first.

no I didn't do any doing in fact it doesn't
interest me much what I will explain
later.

the one shot in Chicago was 1960 Chicago.

NOTHING HAPPEN. ON THE WAY TO MEXICO FROM BIRMINGHAM
ALTHOUGH I DID MAIL THE SAFETY DEPOSIT KEYS TO THE BANK IN
BIRMINGHAM AS I WAS SURE I WOULDN'T COME BACK. I GUESS MR.
HANES SHOWED YOU THE NOTE I THINK I TOLD I DON'T REMEMBER THE
MOTEL I MET ROUAL IN BUT WILL DRAW YOU A MAP OF ITS
APP. LOCATION IN LORADO MEXICO. I THINK I HAD BEEN IN
THE MOTEL ABOUT 2 WKS. WHEN ROUAL CAME TO THE ROOM.
 HE TOLD ME WHAT HE WANTED WHICH WAS FOR ME TO FOLLOW
 HIM ACROSS THE BORDER, HE TOOK ROUB AND GOT OUT
 AFTER WE PASSED THROUGH U.S. CUSTOMS, AND GOT IN
 WITH ME, HE THEN DIRECTED ME TO A CAR IN FRONT
 OF A FRAME HOUSE (SEE DIAGRAM) AFTER GETTING THE
 KEYS FROM THE DRIVER HE OPEN THE TRUNK + TRANSFERRED
 A TYRE ON A WHEEL TO MY CAR I HAD TO PUT SOME
 THINGS IN THE BACK SEAT AS THE TRUNK WAS FULL.
 ON THE TRIP BACK HE ROUB WITH ME, WHEN WE GOT TO MEXICAN
 CUSTOMS HE GOT OUT + WAITED BESIDE THE BUILDING, AFTER
 GETTING THE VISA THE CUSTOMS MEN SEARCH THE CAR
 OR STAYED TO SEARCH IT I GAVE THEM \$3.00 AS ROUAL HAD
 SUGGESTED AND THEY FINISHED THE SEARCH + PUT A MARK ON
 EVERY THING. I DIDN'T DO THROUGH CUSTOMS THE FIRST TIME
 AS I WAS NOT SURE I WAS GOING INTO THE INTERIOR OF MEXICO,
 A VISA IS NOT REQUIRED FOR CROSSING THE BORDER,
 WE DROVE TO THE MOTEL WHERE I HAD CHECKED IN AND
 TRANSFERRED THE TYRE AND WHAT EVER HE HAD IN IT TO
 THE CAR WE HAD GOT IT OUT OF. WE STAYED A SHORT WHILE
 AND HE TOLD ME WHAT HE WANTED ME TO DO WHICH WAS TO
 HAUL THE TYRE AND ITS CONTENTS THROUGH THE CUSTOMS
 CHECK IN THE INTERIOR, I GUESS THAT WOULD BE
 ABOUT 50 KILMS. FROM THE BORDER. (HE ALSO TOLD ME
 TO KEEP THE PHOTOGRAPHIC EQUIPMENT FOR THE
 TIME BEING.)

fil ②

I STAYED THIR THAT NIGHT AND THE NEXT MORNING HE CAME AND AGAIN TRANSFERRED THE TYRE TO MY CAR, I FOLLOWED HIS CAR OUT OF TOWN TO THE CUSTOMS HILL, THEY CHECKED HIS CAR AND ~~THE~~ MINE, AFTER WE HAD GOT OUT OF SIGHT WE AGAIN TRANSFERRED THE TYRE TO HIS CAR. HE GAVE ME \$2,000.00 BUT I DONT THINK IT WAS WRAPPED LIKE YOU GET THEM FROM A BANK (MR. HANES ASK ME ABOUT THIS) ALL I CAN REMEMBER IS THAT I AM SURE THEY WERE IN \$20.00 BILLS. HE ALSO SAID HE COULNT GET THE TRAVELS DOCUMENTS YET BUT HE COULD BE SURE AND GET THEM THE NEXT TIME PLUS HAVE ENOUGH MONEY TO GO INTO BUSINESS IN A NEW COUNTRY, HE MENTIONED 10 THOUSAND DOLLARS, HE ALSO SAID IT WOULD INVOLVE TAKING GUNS & ASSORIES INTO MEXICO. I THEN TOLD HIM THAT I WOULD GO TO LOS ANGELES WHEN I LEFT MEXICO, HE SAID THAT WAS ALL RIGHT THAT HE WOULD CONTACT ME THROUGH GENERAL DILLERY. (THE MAIN REASON I WANTED TO GO OUT THEIR WAS TO SEE IF I COULD GET A GOOD AN OCEAN GOING SHIP) ~~FOR~~ OBSERVATIONS; I AM SURE ROUND ALIANCE PLATES WERE MEXICAN BUT NOT POSITIVE AS US & MEXICO PLATES LOOK ABOUT THE SAME, ALSO THE MEXICAN CUSTOMS CHECKS MEXICAN CARS A LOT CLOSER THAN THEY DO AMERICAN TOURIST CARS. ALSO I THINK THEIR IS A LOT OF JEWELRY SMUGGLING INTO ^{THE} COUNTRY ALWAYS ASK YOU WHAT TYPE OF JEWELRY YOU ARE TAKING INTO THE COUNTRY.

I TOLD RONALD I WOULD BE IN MEXICO ABOUT
 A MONTH AND I DECIDED TO GO TO ACAPULCO
 I DIDN'T KNOW THE NAMES OF THE PLACES I
 STOPPED AT ON THE WAY BUT THE FIRST PLACE
 I CHECKED IN AT AFTER I GOT TO ACAPULCO WAS
 THE SAN FRANCISCO MOTEL I STAYED THERE ONE
 NIGHT AND MOVED (I WILL DRAW YOU A DIAGRAM
 OF THE OTHER PLACE I MOVED TO, I STAYED
 THERE ABOUT 4 DAYS AND DECIDED TO GO
 TO PUERTO VALLARTA. (THE PERSON I STAYED AT
 REMEMBERS THE SAN FRANCISCO MOTEL IS THAT I
 STAYED THERE IN EARLY 1959, THE REASON I
 LEFT ACAPULCO WAS EVERYTHING WAS MONEY, YOU
 COULDN'T EVEN PARK OR GO TO THE BEACH WITHOUT
 SOMEONE WANTING PEESES.) I HAD READ ABOUT
 PUERTO VALLARTA IN ARGOSY OR TRUE MAGAZINE
 HOURS YEARS EARLIER. ON THE WAY FROM ACAPULCO
 TO PUERTO VALLARTA I STAYED AT THE
 PONCHO VILLA MOTEL IN GUADALAJARA FOR 3 DAYS
 I HAD AN INFECTED TOOTH AND THE MANAGER
 GAVE ME THE ADDRESS OF A DOCTOR. I LEFT
 THERE AND WENT TO ^{Tehuacan} TAMPICO WHICH IS THE
 CUT OFF TO PUERTO VALLARTA, THIS ROAD
 BETWEEN TAMPICO & PUERTO VALLARTA WAS
 BAD AND THE RAIN SEASON WAS JUST CLOSING,
 WHEN I GOT WITHIN ABOUT 30 KMS. OF THE
 CITY I GOT STUCK. SINCE THE ROAD IS JUST
 ONE LANE SOME MEXICANS IN A TRUCK PULLED
 ME OUT WITH A ROPE SO THEY COULD GET THROUGH.
 WHEN I ARRIVED THERE I CHECKED INTO THE
 HOTEL RIO, I THOUGHT THIS WAS ABOUT THE
 BEST TOWN IN MEXICO I HAD BEEN IN AND
 WOULD HAVE LIKED TO STAY THERE IS QUITE
 A FEW BUSINESSES THERE OWNED BY ENGLISH
 SPEAKING PERSONS.

DURING MOST OF MY TIME THERE I SPENT ON THE BEACH.
 (I WILL ALSO DRAW A DIAGRAM OF THIS) THERE WAS ONE BAR IN
 TOWN WHILE I WAS IN ABOUT 4 TIMES, PLUS TWO TIMES DURING
THE DAY ON BUSINESS, IT SEEMS THAT A MAN LATER IN THE
 PLACE HAD A SMALL LOT HE WANTED TO SELL OR TRADE FOR MY
 CAR, I WENT OUT AND LOOKED AT THE LOT ONCE, THE MAIN REASON
 I DIDN'T TRADE THE CAR FOR THE LOT IS THAT IT IS ILLEGAL
 TO TRADE YOUR CAR OR SELL IT WHILE IN MEXICO AND SINCE
 IT WAS A SMALL TOWN THE POLICE MIGHT HAVE SEEN
 THE MAN WITH THE CAR AND THOUGHT THEN I WOULD
 OF HAD TO GIVE THE LOT BACK AND WOULD HAVE BEEN
 BORED OUT THE COUNTRY. AT ONE TIME I WAS THINKING ABOUT
 GOING BACK TO THE U.S., STARTING A BUSINESS LIKE MINE.
 REPORT I HAD LOST MY BILL OF SALE AND GOT A NEW
 ONE TAKEN THE STATION ONE AND THE BILL OF SALE AND
 TRADED IT FOR THE LOT, IN A CASE LIKE THIS THE
 MEXICAN POLICE DONT UNDERSTAND THEY JUST KEEP
 THE CAR, THIS WAY I WOULD HAVE STILL HAD THE
 ORIGINAL CAR + BILL OF SALE.

ON ANOTHER OCCASION A MAN CAME TO MY HOTEL ROOM
 LATE AT NIGHT AND SAID HE WAS FROM ALABAMA HE SAID
 HE SAW MY CAR PARKED IN FRONT OF THE HOTEL, I GUESS
 HE THOUGHT I WAS CRAZY AS I DIDN'T SAY MUCH AS I
 DIDN'T KNOW THAT ABOUT THE STATE SO I DIDN'T WANT TO
 SAY MUCH. SEVERAL PEOPLE HAVE SAID THINGS TO ME
ABOUT ALABAMA BOTH PRO + CON. AFTER SEEING THE
 CAR TWICE AND ONE TIME IN LOS ANGELES I ALMOST GO
ARRESTED IN AN ARGUMENT, THE FUNNY THING IN THAT
NEITHER THESE PEOPLE NOR I KNEW ANYTHING ABOUT
THE STATE. AFTER A COUPLE OF THESE RUN INS
 I DECIDED IF POSSIBLE I WOULD PICK ANOTHER
STATE TO GO TO IF I WAS A FUGITIVE.

L.A.
 argument

JAB ⑤

IT WAS HERE THAT THE FBI GOT A BLURRED PICTURE OF ME. I THINK WHAT HAPPEN WAS THAT I TORE IT INTO BUT DIDNT DESTROY THE ACTUAL PICTURE OF ME. AS YOU PROBABLY KNOW EVERY COUNTRY IN THE WORLD HAVE THOSE PEOPLE TAKING YOUR PICTURE IN CLUBS & THE STREET AND THEN TRY TO SELL THEM TO YOU, I HAVE BROUGHT SEVERAL OF THESE PICTURES WHEN TAKEN BY POLOAID JUST TO TEAR THEM UP. AS I TOLD YOU I HAD BROUGHT A CAMERA IN BIRMINGHAM, IT WAS ~~DOWN~~ ^{HAVING} ABOUT THIS TIME THAT I THOUGHT OF ~~THE~~ PLASTIC SURGERY. AFTER I HAD SENT OUT SOME PICTURES TO VARIOUS PEOPLE. I WILL ATTEMPT NOW TO EXPLAIN A LITTLE MORE CLEARLY, I THINK THE FIRST TIME THAT I GOT TO THINKING ON THIS SUBJECT WAS UPON MY DISCHARGE FROM THE FEDERAL PRISON AT LEUCENWORTH KENN. USUALLY WHEN YOUR DISCHARGED THEY CHECK YOU WITH YOUR PICTURE BUT IN MY CASE THE OFFICER SAID HE DIDNT THINK THE PICTURE WAS OF ME AND THEY WOULNT LET ME LEAVE UNTIL THEY CHECKED MY FINGERPRINTS. ALSO I THINK I TOLD YOU WHERE I READ THAT PEOPLE WITH PRONOUNCED FEATURES ARE MORE EASY TO IDENTIFY THAN OTHER PEOPLE ~~THROUGH~~ THROUGH PICTURES. ANYWAY I WAS TAKING SOME PICTURES ON THIS DESERTED BEACH AND THEN TOOK ONE OF MYSELF WITH A TIMER, I THOUGHT IT MADE ME LOOK ABOUT 20-3 YEARS YOUNGER THAN THE PRISON PICTURES I HAD SAW.

THE REST OF THIS PART OF THE STORY WOULD RELATE TO CALIFORNIA

2nd floor

I

It was surely I was working the ~~shift~~ 11 A.M. to 7 P.M. shift in the bread slicing room if you were working in the food service dept. you could eat in the kitchen, I came down that morning about 8 o'clock A.M. & brought with me in a sack about 20 candy bars, razor, blade, piece of mirror, piece of soap, transistor radio, this is not unusual as you can shower & shave in a bathroom in the kitchen. Upon eating a good breakfast (I knew this MITE BE THE LAST ONE FOR DWILE) OF ABOUT 6 EGGS I WENT TO THE BREAD ROOM WHERE I HAD HIDDEN A WHITE SHIRT AND A PAIR OF THE STANDARD GREEN PRISON PANTS DYED BLACK WITH STENCIL INK. I PUT THESE ON THEN PUT MY PRISON CLOTHING OVER THE TOP ON THEM. I THEN PROCEEDED TO THE ELEVATOR WHERE I WENT DOWN TO THE NEXT

JAN

Escape from
Jeff City

FLOOR AND OUT ONTO THE DOOR BEFORE I
 HAD CAME DOWN ON THE ELEVATOR I HAD
 TRANSFERRED THE ARTICLES MENTIONED TO MY
 POCKETS & UNDER MY SHIRT AND PICKED
 UP A HOOK ABOUT 4 FT LONG THEY USE
 TO PULL PANS AROUND IN THE KITCHEN.
 I THEN PROCEEDED TO THE WALL (SEE DIAGRAM)
 I HAD STUDIED THE GUARD'S ACTIONS IN THE
 TOWER FOR FEW COUPLE WEEKS. THEY ALL
 ACT DIFFERENT WORKING IN THE TOWERS
 SOME OF THEM DOZ BUT THEY HAVE TO
 CALL IN EVERY 15 MINUTES SO IF YOU TAKE
 ANY ACTION YOU HAVE TO DO IT RIGHT
 AFTER YOU SEE THEM CALL IN. (SEE DIAGRAM
 FOR THE ROUTE I TOOK AND HOW I GOT OVER
 THE WALL) AFTER I GOT OVER THE WALL (I HAD
 ACCUMULATED ABOUT \$30000 IN PRISON WHICH I HAD
 IN MY SHOES AND A SS NUMBER NOT A CARD.)

METAL
 HOOK

III I PROCEED AROUND THE WALL (S.E. DIAGON) ACROSS
 THE RAILROAD TRACTS AND ALONG THE RIVER
 UNTIL I WAS OUT OF SITE OF THE TOWER
 GUARDS. I THEN TOOK OF MY PRISON CLOTHES
 HID THE PANTS BUT HEARD THE ^{PART} SHIRT AS
 I WANTED TO WEAR IT AT NIGHT ALSO IT
 WAS COOL AT NIGHT. I GOT THE SHIRT AND
 THE OTHER ARTICLES IN THE SACK. I THEN
 WENT TO DOWN THE TRACT TO A RAILROAD
 BRIDGE WHERE I HIDE OUT FOR THE DAY LISTENING
 TO THE RAIDS. BUT I DIDN'T HEAR ANYTHING
 ON THE RAIDS. I FOUND OUT LATER THE WARDEN
 DIDN'T REPORT ME MISSING AS HE THOUGHT
 I WAS HIDING IN THE PRISON. THE DIRECTION
 I WAS TAKING WAS IN THE DIRECTION OF
 ST. LOUIS I KNEW THEY THE POLICE WOULD THINK
 I WOULD GO THERE SO I CROSSED THE BRIDGE
 AND HEADED BACK THE OTHER WAY TOWARD
 KANSAS CITY, I WALKED ALL THAT NIGHT EXCEPT

FOR SHORT RESTS IT WAS A LITTLE COLD
 BUT I WASNT COMPLAINING.
 2nd day I sleep and listen to radio reports,
 2nd night. AFTER SLEEPING DURING THE DAY
 AND LISTING TO REPORTS ON THE RADIO I
 AGAIN STARTED WALKING THAT NIGHT IT WAS
 SIMILAR TO THE FIRST NIGHT THE ONLY THING
 THAT I CAN SEEM TO RECALL IS SEEING THE
 STARS MAYBE BECAUSE I HADNT SAW THEM
 FOR AWHILE.

3rd Day I AM GETTING TIRED OF CANDY BARS
 ALSO ABOUT OUT. I SLEEP, SINCE THE AREA
 IS MOSTLY BLUFFS I CAN SEE QUITE FAR ON
 THE HIGH ONES, I SEE A POLICE CAR
 NOW AND THEN (HIGHWAY PATROL) NATURALLY
 THINK THEIR AFTER ME. ALSO IT SEEMS
 BY THE RADIO REPORTS THAT THEY HAVE
DECIDED THAT I HAVE EXCAVED.

L. FINING MY NIGHT ADJING =
OCCASIONALLY COME BY A HOUSE BY THE
TRACTS ~~THAT~~ ^{HAD} ~~WAS~~ STRONG LIGHTS WHICH
FLOOD THE TRACTS THERE FORE I HAVE TO
PETOUR, SOME TIME THIS LEAD ME THROUGH WATER,
SMALL CREEKS AND BAD TRAVELING IN GENERAL AND
THIS IS HAVING AN EFFECT ON MY FEET AND I
HAVE TROUBLE GETTING MY SHOES ON AFTER I TAKE
THEM OFF. ALSO I CAME BY A TRADER THIS
NIGHT IT SETS BY THE RIVER AFTER BREAKING A
SMALL LOCK I ENTER IT I FIND A HALF A BOTTLE
OF WINE + SOME FOOD I TAKE WHAT FOOD I
CAN CARRY AND DRINK THE WINE ALSO TAKE
A BLANKET ^{AS} ITS COOL, AFTER EATING + DRINK
I FALL OFF TO SLEEP AND WAKE UP WITH IT
RAINING ON ME. THE WINE MUST HAVE GOT
ME. I GET UP AND WAIT THE REST OF THE NIGHT.

II
 NTH. I HAVE THING SLEEPING WATCHING
 AND LISTENING TO RADIO.

NTH NIGHT THIS IS ABOUT LIKE THE THIRD.
 EXCEPT I CAN'T WALK AS MUCH.

MORNING OF 5 DAY. AS DAYLIGHT COMES IT RAINING
 I DECIDE TO BUILD A FIRE AS ITS RAINING
 I FIND A TUNNEL ITS ALREADY ONE ABOUT 4 FEET
 RUNNING UNDER THE TRACT I HAD GOT SOME
 MATCHES OUT OF THE TRAILER AFTER I GET
 THE FIRE GOING GOOD I HAVE SOME MORE
 I PUT THE FIRE OUT BOT TO HAVE TWO
 RAILROAD WORKERS GET OF A HANDCAR AND CAME
 DOWN TO CHECK THE SMOKE I TELL THEM
 I BEEN HUNTING AND GOT WET STARTED THE
 FIRE TO DRY OUT THEY SAY O.K. AND LEAVE.
 I STAY THEIR THE REST OF THE DAY MY FEET
 ARE IN SUCH CONDITION THAT I DONT TAKE

get
 FIRST PEOPLE
 I TALK TO.

III MY SHOES OF AS I DONT THINK I CAN GET THEM ON IF I DO,

5TH NIGHT. NERB WALKING GETTING LOW ON FOOD THEIR IS A LOT OF SPRINGS ALONG THE TRACTS YOU CAN HERE THEM RUNNING AT NIGHT SO I HAVE PLENTY TO DRINK. AT THE BEGING OF DAY LIGHT I CAN SEE A TOWN AND HEATS.

6TH DAY. I FIGURE ~~SOME~~ THE HEAT IS OF NOW SO I DESIDE I WILL GO INTO THIS TOWN IF ITS BIG ENOUGHT. (I HAVE ALREADY WENT THROUGH SEVERAL SMALL TOWNS AT NIGHT)

July
7TH NIGHT. AFTER WALKING A COUPLE HOURS I GET TO THE TOWN I HAVE CLEAN UP THE BEST I CAN RUENING THE DAY I GO INTO THE TOWN AND BOY TWO CANS OF BEER AND SOME SANDWICHES AND GO BACK TO THE RAIL ROAD TRACTS.

~~12~~ 12th NIGHT. I CATCH A TRAIN THAT'S
 LEAVING BACK TO ST. LOUIS. I GET THIR
 EARLY IN THE MORNING AND CATCH A CAB
 TO EAST ST. LOUIS. AFTER GETTING A PAIR OF
 OVER SIZE SHOES + A JACKET I CALL A FRIEND
 WHO TAKES ME TO A SMALL TOWN OUT OF
 EAST ST. LOUIS WHERE I CATCH THE BUS
 TO CHICAGO.

Edwardsville

2nd 1-11

on Louis Jones

(1.)

Most of these articles such as the one
 he wrote were just something they
 made up, the articles he wrote were
 carried in one of the Toronto
 newspapers, it was called The
 Toronto Star or the Toronto Telegram.
 One of the articles said I was in
 Milwaukee with a European woman,
 the other that the F.B.I. was in
 some way helping me, and the
 other said that I had drew a
 bunch of signs in a phone booth
 I think he said Iron crosses
 & bones & skulls

most of these ones (2) were silly and I don't care about reading them rather I will just tell you and you can check on them. Letty had to leave when he was supposed to be right behind me I was staying at 102 Ossington in Toronto you could check this out and save all the trouble of checking a long article.

I am almost certain the address was 102 OSSINGTON HOWEVER IT MITE OF BEEN 106 - THE NAME I USE THEIR WAS, PAUL BRIDGMAN.

2nd (1)

on Louis Lomax

(1.)

Most of these articles such as the one
 he wrote were just something they
 made up, the articles he wrote were
 carried in on of the Toronto
 Newspaper, it was called The
 Toronto Star or the Toronto Telegram,
 one of the articles said I was in
 Milwaukee with a European woman,
 the other that the F.B.I. was in
 some way helping me, and the
 other said that I had draw a
 bunch of signs in a phone booth
 I think he said Iron crosses
 + bones + trinkles

most. 2 of these ones (2) were silly and I don't care about reading them rather I will just tell you and you can check on them. Betty look to Lomp when he was suppose to be right behind me I was staying at 102 Ossington in Toronto you could check this out and save all the trouble of checking a Lomp's articles.

I am almost certain the address was 102 OSSINGTON HOWEVER
IT MITE OF BEE 106 - THE
NAME I USE THEIR WAS, PAUL BRIDGMAN.

ON THE CONVERSATION I HAD WITH
 ABOUT I CANT BE CERTAIN OF WHAT ALL
 I SAID, (I KNOW WE TALKED IN GENERAL
 ABOUT THE FACT THAT HE KNEW NEWSPAPERS
 AND THAT WE MITE MAKE SOME MONEY BY
 TAKING THINGS INTO MEXICO & CONVERSATION
 ABOUT ME GOING TO MOBILE. HOWEVER I
 WAS NEVER POSITIVE UNTIL HE TOLD ME
 IN DETROIT, IF I WOULD HAVE CARRY
 TRAVEL DOCUMENTS OF OFF HIM THEIR
 I WOULD HAVE NEVER WENT TO ALABAMA
 AND I THINK HE KNEW IT. ABOUT MY
 OPINION OF BIRMINGHAM IT SEEMS
A LOT LIKE ST. LOUIS EXCEPT NOT
AS BIG. →

2nd copy

EXPLANATIONS

①

FROM TIME TO TIME I WILL ATTEMPT
 TO EXPLAIN WHY I DID WHAT I DID.
 YOU HAVE MENTIONED SEVERAL TIME ABOUT
 CRIMES AND WHERE I GOT PISTOLS WHEN
 I FIRST GOT OUT OF PRISON, I DIDN'T
 COMMIT ANY CRIMES IN THE U.S. BECAUSE
I HAD SOME MONEY, ALSO IF I WOULD HAVE
 BEEN COMMITTING CRIMES I CERTAINLY WOULDN'T
 HAVE BEEN WASHING DISHES. THE OTHER REASON
 FOR NOT COMMITTING CRIMES IN THE U.S. IS
 THAT IF I WOULD HAVE BEEN CAUGHT I
 WOULD HAVE HAD TO DO TIME IN THE
 STATE I WAS CAUGHT IN PLUS WHAT
 I HAD LEFT IN MISSOURI. IF I WOULD
 HAVE BEEN CAUGHT IN CANADA THEY
 WOULD HAVE JUST SENT ME BACK TO
 THE U.S.

Ray
family

also by robbing a booth. L I ②
 FIGURED THEY MITE NOT OF CALLED THE
 POLICE, SOME OF THIS INFORMATION I
 AM GIVING YOU IS NOT KNOWN TO THE
 F.B.I. AND THEY MITE USE SOME OF IT TO
HARASS HARASS SOME OF MY RELATIVES
THEY HAVE THREATEN TO PUT ALL OF THEM
IN JAIL AT ONE TIME OR ANOTHER
INCLUDING MY SISTER, THEREFORE IF
 THEY STARTED UP AGAIN ON THE
 INFORMATION I AM GIVING YOU I
 WOULD APPRECIATE IT IF YOU WOULD
 MAKE A MILD PROTEST.

THANKS

2nd 100

I

~~ADD~~

POINTS THAT COULD BE USED AGAINST ME.

MENTAL HISTORY

When?

1. INTERNEED AT FULTON MO STATE HOSPITAL FOR 2 MONTHS AT OWN REQUEST TO GET OUT OF ISOLATION, FOUND SAME.
2. RECEIVED ANTI DEPRESSION PILLS FROM DR. AT BIRMINGHAM who? where?
3. UPON ARRIVAL AT L.A. CALIF. CONTACTED FAMOUS hypnosis () AT THIS TIME I WAS READING OR STORING THIS TYPE OF MATERIAL. HE RECOMMENDED A CLINICAL PSYCHOLOGIST. ALSO GOING UNDER THE NAME OF GALT I GAVE HIM MY RIGHT NAME (HER) AS IT WAS MY BELIEF IF HE WAS A hypnosis I WOULD TELL HIM MY REAL NAME WHILE UNDER THE INFLUENCE OF hypnosis.

page II

AFTER APP. 3 ~~FIVE~~ SESSIONS WITH HIM
 I DECIDED HE WAS NOT A QUALIFIED HYPNOSIST
 WHERE UPON I WENT TO A BUSINESS
CONSULTANT ON CRENSHAW BLVD, APP. THE
 10000. BLOCK. (ACROSS FROM COLLEGE) HE WAS
 SATISFACTORY AND RECOMMEND SEVERAL BOOKS
 TO STUDY AMONG THEM (HOW TO INCREASE
 YOUR MEMORY POWER & PSYCOCEUTIC).

AGAINST ME.

1. TAKING NEW ORLEANS PEOPLE IN LA. TO REGISTER FOR W. ALTHO THEY REQUESTED IT. LATER I TOLD ONE OF THE ~~PEOP~~ PERSONS TO REREGISTER IN THE REPUBLICAN PARTY AND VOTE FOR SEN. KURVA. SHE HAD TOLD ME HER BOY FRIEND WAS IN TROUBLE AND WANTED SOME POLITICAL HELP I TOLD HER I DIDNT THINK THE W PEOPLE WOULD BE TO SYMPATHIC TO CRIMINALS.

2. BUYING FREE PRESS PAPER TO KUN ADD. THIS IS A VERY LIBERAL PUBLICATION

3. ARGUMENT IN RABBIT FOOT CLUB IN LA. ABOUT ALABAMA
 4. I WAS ALSO ROBBED THEIR BY HER BOY FRIENDS. I
 LATER (NEXT DAY) HAD TO HAVE A LOCKSMITH TO
 OPEN MY CAR. HIS ADDRESS IS APP. 5200 HOLLYWOOD
 BLVD.

9/11/41 ?
 2/11/41 ?
 1. CALLED THE JOHN BIRCH SOCIETY PLUS OTHER
 ORG. AND ASK FOR INFO. ON THE ENGLISH SPEAKING
 COUNTRIES OF AFRICA. THEY SENT ME THE
 ADDRESS OF THE AFRICAN REGIONAL CONSUL.
 I WANTED THIS INFO. FOR POSSIBLE IMMIGRATION
 PURPOSES.
 UPON MY LEAVING ATLANTA AND THINKING THAT
 I WAS WANTED FOR QUESTIONS IN THE KING CASE
 I LEFT THE BIRCH LETTER & THE FREE PRESS
 PAPER THEIR THINKING THEY WOULD INVESTIGATE
 THEM WHILE I ~~WENT~~ GOT AWAY.
 I LEFT THESE PUBLICATIONS ON A TABLE &
 BUT OTHER BOOKS IN BASEMENT.
 5 THE ONLY ORG. I HAVE EVER BELONG TO
 WAS THE EAGLES. where?

? Alton
 W. He Mabier

Always use distress character
as indicated by the
proper symbol.

TELEGRAM

NE-NO, ZL, ZN
LT-Last time
Latter page

The time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination.

425P EST JAN 18 69 CTA487 PA361
P LLH217 PD PHILADELPHIA PENN 18 315P EST
JAMES EARL RAY
SHELBY COUNTY JAIL MFS

100020

I WOULD LIKE TO INFORM YOU THAT I WOULD BE VERY HAPPY TO TAKE
YOUR CASE WITHOUT FEE. I WAS PRESENT ON APRIL 4 AT THE LORRAINE
MOTEL WHEN DR KING DIED. YOU HAVE BEEN ACCUSED OF MURDERING
HIM. OF COURSE I KNOW YOU ARE NOT GUILTY. YOU CAN REACH ME
AT THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE 2511 GIRARD
AVENUE PHILADELPHIA OR CALL ME AT AC 215 CE2-8049
REVEREND JAMES L BEVEL DIRECTOR OF NON VIOLATE EDUCATION
SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE 919 NORTH 18 ST PHILA
(407).

87-208, 82-40

4 BEVEL

Dear Sir;

I recd your telegram Monday and appreciate your offer of legal assistance, However I could not expect your offer for several reasons, one; I have one of the best attorny in the U.S. Altine being from Texas he wouldnt admit it. Two; I have never been intimated in the civil rights movement But I shouldnt believe I have done anything against the movement.

If I expected my aid from any of these organizations I would be guilty of the same thing white liked, exposing that is, circumvent by its local press, (During the strike Ser. King was refused to an on agiter, after the strike, he was just the opposite.)

They have also refused to give in uncompromising terms, "since the telegram".

At present this running editonels trying to pressure the court into bring me to trial before a complete investigation can be carried out by the defense. Hence, a quick conviction and cover up, Also they assume the black community would then be pleased.

In closing I am sure Mr. Foreman would be glad to hear from you on my subject.

Sincerely,

Lawrence E. Pry

TAKEN FROM
H.C. COPY
of 20,000
L.A.

IN SHORT I DONT INTEND TO INNOVATE SOMEONE
OR SOME ORGANIZATION THAT I DONT THINK IS
INVOLVED JUST TO GET INTO THE GOOD GRACES
OF SOMETHING LIKE LIFE MAGAZINE. AND WHAT
I TELL YOU IS WHAT I WILL TELL THE JURY

LIFE MAGAZINE INFERED THAT AS FAR AS I
WAS CONCERNED IT WAS OVER, ANOTHER WORDS
THEY HAVE GOT ME CONVICTED, NOW THEIR LOOKING
FOR SOMEONE ELSE, I WOULD SAY TO THIS
IF LIFE CAN GET ME IN THE ELECTRIC CHAIR
THROUGH THESE LIES THEN THEIR D GOOD
POSSIBILITY THEIR POSITION IS NOT TO FIRM.

I HAVE ALSO TOLD MY BROTHERS NOT TO TALK TO
ANY ONE EXCEPT YOU AND HANE SO IF ANY
MORE STORIES COME OUT QUOTING THEM
IT'S FALSE.

ALSO I DONT HAVE NO OBJECTIONS TO YOU WRITING
ANYTHING I SEND YOU THROUGH MR. HANE INCLUDING
CRIME. AND NATHELY IF I WRITE SOMETHING YOU
THINK IS WRONG, GIVE YOUR VERSION.

THEIR ALSO IS MIRE TO THE STORY ABOUT
THE PLASTIC SURGERY IN CALIF. BUT I CAN
EXPLAIN IT BETTER WHEN I GET TO THAT
PART OF THE STORY.

I DONT WANT TO GIVE YOU THE IMPRESSION AM
SOME KIND OF A SAINT BUT I THINK IF SOMEONE
THOUGHT OUT SOME OF THE THING I AM SUPPOSE TO
HAVE DONE, THAT THEY COULD SEE THAT MOST
OF IT IS NOT LOGICAL.

INVESTIGATION OF THE ASSASSINATION OF MARTIN LUTHER KING, JR.

APPENDIX TO
HEARINGS
BEFORE THE
SELECT COMMITTEE ON ASSASSINATIONS
OF THE
U.S. HOUSE OF REPRESENTATIVES
NINETY-FIFTH CONGRESS
SECOND SESSION

VOLUME XIII
(SCIENTIFIC REPORTS)
and
(SUPPLEMENTARY STAFF REPORTS)

MARCH 1979

Printed for the use of the Select Committee on Assassinations



✓
**INVESTIGATION OF THE ASSASSINATION
OF MARTIN LUTHER KING, JR.**

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A
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V

**APPENDIX TO
HEARINGS**

BEFORE THE

SELECT COMMITTEE ON ASSASSINATIONS

Congress.
OF THE

U.S. HOUSE OF REPRESENTATIVES

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(iii)

SCIENTIFIC REPORT ON THE SUBJECT OF
THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

By

THE FORENSIC PATHOLOGY PANEL

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Report to the
Select Committee on Assassinations
U.S. House of Representatives
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INTRODUCTION

(1)* Dr. Martin Luther King, Jr., was fatally wounded at 6:01 p.m., as he stood in front of his room, No. 306, on the second-floor balcony of the Lorraine Motel in Memphis, Tenn. Within minutes, an ambulance was dispatched to the scene from Memphis Fire Station No. 3 at Third and Linden Streets. While enroute to St. Joseph Hospital, the ambulance crew administered oxygen to the unconscious Dr. King and tried to stop the bleeding.

(2) Dr. King was admitted to St. Joseph emergency room No. 1 at 6:15 p.m., and was examined initially by Ted J. Galyon, M.D. In his report concerning the emergency room treatment of Dr. King, Dr. Galyon noted that the victim was unconscious. He observed a "large gaping wound in the root of the neck on the right which was not actively bleeding . . ." (1) and blood covered Dr. King's neck, shoulder, and clothes. Dr. Galyon noted a palpable heartbeat and radial pulse, and began blood transfusions. John Reissner, M.D., began a second cutdown for a transfusion through the saphenous vein of the left ankle.

(3) Rufus Brown, M.D., the chief surgical resident-in-charge of the emergency room, arrived at 6:18 p.m. and made a tracheotomy incision in the neck because breathing had ceased. That operation, into the trachea or windpipe, was completed with the assistance of Jerry Barrasso, M.D., a general surgeon, who came into the room at 6:22 p.m. The cardiac monitor indicated weak to no heart function. Intracardiac adrenalin was injected into Dr. King and cardiac massage begun.

(4) Dr. Galyon and Dr. Barrasso explored the neck and concluded there was a complete loss of spinal cord substance in the lower neck area between the seventh cervical and first thoracic vertebrae. A neurosurgeon, Fred Gioia, M.D., confirmed this diagnosis. At this time, Dr. King's pupils were dilated, and the electrocardiogram indicated no heart function. Resuscitative efforts were continued, but there was no indication "of any kind of vital signs." Dr. King was pronounced dead at 7:05 p.m. by Dr. Barrasso. Death was attributed to a gunshot wound to the right side of the face and neck.

(5) Postmortem X-rays were taken before Dr. King's body was removed to the John Gaston Hospital city morgue. Officers of the Memphis Police Department retained Dr. King's clothing and other belongings that they recovered in the emergency room. Shelby County Tennessee Coroner J. W. Ross and Shelby County Medical Examiner Jerry T. Francisco, M.D., recommended that an autopsy be performed.

*Arabic numerals in parentheses at the beginning of paragraphs indicate the paragraph number for purposes of citation and referencing; italic numerals in parentheses in the middle or at the end of sentences indicate references which can be found at the end of each report or section.

County District Attorney Phil N. Canale ordered the autopsy after notifying the next of kin, Mrs. Coretta Scott King, wife of Dr. King, as required by Tennessee law.(2)

(6) Dr. Francisco began the autopsy of Dr. King at 10:45 p.m. that same evening.(3) He removed a deformed bullet from Dr. King's back, scratched the autopsy No. 252 on the fragment, photographed it, and then gave it to Lt. James D. Hamby, Memphis Police Department. Lieutenant Hamby gave it to agents of the Memphis Federal Bureau of Investigation field office, and the bullet, as well as other evidence, was sent to the FBI Laboratory in Washington, D.C., early in the morning of April 5, 1968. It was identified as a .30-06 caliber, metal-jacketed, soft point Remington-Peters bullet.

(7) On April 11, 1968, Dr. Francisco submitted his autopsy findings, a report which became a public document under Tennessee law.

(4) He concluded that Dr. King's death was the result of a single "gunshot wound to the chin and neck with a total transection of the lower cervical and upper thoracic spinal cord and other structures of the neck."(5) He also noted that these injuries were fatal shortly after Dr. King was wounded.

(8) Dr. Francisco testified to his findings on March 10, 1969, at the guilty plea hearing of the accused perpetrator, James Earl Ray. At this hearing, the prosecution entered into evidence proof of the corpus delicti, or body of the crime, as required by Tennessee law. Francisco said, among other things, that he had visited the crime scene at the instruction of the prosecution, and that, in his opinion, the angle of the bullet through Dr. King's body was consistent with a shot fired from the second-floor bathroom window at the rear of a roominghouse located at 418-422 1/2 South Main Street.(6) Other evidence indicated this was the site of the origin of the shot.

(9) Several critics have taken issue with Francisco's testimony concerning the angle of the shot.(7) Some have charged that his testimony was deficient, that it provided no basis for the conclusion that the shot came from the bathroom window, and that he did not state he knew where Dr. King was standing, the direction he was facing, or whether he was leaning over when he was shot. In addition, at least two eyewitness accounts placed the origin of the shot in a clump of bushes beneath the windows of the roominghouse, not the bathroom window. Solomon Jones, Dr. King's chauffeur in Memphis, said that he saw someone run from these bushes, on the embankment sloping down from the roominghouse, immediately after the shot was fired, and Harold Carter reportedly heard the shot and saw a man with a rifle run from the bushes.

(10) Questions also have been raised about the autopsy report itself. Critics have asserted that there are several ambiguities and errors in Francisco's report. First: That although two entry wounds are mentioned in the chin and neck, there is no explanation of how the bullet exited from the first wound. Second: The angle of the bullet's trajectory and its path through the body was not clearly delineated, further clouding the issue of the shot's origin. Third: The bullet fragment removed from Dr. King was not weighed and Dr. Francisco did not mention whether other bullet fragments were present in the body. Fourth: It was charged that Dr. Francisco failed to include the results of post-

mortem X-rays in his report. Finally : Dr. Francisco did not attempt to identify the "blackened debris" found in the entrance wound.

(11) To fulfill one aspect of its obligation to investigate all of the circumstances surrounding the death of Dr. King, and in its attempt to resolve the issues raised by critics, the committee convened a panel of forensic pathologists to review the medical treatment provided Dr. King and the autopsy procedures and conclusions.

(12) From among the nine leading forensic pathologists it had previously engaged to evaluate the death of President John F. Kennedy, the committee chose three pathologists to study the death of Dr. King. (The selection process is reviewed in the introduction to the John F. Kennedy medical panel's report.) Each panel member is an experienced medical examiner, qualified to conduct medical-legal investigations to determine the cause of death in cases of violent, suspicious, unexplained, unexpected or medically unattended deaths, and specifically trained to evaluate attendant aspects of death that might have medical-legal significance. The forensic pathologist has expertise, by training and experience, in correlating circumstances of death, the evidence at the scene of death, the autopsy, and toxicologic and other laboratory findings, to evaluate injury or illness and to determine the cause of death. A medical-legal autopsy includes determination of the identity of the deceased, the cause and manner of death, and other information that may be of value in subsequent proceedings. In this instance, the three member panel reviewed medical reports, physical evidence, photographs, X-rays, clothing, scene investigation, the autopsy findings, and microscopic slides.

(13) The three forensic pathologists chosen to serve on the committee's King panel were Dr. Michael Baden, chief medical examiner of New York City; Dr. John I. Coe, chief medical examiner of Hennepin County, Minn.; and Dr. Joseph H. Davis, chief medical examiner of Dade County, Fla.

(14) Dr. Michael Baden received an M.D. degree from New York University School of Medicine in 1959 and completed his residency in pathology at Bellevue Hospital in 1964. He has been a visiting professor of pathology, Albert Einstein School of Medicine, adjunct professor of law, New York University Law School, and lecturer in pathology at the College of Physicians and Surgeons, Columbia University. A lecturer at various law and medical schools on legal medicine, he is presently an associate professor of forensic medicine at the NYU School of Medicine.

(15) Dr. Baden was a special forensic pathology consultant to the New York State Organized Crime Task Force that investigated the violence and deaths at Attica Prison in 1971, and he is a member of New York State Commissions investigating deaths in prisons and mental hygiene hospitals. He is the author of numerous professional articles and books.

(16) Dr. John I. Coe received his M.D. degree from the University of Minnesota in 1945 and completed his residency in pathology in 1950. He received certifications in pathologic anatomy and forensic pathology from the American Board of Pathology.

(17) Dr. Coe is a fellow of the American Society of Clinical Pathologists and the American Academy of Forensic Sciences. He is a

founding member and 1979 president of the National Association of Medical Examiners, and also belongs to the International Academy of Pathology, among other professional organizations. He is a professor of pathology at the University of Minnesota. Dr. Coe is the author of numerous articles that have appeared in professional journals, and he has contributed to several books.

(18) Dr. Joseph H. Davis received his M.D. degree from Long Island College of Medicine in 1949 and completed his residency in pathology at the U.S. Public Health Service Hospital in New Orleans. He received his certifications in pathologic anatomy and forensic pathology from the American Board of Pathology.

(19) Dr. Davis has served as vice president of the American Academy of Forensic Sciences. He has been a vice president and, from 1975 to 1976, president of the National Association of Medical Examiners.

(20) Dr. Davis is chairman of the Florida Medical Examiners Commission and a professor of pathology at the University of Miami Medical School. He has written numerous articles for professional journals.

(21) The medical panel was assisted by Ida Dox, a medical illustrator with the Georgetown University School of Medicine and Dentistry in Washington, D.C.

(22) Ms. Dox graduated from Tulane University in 1951 and from the Johns Hopkins University Medical School Department of Art as Applied to Medicine in 1954. From 1954 until 1957, she was a medical illustrator for the Anatomy Department of the Georgetown University School of Medicine and Dentistry, and since 1957 she has worked as an illustrator with the Department of Medical-Dental Communication at Georgetown. Over 4,000 of her illustrations have been published in medical journals, textbooks, and periodicals.

(23) The committee asked the members of the King forensic pathology panel to consider the following issues:

(24) 1. Was the damage to Dr. King's body and clothing consistent with that normally caused by a missile of the type recovered from his body?

(25) 2. What medical treatment was administered to Dr. King by the ambulance crew hospital staff? Was it responsible and complete? Were reports of medical treatment and accompanying exhibits accurate and complete?

(26) 3. What autopsy procedures were followed? Was the autopsy conducted responsibly and in accordance with prescribed practices of forensic pathology? Were autopsy reports and accompanying exhibits accurate and complete?

(27) 4. Does the trajectory of the bullet as it can be determined from the entrance wound and the path of the bullet through the body indicate the point of origin of the shot?

(28) The panel was encouraged to explore any additional issues relating to the death of Dr. King that it deemed appropriate.

(29) On May 26 and 27, 1978, the forensic pathology panel met with the committee and medical illustrator Ida Dox at the committee offices in Washington, D.C. The panel examined the available evidence relating to the injuries sustained by Dr. King, including the clothing worn by Dr. King at the time of his death; the bullet fragment recovered from his body; color and black and white photographs and 35-millimeter slides taken in the emergency room and during the course

of the autopsy; microscopic slides and tissue blocks from the autopsy and the neuropathology study; medical reports, notes and documents submitted by the physicians who treated Dr. King and the medical examiner; X-rays; and firearms evidence, including a preliminary report of the committee's firearms panel. The committee obtained evidence from the offices of the Shelby County medical examiner, the Shelby County attorney general and the Criminal Court of Shelby County. The materials were stored in the committee's security unit, and all available original materials were examined in the committee's offices.

(30) The panel visited the scene of the homicide in Memphis on June 10, 1978, with Herbert G. Koogle and Joe M. Stewart of Koogle and Pouls Engineering, Inc., the committee's civil engineering consultants who surveyed the scene. While in Memphis, the panel members also interviewed Dr. Francisco, Dr. Galyon, and Dr. Brown.

(31) The panel consulted with other specialists in the course of their work. At the request of the panel, Dominic J. Cara, M.D., Memphis, Tenn., reexamined the X-rays that were taken at the St. Joseph Hospital emergency room, and David O. Davis, M.D., Washington, D.C., independently reviewed those X-rays. The panel also asked McCrone Research Institute, Chicago, Ill., to analyze particulate matter in the skin on the microscopic slides that had been prepared from the autopsy.

I. SUMMARY OF THE EVIDENCE

(32) The King forensic pathology panel reviewed the following evidence related to the death of Dr. Martin Luther King, Jr. (Federal Bureau of Investigation questioned evidence index numbers or Q numbers are noted where appropriate.)

A. Physical evidence

(1) Clothing worn by Dr. King at the time he was shot:

- (a) White shirt (Q76).
- (b) Necktie (Q77).
- (c) Suitcoat (Q78).
- (d) Trousers (Q79).
- (e) Socks (Q80 and Q81).
- (f) Undershorts (Q82).
- (g) Undershirt (Q83).
- (h) Shoes (Q84 and Q85).
- (i) Handkerchief (Q235).

(2) Materials from Shelby County Medical Examiner Dr. Jerry T. Francisco's autopsy:

- (a) Microscopic slides (15).
- (b) Paraffin blocks (14).
- (c) Microscopic slides of brain sections (18).
- (d) Paraffin blocks of brain sections (18).

(3) Firearms evidence:

- (a) Remington Gamemaster .30-06 rifle with a Redfield telescopic sight (Q2).
- (b) Peters high velocity centerfire cartridge box (empty).
- (c) Five unfired Remington-Peters .30-06 cartridges (Q4-Q8).
- (d) Four military .30-06 caliber cartridges (Q9-Q12).

- (e) Bullet fragment recovered from Dr. King's body (Q64).
- (f) An expended Remington-Peters .30-06 Springfield cartridge case (Q3).
- (g) Browning rifle packing box (Q1).
- (h) Remington Gamemaster rifle packing box.

B. Photographic evidence

- (1) Photographs of Dr. King's white shirt (Q76), necktie (Q77), and suitcoat (Q78).
- (2) Postmortem photographs taken in the emergency room and at the autopsy:
 - (a) Color 35-millimeter slides (20).
 - (b) Color prints (from slides) (20).
 - (c) Black-and-white prints (14).
 - (d) 35-millimeter slides of brain sections (6).
- (3) Photographs of the crime scene.

C. X-rays of Dr. King (10), some duplicates, from St. Joseph Hospital and the office of the Shelby County medical examiner

(33) The panel also reviewed reports and notes written by the physicians who treated Dr. King at the St. Joseph Hospital emergency room, as well as the reports of Dr. Francisco. On June 10, 1978, the panel examined the scene of the homicide in the Lorraine Motel/Brewer roominghouse area of Memphis, Tenn.

II. OBSERVATION AND ANALYSIS OF THE EVIDENCE

A. Physical evidence

- (1) Dr. King's clothing:

(34) The panel examined the clothing worn by Dr. King at the time he was shot on April 4, 1968. The clothing had been analyzed by the FBI Laboratory in Washington, D.C., during its 1968 investigation of the assassination. The panel studied the clothing and made the following observations:

(35) (a) Black suitcoat (Q73) with a single button in the front, manufacturer Petrocelli label—distributed by Zimmerman of Atlanta, Ga. Three defects are present in the right lapel, damaging the outer suit fabric which is not torn completely through. The point of disruption begins 2 inches above and medial to the small 1-inch lapel notch. The defects extend upward along the edge of the collar for 2 inches, revealing the inner liner material. The lower defect is triangular, measuring approximately 0.3 by 0.4 inch; the middle defect is irregular, measuring approximately 0.6 inch at its widest point; and the superior defect is approximately 0.4 by 0.4 inch with a rip extending 0.5 inch laterally along the upper margin of the defect. The tan-colored lapel lining of coarse weave material is intact except for a tiny vertical rent, approximately 0.3 inch in length, at the uppermost defect. The edges of the cloth were frayed, but the collar is not perforated completely through its multiple layers. The outside and inside of the coat's collar and back show apparent bloodstains. The right sleeve of the coat and the material immediately above the right inside pocket had been previously cut.

(36) (b) A narrow-collared, long-sleeved white shirt (Q76), Arrow label, made of Dacron polyester. The top button is missing but the

button threads, although frayed and bloodstained, are still on the shirt. When viewed with the collar down in the usual wearing position, one defect completely penetrates through the collar on the right, disrupting the top seam along the upper edge of the shirt. The defect begins about 1 inch from the front of the collar and about 0.3 inch from the side of the free edge of the collar. The margins of the defect are frayed and irregular. When viewed with the collar spread flat, the defect varies from 0.5 to 1.4 inches wide by 3 inches in length. Immediately adjacent to the upper edge of the large defect is an additional small superficial defect that does not completely perforate the collar but only affects the outer layer. This defect measures approximately 0.4 by 0.2 inch, about 0.4 inch from the side of the collar, and is similar to the three superficial defects on the collar of the suitcoat. The shirt cloth had a chemical odor and purple to red dye specks on the material. The panel was advised that the odor and specks were the result of testing by the firearms panel. The back of the shirt and the right shoulder are stained by what appears to be old dried blood. The shirt sleeve has been cut.

(37) With the suitcoat and the shirt in the usual wearing position, the defect in the shirt would be immediately below the angle of the jaw with the coat collar a little lower and to the side of the jaw. The defect of the shirt corresponds to the neck injury described in the autopsy and shown in the autopsy photographs. The thin strand of skin between the skin defects approximates the uppermost edge of the shirt collar.

(38) (c) A gold and black necktie (Q77), labeled Apparel Shop. The tie is severed just to the right of the knot, and the edges are frayed.

(39) (d) A white T-shirt (Q83) of Lewis manufacture, size M. Its collar, apparently bloodstained, is free of defects. The shirt has been cut in the front. The panel also examined other miscellaneous items of clothing, which were free of any significant defects: a bloodstained handkerchief (Q235); one pair of black trousers that matched the suitcoat (Q97) (28½-inch inseam measurement); one black slip-on right shoe (Q84); one black slip-on left shoe (Q85); one black boxer shorts, Sherwood brand, size 34 (Q82); and one pair of black socks (Q80 and Q81).

(2) Materials from the autopsy:

(40) The panel examined 15 hematoxylin and eosin stained slides from the autopsy. Each slide was labeled "A-68-252 mm" except one slide of a larynx section labeled "Francisco, Decal, P.D." Eighteen additional hematoxylin and eosin stained slides were of the central nervous system; they were labeled "A-68-252LH," and numbered from 1 to 17, two slides having the number 13.

(41) Three duplicate sections of skin are mounted on one microscopic slide. Numerous hair follicles and sebaceous—oil—glands with melanin pigment of the hair and the basal epidermal layers characterize the skin. The epidermis and underlying tissue along one edge are disrupted showing changes typical of a gunshot entrance wound. Hemorrhage without reaction is evident. There are several black opaque fragments of material in the margins of the tissue depths, varying in size, with the largest approximately 30 by 100 micra. The fragments do not transmit light. The edges of the largest fragment tend

to be rather sharp. This amorphous debris is not characteristic of gunpowder residue and there is no other evidence of such residue. Another slide of the skin was made after reembedding, according to Dr. Francisco, and has the same characteristics as the previous slide but lacks epidermis and is seen from a different angle.

(42) One slide of a larynx and vocal cord shows extensive hemorrhage in the submucosal and muscular tissue. The cartilage shows some ossification along one edge.

(43) Two slides of lung show intra-alveolar hemorrhage focally and focal intrabronchial hemorrhage. Sections of thyroid gland reveal scant interstitial hemorrhage. A coronary artery section has a minimal to moderate amount of arteriosclerotic plaque formation—an indication of hardening of the arteries—containing a few lipid—fat—deposits. Two slides of the heart are not remarkable. The liver shows pronounced vacuoles within the cytoplasm diffuse throughout the lobules but not involving every cell. The pancreas, spleen, kidney, prostate and adrenal glands are not remarkable. No sickling of the red blood cells is evident.

(44) The opaque debris in the skin section noted above could not be further defined by light microscopy. The panel submitted to McCrone Institute, Chicago, Ill., two slides for analysis of the dark, opaque material. In subsequent analysis, this material was identified as lead particles, and it was the interpretation of the panel that they were derived from the bullet proper after impact. The particles were not gunpowder residue. The following report, dated August 10, 1978, was submitted to the panel by Mr. Skip Palecik, senior research microscopist with McCrone.

(45) We have identified the black amorphous particles in the tissue sections which you submitted—2 slides labeled A68-252 mm—as particles of lead metal.

(46) The particles were examined microscopically when they were found to be completely opaque by transmitted light * * * and silver-gray by reflected light. * * * Particles were present in the same position in each of these serial sections. The presence of striations on the surface indicated the metal was soft. They can be accounted for by the edge of the microtome blade used to cut the sections. The striations all run in the same direction on each of the particles which confirms that they were caused by the microtome blade and are not, for example, due to the rifling of a gun.

(47) The particles were then readily identified as a gray metal, ruling out such metals as copper, brass and bronze, for instance. With your permission we cut out a small circle of coverslip * * * and removed and washed the 60 x 21 mm particle of metal shown in the figure. This was then mounted on a beryllium plate with amyl acetate and collodion for analysis with the electron microprobe analyzer.

(48) The analysis shows the particle is principally lead, possibly with a trace of zinc. Some silicon, sulfur and potassium were also detected. The silicon may be due to glass particle contamination on removal of the sample from the slide. The traces of sulfur and potassium could be due to contamination from the explosive power used to propel the projectile. The

possible sources of these minor elements is, however, open to speculation since they may conceivably be associated also with the tissue dyes used, the tissue itself or a fixative.

(49) The 18 hematoxylin and eosin stained slides of the central nervous system include sections of cervical spinal cord. One spinal cord slide shows a scant amount of hemorrhage beneath the arachnoid membrane along the edge. Tissues from the injured area of the spinal cord were not submitted for gross or microscopic evaluation.

(50) The paraffin blocks obtained from Dr. Francisco corresponded to the microscopic slides received and reviewed by the panel, except for one section of skin, mentioned above, that had been reimbedded and recut.

(3) Firearms evidence:

(51) The panel examined the following firearms evidence (FBI questioned evidence index numbers or Q numbers are noted where appropriate).

- (a) Model 760, Remington Gamemaster, .30-06 caliber pump-action rifle, serial number 461476, with a Redfield brand two-to-seven-power telescopic sight (Q2).
- (b) A Peters .30-06 Springfield caliber cartridge box. (The box was empty and the surface was soiled with fingerprint powder. The box contained a styrofoam receptacle.)
- (c) Five unfired Remington-Peters .30-06 Springfield caliber cartridges with the bullets pulled and separated from the powder (Q4-Q8). (Each bullet had been cut longitudinally to expose the core.)
- (d) Four military .30-06 caliber cartridges of Remington-Peters manufacture with the head stamp RA55 (Q9-Q12).
- (e) A bullet fragment in a small cardboard pillbox (Q64), labeled "A68-252 Bullet removed from Dr. Martin Luther King on 4-4-68, at 2140. Placed in plastic by J. Francisco No. 252 on base." (The evidence envelope contained a major portion of a bullet jacket with "252" scratched on the base, and showing six right hand grooves. A corresponding fragment of a lead core and a small fragment of bullet jacket were also present. Some specks of transparent material consistent with dehydrated tissue removed from the bullet were also included in this exhibit.)
- (f) An expended Remington-Peters .30-06 Springfield caliber cartridge case (Q3). (There was no powder debris inside the cartridge.)
- (g) A Browning rifle packing box (Q1).
- (h) An empty, cellophane-wrapped cardboard box, labeled "Remington Gamemaster Slide Action High Power Rifle, serial No. 461476, model 760, .30-06 Springfield, stock number 9684."

(NOTE: The panel was informed that the alleged murder weapon was recovered inside the Browning box (Q1) on April 4, 1968, in the doorway of Canipe's Amusement Co. at 424 South Main Street, Memphis, Tenn. The Remington box was found subsequently by the FBI during the course of its 1968 investigation of the death of Dr. King.)

(52) The medical panel reviewed a preliminary report of the King firearms panel including the results of the Greiss nitrite tests and four

11- by 14-inch glossy sheets of paper upon which testing had been done for nitrites. One sheet contained a test fire pattern of gunpowder residue labeled "3 to 6 inches away" that bore an orange stain. The other three sheets, dated September 24, 1977, were patterns of Dr. King's jacket, shirt and tie that showed no stain, indicating no nitrites were present and, therefore, a firearm was not discharged in close range of the clothing.

B. Photographic evidence

(53) The panel examined 20 35 millimeter color slides taken at the time of the autopsy. Eighteen of the transparencies were numbered and labeled "Medical Photography UTCHS and BMC, Memphis, Tenn.." and the other two slides, numbered 19 and 20, were labeled "Kodachrome duplicate" and dated "November 1978 F10." The transparencies reviewed included the following views:

- (1) Right side of the face with gloved fingers approximating the wound margins.
- (2) Bullet fragment, poorly lighted from the side. (This photograph was made before autopsy case number "252" was inscribed on the bullet.)
- (3) An underexposed photograph of the bullet fragment from the side.
- (4) Entrance wound of right cheek with partial abrasion collar along upper anterior margins. The head is supported by an autopsy block.
- (5) The back with a mass under the skin to the left of the midline at the inner margin of the scapula (shoulderblade) and several inches below the level of the shoulder.
- (6) Corner of the right side of the mouth with the wound edges approximated.
- (7) The right cheek with the inferior posterior aspects of the wound margins approximated by fingers. (A thin strip of skin separates the face portion of the wound from the neck portion.)
- (8) Neck portion of the wound with fingers approximating the cheek wound margins.
- (9) More distant photograph showing the head supported by an autopsy block.
- (10) Deformed bullet fragment base alongside a ruler.
- (11) Upper part of the body seen from behind.
- (12) Poorly lighted photograph of the base of the recovered bullet fragment.
- (13) The thin strand of skin that separates the cheek from the neck injury is shown. The strand is narrow, indistinct in its posterior margin, and the epidermis is not completely intact. The fractures of the mandible are also apparent.
- (14) The right cheek showing an abrasion collar along the upper anterior margin closest to the mouth. There are small splits of skin at the upper and lower wound margins.
- (15) Wound area closest to the mouth, margins held in place. Poor lighting obscures detail.
- (16) Wound reviewed from the right with the head supported by a block. The depth of the wound is poorly illuminated.

- (17) View of the back.
- (18) Right side of the head turned to the left to stretch open the margins. The large triangular shaped defect of the right cheek and large oval defect of the neck, with only a thin strand of of tissue separating the defects, are apparent.
- (19) Transparency of a black-and-white print of Dr. King on a stretcher.
- (20) Transparency of a black-and-white photograph of the back.
- (54) Color prints made from the transparencies were also examined, as well as fourteen 8-inch by 10-inch black-and-white prints taken at the emergency room, including nine of the wound and five of the back. The black-and-white photographs show a healed transverse scar above the nipple level extending from the chest midline toward the right armpit. There is a healed midline vertical scar over the upper midsternum.
- (55) The panel also reviewed six 35-millimeter transparency photographs of formalin fixed brain (labeled "A68-252, May 1968, D3."). These photographs show the ventral and dorsal surface of the brain, three coronal cross sections, and the vessels of the brain dissected free. No evidence of brain injury is evident in these photographs. The cut margin of cervical spinal cord is slightly irregular.

C. X-ray evidence

(56) The panel examined two folders of X-rays. One folder, labeled "Department of Radiology, City of Memphis Hospital, University of Tennessee," contained three 17- by 14-inch copies of original X-rays including: a view of the head and upper chest with a trail of bullet fragments proceeding from right to left; a view of the upper abdomen and chest showing a portion of the bullet track; and a 17- by 14-inch duplicate of an original 11- by 13-inch X-ray showing the upper cervical spine and the lower chest region, that also reveals bullet fragments.

(57) The second folder contained seven X-ray films, including original and duplicate X-rays. The original showed the head and upper chest with a label in the upper right-hand corner "St. Joseph's Hospital, Memphis, Tenn." and the printing, "King, Mr. Martin L., No. 5016" and "April 4, 1968." The date is indented punched out, April 4, 1968, in the lower left corner. A fracture of the right mandible is apparent with some fine metal fragments discernible next to the fractured bone. Multiple radiopaque fragments extend from the right supraclavicular or collarbone region across the midline to the left with apparent destruction of the second and third thoracic vertebrae. The largest missile fragment is to the left of the midline in the upper back. The fragment track proceeds slightly downward from right to left and from front to back. The X-ray is indicative of a single-bullet track.

(58) Another X-ray, labeled in the upper right corner "King, Mr. Martin L., No. 5016" and "April 4, 1968," indicates the thoracic and lumbar spine. The heart appears enlarged and there are suggestive fractures of the second, third, and fourth thoracic vertebrae with small bullet fragments in the track.

(59) The third X-ray is a side view of poor quality. It shows radio-paque metal fragments in the upper portion.

(60) The remaining four smaller X-rays are duplicates with the identification label "St. Joseph Hospital, Memphis, Tennessee, King, Mr. Martin L., 5016, April 4, 1968" in the lower left-hand corner. One X-ray shows the lower part of the face, the neck and the upper chest, with fine metallic particles in the right supraclavicular region proceeding in a slightly downward direction into the area of the second, third, and fourth thoracic vertebrae. An underexposed view of the left lateral lower half of the skull and upper chest with many radiopaque metallic particles in the lower cervical region is apparent on another X-ray. The other two films are poorly exposed lateral (side) chest views.

(61) The medical panel is satisfied that the injuries shown in the X-rays are indicative of a single, highly destructive gunshot wound track producing a trail of metal bullet fragments after striking the mandible, with the largest fragment removed by Dr. Francisco beneath the skin of the left upper back and inscribed "252."

Supplemental X-ray interpretation

(62) The medical panel requested that the X-rays be reevaluated by Dr. Dominic J. Cara, Jr., Memphis, Tenn., who had examined the original X-rays at the time of the homicide. The panel asked Dr. Cara to restudy and validate the available X-rays. Dr. David O. Davis, chairman of the department of radiology, George Washington University Medical Center, Washington, D.C., a special consultant to the panel, was asked to independently review the X-rays.

(63) Dr. Cara's 1978 analysis of the X-rays substantially agreed with the findings he made 10 years earlier. On August 4, 1978, he submitted the following report:

(64) Four films are available for interpretation. They are in fact copies of original films of King taken at the time he was in the emergency room of St. Joseph Hospital on April 4, 1968. These films were made with a portable X-ray machine in the emergency room. The copies fail to demonstrate the detail that was present on the original films, but they can be interpreted satisfactorily. Films are of the cervical spine, the chest and the left shoulder area.

(65) The films of the cervical spine demonstrate a missile track outlined with multiple metallic fragments that begin in the right cervical area extending across the right apical area and then across the midline of the patient, and the main fragment lies in the region of the left shoulder area.

(66) The significant radiographic findings concerning bone detail are as follows:

(67) There is demonstrated in the lateral view absence of outline of the bone architecture of the posterior inferior aspect of the body of C-7. Also in the lateral projection is demonstrated a relatively large missile fragment measuring almost 1 cm. in size lying just dorsal to the disc space between C-7 and T-1. This fragment is considered to be in the lateral aspect of the spinal canal. In the AP view there is demonstrated a fracture of the transverse process of C-7 on the right side and a fracture of the transverse process of T-1 on the right side. There is a fracture of the first rib on the right near the vertebral border and a portion of the bone at this point has been

displaced. There is a disruption of the body of T-1 and T-2. A bone fragment is identified along the left side of the thoracic spine overlying the first thoracic vertebra and the first thoracic interspace. This fragment is from one of the thoracic vertebral bodies or a portion of a neural arch. There is a loss of bone substance of T-2. These findings indicate that the missile has passed along the right lateral aspect of the lower cervical and upper thoracic region fracturing bones as above described and indicating that the missile has passed through the spinal column, both the vertebral bodies and spinal canal.

- (68) The films of the chest and left shoulder area demonstrate the following:
- (69) There is contusion of the right lung and there is blood in the right pleural space, but no pneumothorax is demonstrated. The trachea is intact and the left border of the mediastinum is sharply delineated. There is no pathology involving the left side of the chest.
- (70) There are two metallic fragments overlying the bodies of T-4 and T-5 that maintain a constant relationship in the three frontal films of the patient, each of which is always taken in a somewhat different position. In view of the fact that they maintain a constant relationship to themselves and to the respective vertebral bodies, this places the missile fragments in the vertebral bodies or in the spinal canal. Logically they are in the spinal canal.
- (71) *Summary.*—It is known that the missile entered the right side of the patient in the cervical area near the thorax. It is known that the right first rib is fractured and also that the main missile fragment could be palpated in the region of the left shoulder posteriorly. The missile fragment did not enter the soft tissues of the mediastinum because there is no mediastinal hematoma, the left border of the mediastinum is normal, and there is no air in the mediastinum. There is no pathology involving the left lung. The fractures above described and the absence of mediastinal pathology indicate that the missile passed through the spine and spinal canal.
- (72) Dr. Davis independently examined the X-rays for the panel, and on August 10, 1978, he submitted the following report:
- (73) I have reviewed the films taken of Dr. King, at St. Joseph's Hospital in Memphis, Tenn., on April 4, 1968. They consist of an AP film of the upper trunk, neck and most of the head, labeled No. 1 (an original film), an AP film of the upper chest, mediastinum and lower cervical spine, labeled No. 2 (a copy film), a lateral swimmers view, with the patient supine, of the spine and mediastinum from C3 down to approximately T5 (labeled No. 3) (an original film), and a lateral view of the cervical spine, labeled No. 4 (a copy film).
- (74) There is a 1.5 x 1.5 cm metallic fragment just above the left third rib, approximately at the medial border of the left scapula. This missile apparently entered in the region of the right mandible, where there is a transverse fracture, near the

mandibular angle, and as evidenced by the metallic fragments, coursed downward along the lateral aspect of the cervical spine, striking C7, T1, and T2 regions where it then crossed over the midline and went into the left upper chest region posteriorly and tracked to its final position.

- (75) There are fractures of the lateral mass of C7 on the right side, the transverse process of T1 on the right side, fractures through the right first and second ribs on the right side, proximally, just lateral to the transverse processes, and a vertical fracture, seen only on film No. 1, of the body of C7. There seems to be a break in the body of T2, along the left inferolateral region, suggesting that there is a significant fracture in the region of that break, and lack of visualization of the body of T2. Unfortunately, there are a great number of metallic fragments immediately overlying the T2 area, which makes evaluation somewhat difficult, but when combined with the lateral view, there is some suspicion that there has been significant damage to that vertebral body.
- (76) Just below and medial to the pedicle of T1, there is a fragment of bone, the origin of which is not identifiable, but which has a configuration suggesting that it is tubular, which could mean that it is part of the head of the right first rib. On the other hand, because of the nature of this injury, I cannot be sure that this is the source of that particular bony fragment, and it could conceivably even be from a vertebral body in that region.
- (77) There is soft tissue swelling behind the trachea at the C6-7, T1 level. Additionally, there is an air fluid level just anterior to the prevertebral soft tissue, which suggests that there is a pooling of secretions or blood in that region, perhaps in a cavity formed by the bullet, or possibly in the esophagus. There may well be some evidence of minimal cervical soft tissue emphysema, although this is less evident.
- (78) The right apical region is opacified and there is rather marked soft tissue thickening extending downward along the right chest wall. Whether this is due to old injury or new injury cannot be determined accurately, but one would presume that the upper lobe, apical, density is clot secondary to the recent injury.
- (79) **OPINION:** It is obvious that this patient was struck by a high velocity missile in the region of the right mandible, the course of which took a turn through the lateral cervical region, just lateral to the cervical spine, striking the cervical spine at about C7, and coursing downward medially from that point to its final resting place posteriorly in the thoracic cage at the medial scapular third rib area on the left side. While I have enumerated the identifiable fractures in the above discourse, I feel that it is very likely that the fracture of T1 and presumably of T2 are relatively extensive, although obscured by the overlying metallic fragments. It is very likely, in my opinion, that extensive injury to the spinal cord behind this area occurred, but I cannot be 100 percent sure; that is, without the shadow of a doubt, on the basis of these films.

FINDINGS OF THE FORENSIC PATHOLOGY PANEL

(80) On June 10, 1978, in Memphis, the panel interviewed Shelby County Medical Examiner Dr. Francisco, and Dr. Brown and Dr. Galyon, at the office of the Shelby County medical examiner. Also present were Deputy Medical Examiner Charles W. Harlan, M.D., Chief Deputy Medical Examiner James Spencer Bell, M.D., and Director of Toxicology David T. Stafford, M.D. (8)

III. INJURIES TO DR. KING (9)

(81) Dr. King was struck by a single rifle bullet tangentially on the right side of the face, one inch to the right of and one-half inch below the angle of the mouth. The missile entered the mouth, fractured the mandible (jawbone), exited the inferior aspect of the right side of the chin and reentered the base of the neck just above the collarbone, tearing the suit jacket and shirt collar. The bullet continued from right to left, from front to back and slightly downward in the body. (Fig. 1) The right cheek was burst open by the bullet,

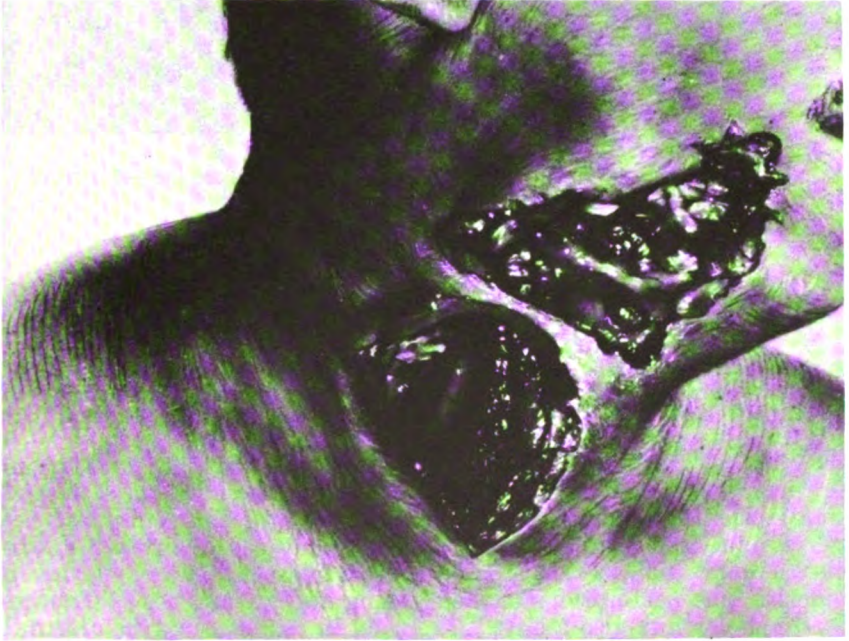


FIGURE 1.—Diagram of the entrance wound to the jaw and the reentrance wound to the neck after emergency treatment.

leaving a gaping wound about 3 inches long. The upper leading edge of the wound showed a one-eighth inch marginal abrasion indicative of an entrance wound. The destruction of skin and soft tissues of the cheek and chin obscured the exit perforation; the entrance and exit wounds were connected by a large excavated area. The bursting

lacerations were caused by the bullet's high velocity and the fracture effects of its impact on the mandible. No gunpowder soiling was present on the surface or inside the face or neck wound, indicating that the fatal shot had not been fired at close range.

(82) The neck injury caused by the bullet was modified by the resuscitation efforts in the emergency room: The lower border of the reentrance wound was elongated during the surgical attempt to stop the bleeding. In figure 2, the dotted line extending downward depicts

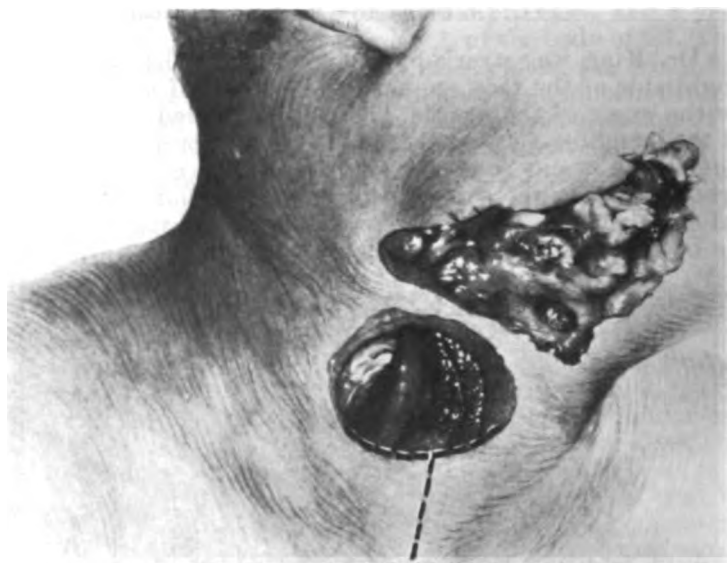


FIGURE 2.—Reconstruction of the reentrance wound to the neck before emergency treatment. The dotted line indicates the surgical incision made to enlarge the lower edge of the neck wound for resuscitative treatment.

the surgical incision made by the physicians in the emergency room to permit exploration of the wound. The size of the initial neck wound was reconstructed from photographs, X-rays, clothing, medical reports, interviews with the doctors, and the autopsy report. Dr. Francisco's report indicates that the skin defect in the neck was "3 inches in length." The perforations in the clothing and the absence of damage in the undershirt also assisted the panel in establishing the original wound size. A bridge of skin at the inner crease of the neck was intact and separated the exit perforation beneath the jaw and the reentrance wound in the neck. The bullet, partially deformed after striking the mandible, then tore the suitcoat collar, perforated the shirt collar, and severed the necktie just to the right of the site of the reentrance wound. (Figs. 3, 4, and 5.) The outermost layer of the suitcoat collar



FIGURE 3.—Suitcoat (Q78) worn by Dr. King at the time of the shooting.

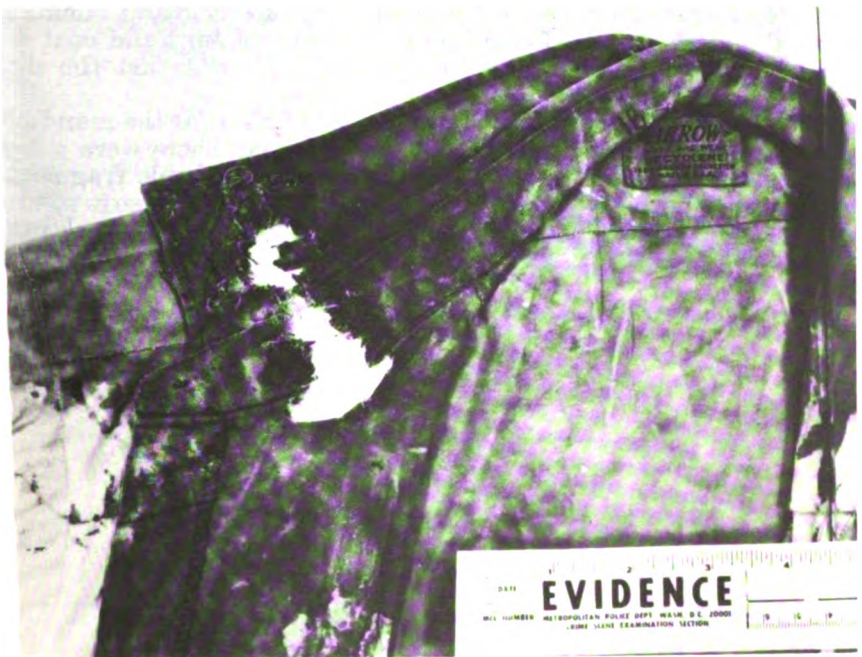


FIGURE 4.—Collar of shirt (Q76) worn by Dr. King at the time of the shooting, spread for observation of damage.



EVIDENCE

FIGURE 5.—Tie (Q77) worn by Dr. King at the time of the shooting.

material was torn immediately to the right of the large defect in the outer fold of the shirt collar. By means of microscopic and chemical tests, the firearms panel found lead particles in the shirt and coat defects but there was no trace of gunpowder, indicating that the shot had not been fired at close range.

(83) The X-rays showed fractures of the right side of the mandible with small metal bullet particles in the mandible. There were a few fragments in the skin at the base of the neck and multiple fragments were evident in the X-rays where the bullet reentered in soft tissues just above the right intact collarbone. (Figs. 6 and 7.) The track pro-

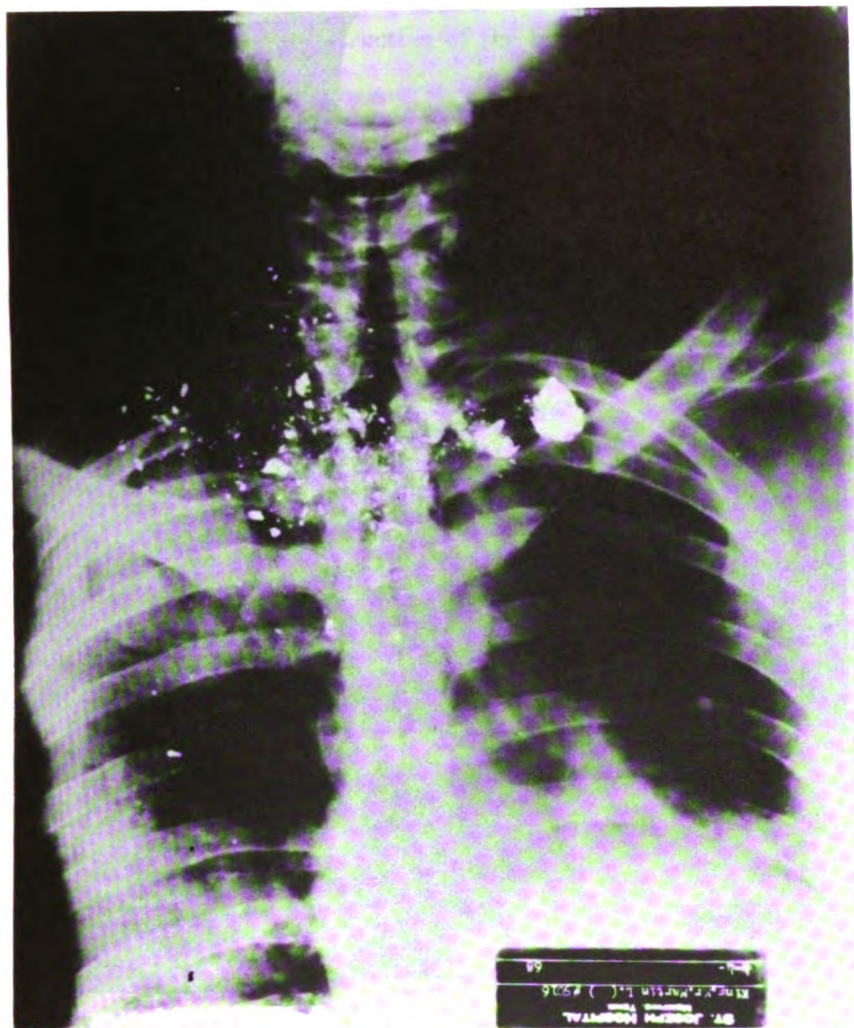


FIGURE 6.—X-ray of Dr. King after death and before autopsy.



FIGURE 7.—X-ray of Dr. King after death and before autopsy.

ceeded from the right to left, spraying fragments of metal in its course, downward at approximately a 30-degree angle, fracturing the right first- and second-ribs posteriorly and the lower cervical-upper thoracic spine, stopping just beneath the skin of the left upper back where a bullet was apparent. The seventh cervical vertebra and the first and second thoracic vertebrae appeared to be fractured and there was most probably injury to the spinal cord at this level. The specific extent of these injuries could not be determined conclusively because the track and spinal cord were not examined at the autopsy. Incorporating all the available information, the panel agreed with medical examiner Francisco's conclusion, based on his autopsy findings, that Dr. King's head was facing downward and to the right at the time he was struck by the bullet.

(84) **Figure 8 is a reconstruction of the bullet pathway. The panel**

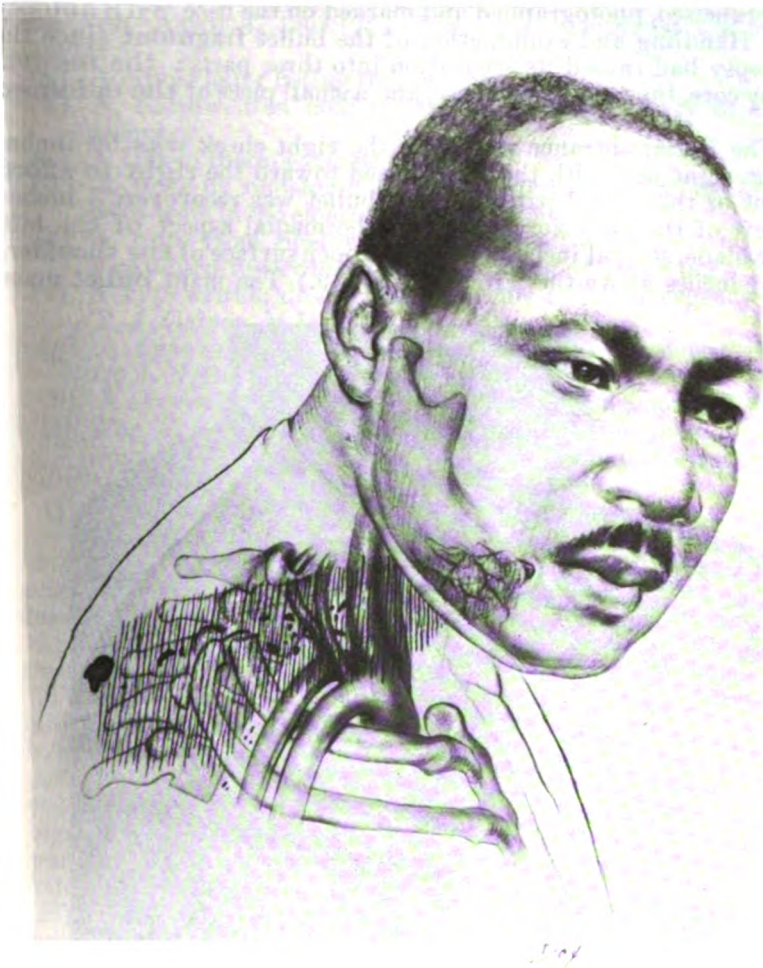


FIGURE 8.—Reconstruction of the bullet pathway in Dr. King's body from photographs, X-rays, clothing, and medical and autopsy descriptions.

was unable to precisely identify all the injured structures in the neck from the medical and autopsy descriptions, so the extent of injuries is indicated by a broad shaded area. The panel did conclude that major blood vessels, including the external jugular vein, the subclavian artery, and the vertebral artery, were probably injured as was the right upper apical portion of the lung. The black material depicted in the drawing represents some of the metal fragments in the path of the bullet that were evident in the X-rays.

(85) A deformed .30-06 Remington-Peters soft-point rifle bullet was recovered from beneath the skin of the left upper back. According

to the firearms panel, this fragment had an aggregate weight of 64.4 grains, less than half of the bullet's original 150 grains. It was removed by Dr. Francisco, photographed and marked on the base with autopsy No. 252. Handling and examination of the bullet fragment since the 1968 autopsy had caused its separation into three parts: the residual lead alloy core, the main jacket base, and a small piece of the deformed jacket.

(86) The initial entrance wound in the right cheek was 59 inches above the right heel with the chin turned toward the right to afford alinement of the wound pathway. The bullet was recovered 3 inches to the left of the posterior midline at the medial aspect of the left shoulder blade, several inches below the upper surface of the shoulder, and 55½ inches above the left heel. (Fig. 9.) The main bullet mass



FIGURE 9.—Diagram of the back with protrusion to the left of the midline where the main bullet fragment lodged.

was thus approximately 3 to 3½ inches below the level of entrance with the chin turned slightly toward the right and tilted slightly downward. The track proceeded from front to back, right to left, and downward.

(87) The extent of deformation of the recovered bullet fragment was consistent with the damage to be expected after a similar missile strikes the mandible and vertebra. The X-rays also indicate that only one bullet struck Dr. King.

(88) The panel concluded that Dr. King's injuries and the damage to his clothing were entirely consistent with that caused by a single bullet fired from a .30-06 caliber rifle.

IV. MEDICAL TREATMENT OF DR. KING

(89) The panel reviewed a 14-page report concerning the treatment of Dr. King in emergency room No. 1, St. Joseph Hospital, Memphis, Tenn., on April 4, 1968. (10) The report contained the following material:

- (a) A cover letter listing the contents.
- (b) A handwritten note releasing Dr. King's body to a funeral director.
- (c) A list of therapeutic procedures.
- (d) A note by registered Nurse M. Steinkirch listing the doctors who were in the emergency room.
- (e) A note from Shelby County medical examiner Dr. Jerry T. Francisco regarding duplicate copies of Dr. King's X-rays.
- (f) A typewritten description of events in the emergency room by T. J. Galyon, M.D. (3 pages)
- (g) A typewritten description of events in the emergency room by J. N. Barrasso, M.D. (2 pages)
- (h) A typewritten neurosurgical report by D. Frederick Gioia, M.D.
- (i) The electrocardiograph report on Dr. King including a card-board folder that contained the terminal electrocardiogram strip with readings. (2 pages)
- (j) A St. Joseph Hospital press release concerning the death of Dr. King (unsigned).

(90) The report indicated that Dr. King was admitted to the emergency room at about 6:15 p.m., on April 4, 1968. He was pronounced dead by Dr. J. N. Barrasso at 7:05 p.m. During this time variously, 12 physicians, a registered nurse, a practical nurse, and an attendant treated Dr. King.

(91) Dr. Galyon, the only doctor in emergency room 1 at 6:15 p.m., initially examined Dr. King when he was admitted. He noted that he was unconscious and had "a large gaping wound in the root of the neck on the right side * * *" (11) that was not actively bleeding, and blood covered his neck, right shoulder, and clothing. Dr. Galyon began blood transfusions after he detected a palpable pulse and a heart tone "of good quality". (12) Dr. John Reisser started a second transfusion in the saphenous vein of the left ankle.

(92) The chief surgical resident, Dr. Brown, arrived at the emergency room at 6:18 p.m. He noticed that Dr. King was not breathing and began a tracheotomy incision into the neck to assist breathing. Dr. Barrasso, general surgeon, arrived at 6:22 p.m., and assisted with the tracheotomy. Following the establishment of an airway, little heart tone could be heard. An electrocardiogram showed poor to no heart function. Intracardiac adrenalin injections and cardiac chest massage were attempted without success.

(93) Dr. Galyon, with Dr. Barrasso and a neurosurgeon, Dr. D. Frederick Gioia, explored the large wounds in the face and neck. In his report, Dr. Galyon described the wound: (13)

(94) There was a large wound through the right side of the face with broken shattered fragments of mandible lying in the wound. The wound opened directly into the mouth * * *. The wound in the right side of the neck was in the immediate

supravascular area with approximately a 5-inch wound with massive soft tissue damage * * *. The apex of the right lung was extending up into the wound. Through the wound could be palpated a large bony defect in the region of the pedicle and body of the first, second, and third dorsal spines or perhaps the C7, T1, and T2 vertebral bodies. The spinal cord was felt to be completely absent from where it should normally have been, posterior to the bodies of the upper thoracic and lower cervical vertebrae. The bullet tract [sic] had apparently completely transected the cord in shattering these posterior elements and posterior edges of the vertebral bodies.

Dr. Gioia, the neurosurgeon, confirmed the damage to the seventh cervical and second thoracic vertebrae noting "loss of spinal cord substance," according to Dr. Barrasso's report. (14) Barrasso also wrote that Dr. King's jugular vein had been severed.

(95) Dr. Joe Wilhite, a chest surgeon, and Dr. Julian Fleming, an internist, were consulted. Resuscitative measures continued but the electrocardiogram indicated diminished activity and then no activity. Dr. King's eyes dilated and showed no reaction. Dr. Barrasso noted "no response of any kind of vital signs" and he pronounced Dr. King dead at 7:05 p.m., 50 minutes after he was admitted to the emergency room. (15)

(96) On June 10, 1978, the members of the forensic pathology panel met with Dr. Galyon and Dr. Brown in Memphis, Tenn. (16)

(97) Dr. Galyon explained to the panel that Dr. King was accompanied by his close friend Rev. Ralph David Abernathy when he was brought into the emergency room. A pulse was present, but he was completely comatose, unresponsive, and breathing ineffectively. He was not actively bleeding, probably the result of shock. Primary resuscitative measures were started immediately. Catheters were inserted into the veins for blood transfusions and Dr. Brown began a tracheotomy. An electrocardiogram showed that heart function was abnormal but there was an indication of heart rhythm. Dr. Brown recalled that the tracheotomy took about 5 minutes. He said he made an incision "separate and apart from the principal perforation," surgically enlarging the lower neck wound to perform the operation, and there was no difficulty in establishing an airway. (17) (See fig. 2.)

(98) Once resuscitative measures were begun, Dr. Galyon attempted to assess the extent of Dr. King's injuries. He noticed two separate injuries, one in the face and one in the neck, that appeared to be entrance and reentrance wounds. The lower wound in the neck was surgically enlarged during the resuscitative measures. There was no surgical enlargement of the upper jaw wound. Dr. Galyon said fragments of bone "were visible in the wound of the mandible." (18) He was uncertain whether the neck wound was caused by bullet fragments alone, or by bullet fragments together with mandibular bone as "secondary projectiles." (19)

(99) Dr. Galyon reviewed slides with the panel portraying Dr. King's wounds and said that it was his impression that there were no powder burns, noting that there was no tattooing or soiling, characteristic of such burns. (20)

(100) In response to a rumor that a police officer put his hand in Dr. King's wound and tried to feel the bullet, Dr. Galyon said that only medical personnel touched the wound. (21).

(101) The panel concluded, based on the hospital records and interviews, that the emergency medical treatment administered to Dr. King was entirely proper and appropriate. Cardiopulmonary resuscitative measures, transfusions, a tracheotomy, and surgical exploration of the right side of the neck were performed. When Dr. King was brought in at 6:15 p.m., although he showed a pulse and weak heart-beat, the panel determined that his brain had been irreparably damaged from lack of oxygen. As Dr. Michael Baden noted in his testimony before the committee on August 15, 1978, Dr. King

could have been pronounced dead at 6:18 or 6:20, if they—the doctors—had wished but it is clearly the judgment of our panel from what the doctors told us, from the autopsy report and from other independent evidence that the nature and extent of the injuries to Dr. King were such that in no way, shape, or form could he have at that time or could he presently, with all additional medical knowledge that we have, could he have been saved from dying. (22)

V. EVALUATION OF THE AUTOPSY REPORT

(102) The panel reviewed Shelby County, Tenn., medical examiner Dr. Francisco's autopsy report (23) and related materials, including:

- (a) Autopsy report, dated April 11, 1968.
- (b) Autopsy protocol, dated April 11, 1968.
- (c) Report of the external examination of Dr. King's body. (5 pp.)
- (d) Diagrams with Dr. Francisco's marks and notations indicating the location of Dr. King's wounds, measurements, and so forth. (4 pp.)
- (e) Microscopic summary, dated June 10, 1968, and signed Thomas C. Littlejohn, Jr., chief medical examiner, State of Tennessee. (2 pp.)
- (f) Report of investigation by county medical examiner, dated April 4, 1968, signed by Dr. Jerry T. Francisco. (2 pp.)
- (g) Case report, office of the Shelby County medical examiner, dated April 4, 1968, concerning the bullet fragment Dr. Francisco recovered from Dr. King's body and turned over to Lt. J. D. Hamby, Memphis Police Department.
- (h) Identification of body, dated April 4, 1968, signed by Dr. Ralph D. Abernathy, "friend and associate". (2 pp.)
- (i) University of Tennessee Toxicology and Chemical Pathology Report, dated May 2, 1968, signed by E. Faye Sinclair, M.D.
- (j) University of Tennessee neuropathology report, dated April 30, 1968, microscopic description, submitted by J. H. Garcia, M.D. (4 pp.)
- (k) Memphis Police Department homicide report, dated August 15, 1968, indicating name of the accused, James Earl Ray.

- (l) Recommendation and order for autopsy, dated April 4, 1968. The recommendation is signed by Dr. Francisco and J. W. Ross, Shelby County coroner. Notice of impending autopsy to Coretta Scott King, Atlanta Ga., signed by Shelby County, Tenn. district attorney general Phil N. Canale. Return, signed by Lt. J. L. Harrison. Order for autopsy signed by Phil N. Canale.
- (m) Release of the body to R. S. Lewis Funeral Home, signed by Rev. Ralph D. Abernathy.
- (n) Telegram to Dr. J. T. Francisco from Mrs. Martin Luther King, Jr., dated June 28, 1966. Request for a copy of the autopsy report.
- (o) St. Joseph Hospital Department of Roentgenology report concerning April 4, 1968, X-rays of Dr. King indicating injuries to the cervical and thoracic spine.
- (p) Certificate of death for Dr. King, dated April 5, 1968, signed by Dr. Francisco.
- (q) To-whom-it-may-concern letter, dated May 23, 1978, signed J. T. Francisco, W.D., concerning destruction of organ samples taken at Dr. King's autopsy.

The panel also reviewed Dr. Francisco's testimony from the March 10, 1969 guilty plea hearing of James Earl Ray. (24)

(103) The records reviewed by the panel indicated that immediately following Dr. King's death on April 4, 1968, Shelby County coroner J. W. Ross and medical examiner Jerry T. Francisco, M.D., recommended to Shelby County District Attorney General Phil N. Canale that an autopsy be performed on the body of Dr. King. At 9:30 of the evening of Dr. King's death, Mr. Canale notified the next of kin, Coretta Scott King, Atlanta, Ga., that he was ordering an autopsy. He then told Dr. Francisco to perform the post mortem operation. (25)

(104) According to the autopsy report, Dr. Francisco began the procedure at 10:45 p.m., on April 4, 1968. (26) In his report, dated April 11, 1968, Francisco indicated that the cause of death was a "gunshot wound to spinal column, lower cervical, upper thoracic." (27) In the narrative of findings, he wrote:

(105) Death was the result of a gunshot wound to the chin and neck with a total transection of the lower cervical and upper thoracic spinal cord and other structures in the neck. The direction of the wounding was from front to back, above downward and from right to left. The severing of the spinal cord at this level and to this extent was a wound that was fatal very shortly after its occurrence. (28)

(106) Francisco completed his final pathological diagnoses in the April 11, 1968, autopsy report, (29) (See addenda):

Primary Series

- I. Instant gunshot wound to body and face
 - A. Fracture of right mandible
 - B. Laceration of vertebral artery, jugular vein and sub-clavian artery, right
 - C. Fracture of spine (T-1, C-7)
 - D. Laceration of spinal cord (lower cervical, upper thoracic)

E. Submucosal hemorrhage, larynx

F. Intrapulmonary hematoma, apex right upper lobe

Secondary series

1. Remote scars
2. Pleural adhesions
3. Fatty change liver, moderate
4. Arteriosclerosis, moderate
5. Venous cut-downs
6. Tracheotomy

(107) In his report, Dr. Francisco noted various evidence of surgical efforts that had been made in an attempt to resuscitate Dr. King including packing and clamping the neck wound; a tracheotomy; incisions in the inner left elbow and inner left ankle; insertion of a thoracotomy tube in the right side of the chest near the right axilla (armpit); and injections of medication made directly into the heart from the front.(30) He also described evidence of prior surgery, including an 8-inch horizontal scar above the right breast, a 6½-inch midfrontal scar on the upper chest and a small scar below and to the side of the right breast. Internal examination showed scarring between the right lung and the inner chest wall.(31) These scars were the results of a stabbing in 1957 and the resultant treatment at a New York City hospital. The committee attempted to obtain for review the 1957 medical records and X-rays from Harlem Hospital, New York City, where Dr. King was treated. The hospital administrator advised the committee that despite a careful search, the X-rays and records could not be located. Apart from the gunshot wound, the internal organs were normal except that the heart was slightly enlarged, weighing 450 grams, there was evidence of moderate arteriosclerosis of the coronary arteries, and the liver showed moderate fatty change.(32) A May 2, 1968, toxicology report, prepared by Dr. E. Faye Sinclair, M.D., of the University of Tennessee Institute of Pathology at the request of Dr. Francisco, indicated extremely small amounts of alcohol present in the blood and urine specimens removed at the time of the autopsy.(33)

(108) Dr. Francisco described Dr. King's wounds in his report on the external marks and scars:(34)

(109) * * * There is an extensive excavating lesion affecting the right side of the beginning at a point 1 inch lateral to the right corner of the mouth and one-half inch inferior to the right corner of the mouth that measures approximately 3 inches in length. At the superior aspect of this gaping wound there is an abrasion collar that measures one-eighth of an inch in maximum thickness, having brownish discoloration present at the superior margin. Adjacent to this area there is extensive laceration of the soft tissues of the face with a fracturing of the right side of the mandible. A re-approximation of the tissues reveals the laceration to extend to the base of the neck and into the base of the neck with intervening skin unaffected in this area. The second penetrating wound at the base of the neck in the superior aspect of the chest measures 3 inches in length. The missile path is through the external jugular vein and vertebral artery. There is a penetration into the lateral

aspect of the base of the neck into the upper thoracic and lower cervical cord totally severing the lower cervical and upper thoracic cord passing through the spinal column at the level of C7 and T1 into the posterior aspect of the back. The bullet is removed from the posterior aspect of the back, 56 inches superior to the right heel and $55\frac{1}{2}$ inches superior to the left heel, 3 inches to the left of the midline of the spine in the medial aspect of the left scapula. The entrance wound is $61\frac{1}{2}$ inches superior to the right heel and 59 inches superior to the right heel with the head turned and positioned so that the wound in the face corresponds with the path of the missile into the neck and spine. The total thickness from the entrance wound to the posterior aspect of the back is $81\frac{1}{2}$ inches in thickness. The angle of the penetrating wound is approximately 45° from a sagittal plane at an angle from right to left inferiorly and anterior to posteriorly at about a 30° angle with a coronal plane.

Dr. Francisco also noted about 25 cubic centimeters of blood in the right thoracic cavity and some subpleural hemorrhage "affecting the right and left (lung) in the posterior apex." (35) His examination of the left lung indicated a diffuse congestion and "hemorrhage affecting the right upper lobe" of that lung. (36)

(110) Dr. Thomas C. Littlejohn, Jr., chief medical examiner for the State of Tennessee, noted in the June 10, 1968, "Microscopic Summary" that his examination of Dr. King's skin samples showed "Blackened debris throughout the hemorrhagic area of the dermis having no identifiable form." (37)

(111) Dr. J. H. Garcia, University of Tennessee Division of Neuropathology, found the brain to be normal on gross and microscopic examination. (38) Dr. Garcia noted, however, that no samples were submitted from the injured part of the spinal cord. (See panel's analysis of microscopic evidence.)

(112) During the course of the autopsy, Dr. Francisco removed a bullet fragment from Dr. King's back and identified it by scratching the number "252" in the base of the fragment. (39) He gave it to Lt. J. D. Hamby, Memphis Police Department. When he measured the body in the anatomic position, Dr. Francisco determined that the bullet fragment had lodged 56 inches above the right heel, $55\frac{1}{2}$ inches above the left heel, and 3 inches to the left of the midline of the spine in the medial aspect of the left scapula. (40) The bullet fragment was examined by the FBI and the committee's firearms panel. (See report of the King firearms panel.)

(113) Dr. Francisco testified at the March 10, 1969 guilty plea hearing of James Earl Ray for the first degree murder of Dr. King, in the Shelby County Criminal Court before Judge W. Preston Battle. During the presentation of the prosecution's case against Ray, Francisco said that his autopsy examination of Dr. King's body "revealed a gunshot wound to the right side of the face, passing through the body into the neck, through the spinal cord at the base of the neck, with the bullet lodging beneath the skin near the shoulder blade on the left." (41) He stated that the cause of death was "a gunshot wound to the cervical

and thoracic spinal cord.”(42) Francisco testified that the angle of the wound was “from above downward, from right to left, passing through the chin, base of the neck, spinal cord into the back * * *”(43)

After discussing his examination of the scene, the Brewer rooming house and the Lorraine Motel, Dr. Francisco indicated that the wound Dr. King suffered was consistent with a shot from the second-floor bathroom window at the rear of the rooming house.(44)

(114) On June 10, 1978, the panel interviewed Dr. Francisco at his Memphis office.(45) He discussed the procedures preceding the autopsy, including his recommendation for an autopsy to Shelby County Attorney General Phil N. Canale, and the notification of the next of kin, Mrs. Coretta Scott King in Atlanta. He explained that the requirement for permission from the next of kin did not constrain his performance of the examination, including the extent of his dissection. He emphasized that he was only limited by his own sensibilities and judgment.(46) The panel concluded that Dr. Francisco had complete control of the autopsy room and performed the autopsy without assistance and without interference. Dr. Francisco explained that Dr. Sprunt’s name customarily appeared on every autopsy protocol, whether or not he was present, because he was head of the pathology department at that time. Dr. Sprunt was not present at this autopsy.(47)

(115) Dr. Francisco also reviewed with the panel photographic slides that he had taken of Dr. King’s injuries. It was his conclusion that the bullet entered Dr. King’s right cheek, exited the jaw and reentered the neck. Dr. Francisco explained that this finding was based on his examination and lining up of the wound components.(48) (He did not have access to Dr. King’s clothing which had been retained by Memphis police.) An inner crease of skin on the neck separated the cheek wound from the neck wound. Dr. Francisco determined that Dr. King must have had his head downward and to the right at the time of impact.(49)

(116) Dr. Francisco described the incision he made to recover the main bullet fragment from the back that had lodged about 3 inches to the left of the midline.(50) When asked about his failure to dissect the bullet pathway through Dr. King’s body, Dr. Francisco stated that he believed such a procedure would have been an unnecessary mutilation of the body and would not have added materially to the autopsy.(51)

(117) The panel also asked Dr. Francisco about the note “Blackened debris present throughout the hemorrhagic area of the dermis having no identifiable form.”(52) Although he was unable to identify the material, Dr. Francisco said he had concluded that it was not gunpowder and that there was no evidence of powder burns in or around Dr. King’s wound.(53)

(118) The panel raised the possibility with Dr. Francisco that the procedure for notification of the next of kin had the potential to impair a medical examiner’s ability to exercise freely his medical judgment.(54) Under Tennessee law in 1968, an autopsy could be performed at the discretion of the prosecutor, but only after a rather cumbersome formal notification of the next of kin by legal service of notice of intent to perform an autopsy. In this case, however, Dr.

Francisco stated neither the prosecutor, Mr. Phil N. Canale, nor the next of kin, Mrs. Coretta Scott King, hindered him and he was under no constraints.

(119) Dr. Francisco documented his autopsy findings with photographs and a written report.⁽⁵⁵⁾ The panel did conclude that the autopsy was deficient in some points, particularly the failure to explore the wound and track. The extent of injury to the blood vessels and other structures in the neck and the spinal cord remains unclear. It is not apparent, for example, whether the common carotid artery was torn, although it does appear that the subclavian artery was torn. Such a distinction may have no importance with respect to the survivability of Dr. King, but accurate documentation of all injuries is desirable in all homicidal deaths in anticipation of issues known or unknown at the time of the autopsy that may arise later and to permit others to independently review the findings. Nevertheless, the medical reports, photographs, and X-rays do supplement the autopsy report sufficiently to permit adequate evaluations of these injuries.

(120) Further, Dr. Francisco noted in his report that the cause of Dr. King's death was the missile's severance of the spinal cord, the main pathway of all nerve impulses from the brain to the rest of the body. He reached this conclusion based on his autopsy and subsequent discussions with other doctors, but the bullet track was not dissected because he believed that such dissection would be an unnecessary mutilation of the body. He made this decision because of his own sensibilities. As a result, the panel in the review of the evidence could not determine conclusively whether the spinal cord was indeed severed. Even if the spinal cord was not destroyed by the bullet, the lines of force emanating from the missile could have caused significant damage to the spinal cord. (Much of the hemorrhaging and destruction of tissues in the face and neck were caused by such emanating lines of force and not by direct physical contact with the bullet.)

(121) The panel concurred with Dr. Francisco's conclusion that Dr. King died as the result of a single high velocity bullet wound of the face that proceeded through the body and that these injuries were rapidly fatal despite proper medical attention.

VI. ORIGIN OF THE SHOT

(122) In Memphis, Tenn., on the morning of June 10, 1978, the panel met with Mr. Herbert Koogle and Mr. Joseph Stewart of Koogle and Pouls Engineering, Inc., Albuquerque, N. Mex., the committee's engineering consultants. The purpose of the meeting was to review the crime scene—the roominghouse at 418-422½ South Main Street and the Lorraine Motel at 406 Mulberry Street. (Fig. 10 indicates the relationship of these buildings. The measurements and relationships to scale are included in the civil engineering survey report.)

CRIME SCENE

**Assassination of Dr. Martin Luther King, Jr.
Memphis, Tennessee**

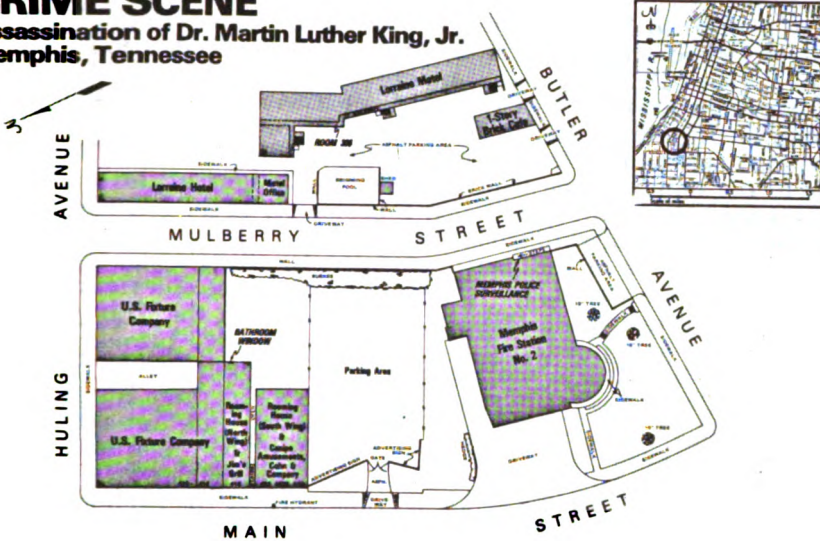


FIGURE 10.—Diagram of the homicide scene.

(123) The roominghouse at 418-422½ South Main Street, a brick building with wood interior, is in the middle of a block of storefront buildings. Access was through a narrow door, and a flight of steps led to the second story. A hallway extended from front to rear along the left side as one faced the rear of the building. A small bathroom with a window in the rear wall on the left side as one faces the backyard was at the extreme left rear of the building. The window sash, which could be raised about a foot, revealed a view of the backyard and Lorraine Motel across the street. One could make out the location where Dr. King had been standing when shot, although foliage, shown in 1968 photographs reviewed by the panel, had grown considerably since the assassination. (The angles and measurements from the windowsill to the victim are detailed in the civil engineering survey report.) The rearmost bedroom was on the right of the second floor of the building. Immediately in front of this rearmost room was room 5-B. Posing as John Willard, James Earl Ray rented this room on April 4, 1968. Its two windows faced the wall of the adjacent building only a few feet away. A view from these windows toward the Lorraine Motel was possible by leaning out of either window, but foliage blocked the view of the motel.

(124) At the left rear of the building, in front of the bathroom, a steep flight of wooden steps led to the ground level where a door opened into the backyard. In 1978, the backyard was a garden. Foliage at ground level was rather dense along the retaining wall separating these premises from the street below.

(125) The panel also examined the Lorraine Motel at 406 Mulberry Street. The motel, an L-shaped building of two stories, faced a parking lot and a swimming pool. An outside balcony ran along the second

story with access by outside stairways. The longest facade of the motel was parallel to Mulberry Street. A glass enclosure, erected since the assassination, covered the second-floor balcony outside room 306, the place where Dr. King was standing when shot. A wall plaque and flowers identified this area as the assassination site. The glass enclosure consists of sliding doors affording an opportunity to stand in the approximate location and position of the victim. When one faces away from the building, the balcony stretches straight to the right to a right-angle wing of the building. Immediately to the left the balcony curves sharply rearward alongside room 306.

(126) Members of the panel simulated Dr. King's position at the moment he was struck. He was standing on the second-floor balcony of the Lorraine Motel, talking with someone in the courtyard one story below and slightly to his right, according to information the committee supplied to the panel. The bullet pathway, as identified at the autopsy, was entirely consistent with a shot from his right and slightly above. Dr. King collapsed immediately, his feet adjacent to the railing, knees bent, back on the balcony floor, and head to the right, as one enters, of the door to room 306. Thus the panel was able to eliminate certain firing locations such as the firehouse which would have been to Dr. King's left at the time he was hit.

(127) Although it was impossible to determine how far Dr. King was leaning forward or backward, the information on his approximate position immediately limited the possible trajectories and made the trajectory from the direction of 418-422½ South Main Street reasonable. If he were standing bolt upright, head straight forward, in the anatomic position, the point of impact would have been 59 inches off the ground. If he were bent forward in normal posture, this point could have been as low as 54 inches. The panel determined that 56 inches off the ground was a reasonable approximation of the height of the entrance wound, thus giving the engineers a point of reference above the balcony floor. In consultation with the engineers, the panel concluded that the difference in the trajectory from the backyard or the bathroom window was between 54 and 59 inches. The sensitivity of the engineering equipment was much greater than the autopsy findings, which the forensic pathology panel believed could not distinguish 5 degrees or 10 degrees of trajectory in this situation.

(128) Based on its examination of the scene and the available medical evidence, the panel concluded that the bullet that struck Dr. King came from across Mulberry Street from the right. The shot came from an elevation higher than 8.5 feet, the height of the retaining wall on Mulberry Street, opposite the parking lot of the Lorraine Motel, from either the backyard of 418-422½ South Main Street or from the building. Above the retaining wall the yard, now a garden, slopes quickly upward at an angle from a point 56 inches above the balcony floor, the approximate height of Dr. King's right cheek at the moment he was shot. This point is horizontal to the backyard level. A prone rifleman could not have fired the shot that caused Dr. King's injuries. Either a rifleman standing at the bushy edge of the yard firing slightly downward at a vertical angle of 2 degrees 20 minutes, or one firing downward from the second-floor bathroom window at the rear of 418-422½ South Main Street at a vertical angle of 4 de-

grees 36 minutes, at a slope of 207.17 feet from the window to the victim could have caused the wound pathway. It is not possible, from the medical evidence, to rule out either possible location of the assassin because the difference of 2 degrees 16 minutes was negligible medically, and because it was impossible to determine the precise posture of Dr. King at the moment he was hit. This determination must be made from evidence other than that derived from wound analysis. (See report of civil engineering survey.)

(129) The panel concluded that either firing position, the backyard or the bathroom window, was consistent with the bullet trajectory in the body.

VII. CONCLUSION

(130) The medical panel concluded that the injuries to Dr. King and the damage to his clothing were caused by a single bullet fired from a .30-06-caliber rifle. The emergency medical treatment of Dr. King at St. Joseph Hospital was appropriate. Although his report of the autopsy of Dr. King's body was deficient in some respects, the panel concluded that Dr. Francisco's autopsy was performed without constraint or pressure from any source and that he conducted a generally thorough post mortem examination. Based on the medical evidence it examined, the panel was unable to determine the exact point of origin of the shot that killed Dr. King, but it did eliminate certain possibilities and determined that the injuries to Dr. King were entirely consistent with a shot originating from the second-floor bathroom at the rear of the roominghouse at 418-422½ South Main Street, a point of origin suggested by other nonmedical evidence.

REFERENCES

(1) Medical reports, Nov. 8, 1976, House Select Committee on Assassinations (MLK Document 030406) (hereinafter referred to as medical report).

(2) 1961 Tennessee Public Acts, ch. 174.

(3) Autopsy report, July 22, 1977, House Select Committee on Assassinations (MLK Document 110152) (hereinafter referred to as autopsy report). (See addenda of forensic pathology panel report.)

(4) 1961 Tennessee Public Acts, ch. 174.

(5) Autopsy report, note 3 above.

(6) Guilty plea hearing transcript, March 10, 1969, T42-T46, House Select Committee on Assassinations (MLK Document 010063) (hereinafter referred to as guilty plea transcript).

(7) See, for example, Mark Lane, *Code Name "Zorro"*, New York: Pocket Books (1978); and Harold Weisberg, *Frame-Up*, New York: Outerbridge & Dienstfrey (1971).

(8) Transcript of June 10, 1978 Medical Interview, July 6, 1978, House Select Committee on Assassinations (MLK Document 230097) (hereinafter referred to as June 10, 1976 transcript).

(9) See generally testimony of Dr. Michael Baden, Aug. 15, 1978, Hearings Before the House Select Committee on Assassinations, 95th Cong., 2d session, Washington, D.C.: U.S. Government Printing Office, 1979, vol. I, pp. 43-73 (hereinafter referred to as Baden testimony, Aug. 15, 1978, I HSCA-MLK hearings 43).

(10) Medical report, note 1 above.

(11) *Ibid.*

(12) *Ibid.*

(13) *Ibid.*

(14) *Ibid.*

(15) *Ibid.*

(16) See June 10, 1978 transcript, note 9 above.

- (17) *Id.*, at pp. 84-85.
- (18) *Id.*, at p. 67.
- (19) *Ibid.*
- (20) *Id.*, at p. 78.
- (21) *Id.*, at p. 75.
- (22) Baden testimony, August 15, 1978, I HSCA-MLK hearings, p. 72.
- (23) Autopsy report, note 3 above.
- (24) See Guilty plea transcript, note 6 above.
- (25) Autopsy report, note 3 above.
- (26) *Ibid.*
- (27) *Ibid.*
- (28) *Ibid.*
- (29) *Ibid.*
- (30) *Ibid.*
- (31) *Ibid.*
- (32) *Ibid.*
- (33) *Ibid.*
- (34) *Ibid.*
- (35) *Ibid.*
- (36) *Ibid.*
- (37) *Ibid.*
- (38) *Ibid.*
- (39) *Ibid.*
- (40) *Ibid.*
- (41) Guilty plea transcript, note 6 above, p. 44.
- (42) *Ibid.*
- (43) *Id.*, at p. 45.
- (44) *Id.*, at p. 46.
- (45) See generally June 10, 1978, transcript, note 9 above.
- (46) *Id.*, at pp. 9-10.
- (47) *Id.*, at pp. 14-15.
- (48) *Id.*, at pp. 7-8.
- (49) *Id.*, at p. 10.
- (50) *Id.*, at p. 10.
- (51) *Id.*, at pp. 9-10. See also autopsy report, note 3 above.
- (52) June 10, 1978, transcript, note 9 above, p. 23.
- (53) *Ibid.*
- (54) Baden testimony, August 15, 1978, I HSCA-MLK hearings, p. 68.
- (55) *Id.*, at pp. 59-60.

ADDENDA

- I. Autopsy documents from the office of the Shelby County medical examiner.
- II. Neuropathology report.

PROVISIONAL ()
FINAL ☒

TENNESSEE DEPARTMENT OF PUBLIC HEALTH
OFFICE OF THE CHIEF MEDICAL EXAMINER
855 Madison Avenue
Memphis, Tennessee 38103

CASE NO. AGS-252
COUNTY Shelby

AUTOPSY REPORT

NAME OF DECEDENT Martin Luther King, Jr. RACE N SEX M AGE 39

HOME ADDRESS Atlanta, Georgia
NUMBER ON STREET CITY OR TOWN STATE

COUNTY MEDICAL EXAMINER J. T. Francisco, M.D.
ADDRESS Memphis, Tennessee

DISTRICT ATTORNEY GENERAL Phil A. Canale
ADDRESS Memphis, Tennessee

ANATOMICAL DIAGNOSIS Gunshot wound to body and face with:
Fracture of mandible
Laceration vertebral artery, jugular vein and sub-
clavian artery, right,
Laceration of spinal cord (lower cervical, upper
thoracic),
Intrapulmonary hematoma, apex, right upper lobe

CAUSE OF DEATH Gunshot wound to spinal column, lower cervical, upper thoracic

NARRATIVE OF FINDINGS Death was the result of a gunshot wound to the
chin and neck with a total transection of the lower cervical and
upper thoracic spinal cord and other structures in the neck. The
direction of the wounding was from front to back, above downward and
from right to left. The severing of the spinal cord at this level
and to this extent was a wound that was fatal very shortly after its
occurrence.

The purpose of this report is to provide a certified opinion to the County Medical Examiner and the District Attorney General. The facts and findings to support these conclusions are filed with the office of the State Medical Examiner.

DATE April 11, 1968 SIGNATURE: J. T. Francisco M.D.
ADDRESS 855 Madison Avenue-Memphis, Tennessee

Form 388

THE CITY OF MEMPHIS HOSPITALS
AUTOPSY PROTOCOL

Autopsy No. A68-252 Service Med. Ex. Hospital No.
 Name Martin Luther King, Jr. Age 39 Race Negro Sex Male
 Date of Admission DOA Date and Hour of Death 4-4-68 Unknown-Approximately
P.M.
 Date and Hour of Autopsy 4-4-68 10:45 P.M.
 Pathologist Drs. Sprunt and Francisco Assistant _____
 Checked by _____ Date Completed 4-11-68

FINAL PATHOLOGICAL DIAGNOSIS

PRIMARY SERIES:

- I. Distant gunshot wound to body and face
 - A. Fracture of right mandible
 - B. Laceration of vertebral artery, jugular vein and subclavian artery, right
 - C. Fracture of spine (T-1, C-7)
 - D. Laceration of spinal cord (lower cervical, upper thoracic)
 - E. Submucosal hemorrhage, larynx
 - F. Intrapulmonary hematoma, apex right upper lobe

SECONDARY SERIES:

1. Remote scars as described
2. Pleural adhesions
3. Fatty change liver, moderate
4. Arteriosclerosis, moderate
5. Venous cut-downs
6. Tracheostomy

LABORATORY FINDINGS:

Blood Alcohol - 0.01%

EXTERNAL EXAMINATION OF THE BODY

This is a well developed, well nourished Negro male measuring 69 1/2 inches in length and weighing approximately 140 pounds. The hair is black, the eyes are brown. There is a line mustache present.

EXTERNAL MARKS AND SCARS

There is a remote midline scar present in the center of the chest and a remote scar present extending to the right axilla measuring 8 inches in length. There is a sutured vertical surgical incision present at the base of the neck. A sutured incision is present in the right chest at the anterior axillary line. Three needle punctures are present in the precordium, having no hemorrhage present surrounding the area. There are blood splatters present on the palm and dorsum of the right hand. A remote scar is present in the right lateral chest. Sutured incisions are present in the left ante cubital fossa, one that is obliquely directed measuring 2 inches in length, one that is horizontally directed measuring 1 inch in length. There are two sutured incisions present on the medial aspect of the left ankle. The superior incision measuring 2 inches in length, the inferior incision measuring 1/4 inch in length. There is an extensive excavating lesion affecting the right side of the face beginning at a point 1 inch lateral to the right corner of the mouth and 1/2 inch inferior to the right corner of the mouth that measures approximately 3 inches in length. At the superior aspect of this gaping wound there is an abrasion collar that measures 1/3 of an inch in maximum thickness, having brownish discoloration present at the superior margin. Adjacent to this area there is extensive laceration of the soft tissues of the face with a fracturing of the right side of the mandible. A re-approximation of the tissues reveals the laceration to extend to the base of the neck and into the base of the neck with intervening skin unaffected in this area. The second penetrating wound at the base of the neck in the superior aspect of the chest measures 3 inches in length. The missile path is through the external jugular vein and vertebral artery. There is a penetration into the lateral aspect of the base of the neck into the upper thoracic and lower cervical cord totally severing the lower cervical and upper thoracic cord passing through the spinal column at the level of C7 and T1 into the posterior aspect of the back. The bullet is removed from the posterior aspect of the back, 56 inches superior to the right heel and 55 1/2 inches superior to the left heel, 3 inches to the left of the midline of the spine in the medial aspect of the left scapula. The entrance wound is 61 1/2 inches superior to the right heel and 59 inches superior to the right heel with the head turned and positioned so that the wound in the face corresponds with the path of the missile into the neck and spine. The total thickness from the entrance wound to the posterior aspect of the back is 8 1/2 inches in thickness. The angle of the penetrating wound is approximately 45° from a sagittal plane at an angle from right to left inferiorly and anterior to posteriorly at about a 30° angle with a coronal plane.

SECTION

The abdominal panniculus measures an inch in maximum thickness. The skeletal muscles are red and fibillary. There is scarring present over the right anterior-superior chest with pleural adhesions present in this area.

Form 388

THE CITY OF MEMPHIS HOSPITALS
AUTOPSY PROTOCOL

Autopsy No. A68-252 Service Med. Ex. Hospital No. _____
 Name Martin Luther King, Jr. Age 39 Race Negro Sex Male
 Date of Admission DOA Date and Hour of Death 4-4-68 P.M.
 Date and Hour of Autopsy 4-4-68 10:45 P.M.
 Pathologist Drs. Sprunt and Francisco Assistant _____
 Checked by _____ Date Completed 4-11-68

FINAL PATHOLOGICAL DIAGNOSIS

PRIMARY SERIES:

- I. Distant gunshot wound to body and face
 - A. Fracture of right mandible
 - B. Laceration of vertebral artery, jugular vein and subclavian artery, right
 - C. Fracture of spine (T-1, C-7)
 - D. Laceration of spinal cord (lower cervical, upper thoracic)
 - E. Submucosal hemorrhage, larynx
 - F. Intrapulmonary hematoma, apex right upper lobe

SECONDARY SERIES:

1. Remote scars as described
2. Pleural adhesions
3. Fatty change liver, moderate
4. Arteriosclerosis, moderate
5. Venous cut-downs
6. Tracheostomy

LABORATORY FINDINGS:

Blood Alcohol - 0.01%

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SECTION

The abdominal panniculus measures an inch in maximum thickness. The skeletal muscles are red and fibillary. There is scarring present over the right anterior-superior chest with pleural adhesions present in this area.

BODY CAVITIES

There is approximately 25cc. of blood present within the right thoracic cavity and some subpleural hemorrhage that is present affecting the right and the left in the posterior apex. The missile did not enter the right pleural cavity.

GROSS DESCRIPTION OF THE ORGANS

- HEART:** The heart weighs 450 grams. The myocardium is pale brown. The valvular surfaces reveal no significant changes. There is focal yellowing of the subendocardial areas affecting the left aspect of the interventricular septum. The right ventricle measures 5cm. in maximum thickness. The left ventricle measures 20mm. in maximum thickness. The coronary ostia originate in normal position and have a normal distribution over the epicardial surface. There is minimal intimal proliferation present. Focal yellow plaquing is present in the ascending aspect of the aortic arch but ulceration is not present. There is no significant dilatation affecting the chambers of the heart.
- AORTA:** Focal yellow plaques are present throughout the aorta but ulceration and calcification is not present. The great vessels originate normally. There is perivascular hemorrhage affecting the right carotid artery but no penetration of the wall. The right subclavian artery is lacerated.
- ESOPHAGUS:** Partially digested food fragments are present throughout the esophagus.
- TRACHEA:** Hemorrhagic mucoid material is present throughout the upper trachea.
- LUNGS:** The right lung weighs 300 grams. The left lung weighs 325 grams. There is diffuse congestion, consolidation and hemorrhage affecting the right upper lobe of the lung. Frothy fluid is expressible from the sectioned surface. There is minimal wrinkling of the pleura diffusely throughout the pulmonary parenchyma.
- BRAIN:** The brain weighs 1400 grams. There is some flattening of the gyri and narrowing of the sulci. The cerebral vessels are symmetrical. There is no subdural, epidural, or extradural hemorrhage present. There is no significant flattening throughout the cerebral vessels.
- KIDNEYS:** The kidneys weigh 175 grams on the left and 150 grams on the right. The capsular surface is smooth. The parenchyma is of normal coloration. The cortical-medullary junction is prominent.

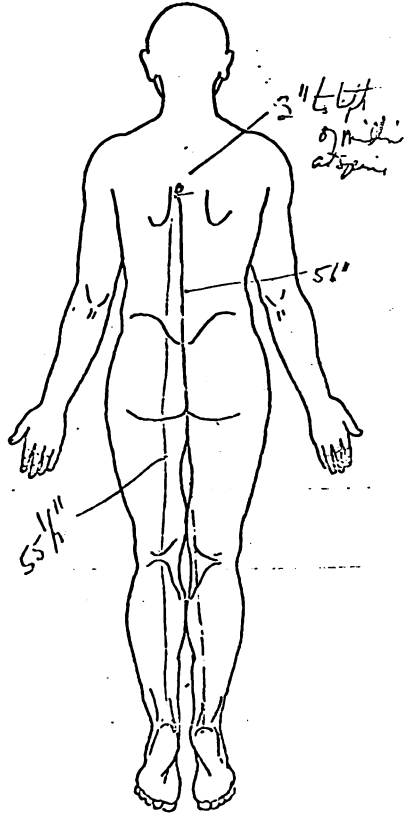
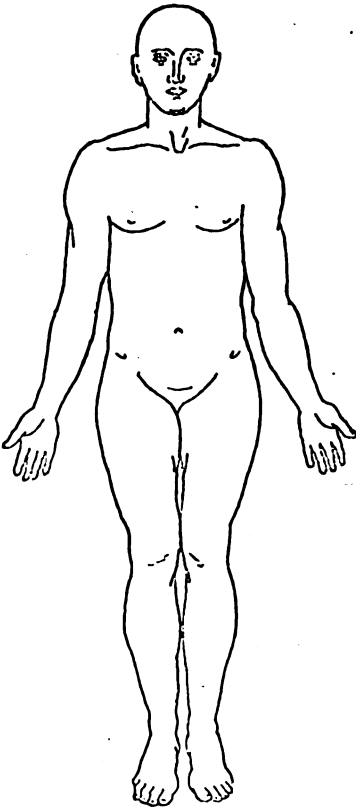
PANCREAS:	The pancreatic parenchyma is well preserved. The lobular pattern is preserved. There is no fatty infiltration present. The parenchyma is yellowish-grey.
LARYNX:	There is diffuse hemorrhage present throughout the superior larynx along with submucosal hemorrhage that is present within the intra-laryngeal areas. There is a tracheostomy perforation that is superior to the thyroid penetrating to the right of the pyramidal lobe.
THYROID:	No significant changes.
SPLEEN:	The spleen weighs 80 grams. The capsule is wrinkled. There is no capsular thickening present. The follicles are not prominent.
STOMACH:	The stomach contains approximately 10cc. of partially digested food fragments. There is no ulceration present.
DUODENUM:	No significant changes.
GALLBLADDER:	The gallbladder contains approximately 5cc. of light green bile. No stones are present.
LIVER:	The liver weighs 1600 grams. The parenchyma is pale yellowish-brown. The lobular pattern is accentuated. The parenchyma is quite soft.
BLADDER:	There is approximately 25cc. of cloudy yellow urine present.
PROSTATE:	No significant gross abnormalities are present.
COLON:	The appendix is present. The colonic contents is normal.
SMALL INTESTINE:	There is alternately liquid and gaseous distention present throughout the small intestine.
ADRENALS:	The adrenals are in normal position and weigh 8 grams together. The cortex is bright yellow. The medulla is grey.

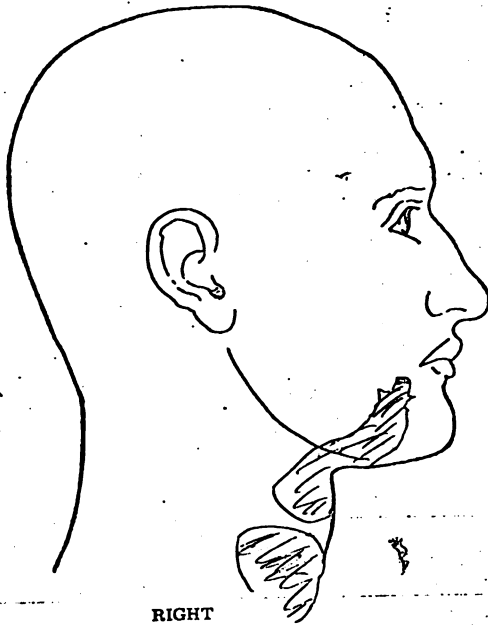
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Special Chart II

Autopsy No. _____

A-8-252



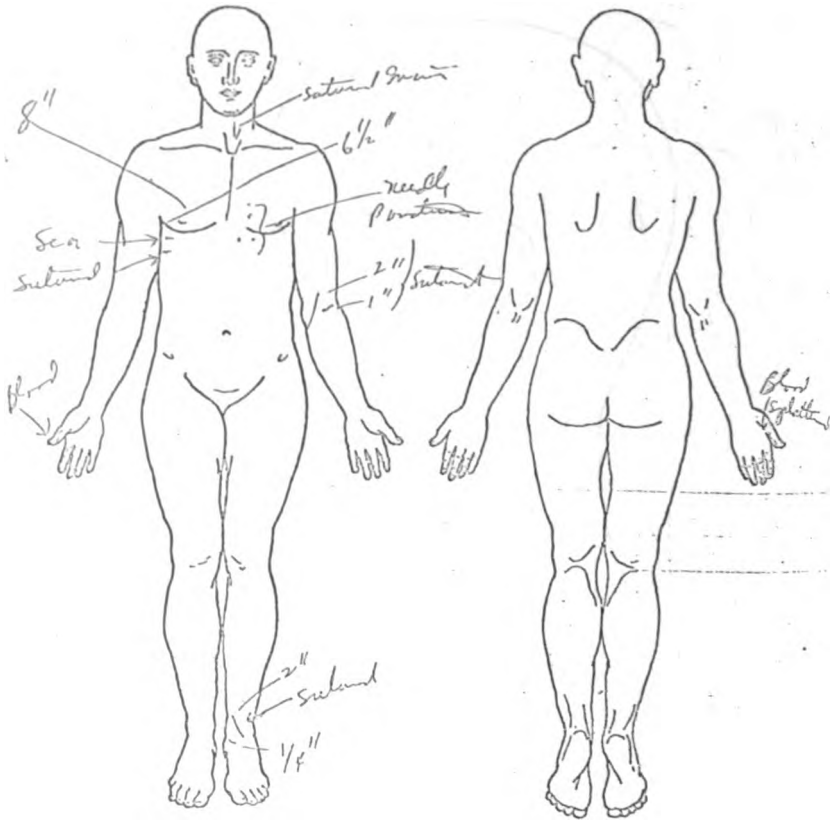


RIGHT

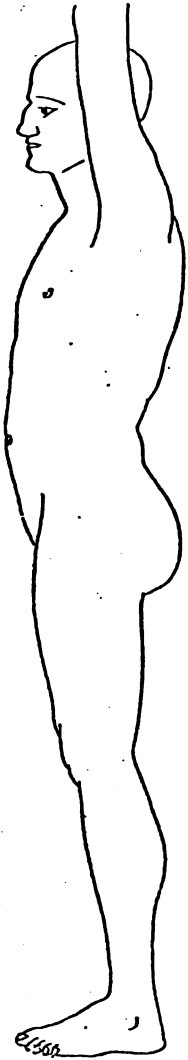
Special Chart II

Autopsy No. _____

A68-252



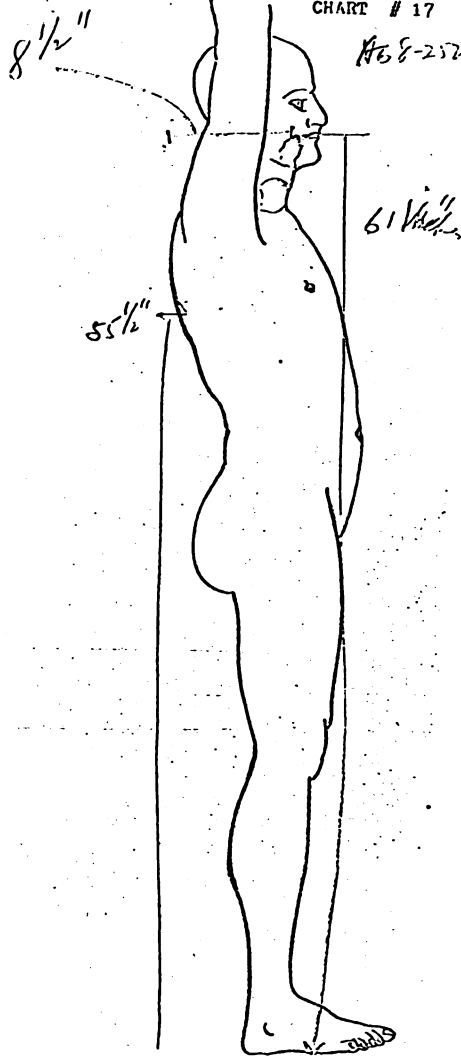
#413



LEFT

CHART # 17

H68-252



RIGHT

- LUNG:** Focal areas of intra-alveolar hemorrhage are present throughout. Otherwise the alveoli are well preserved without hyperdistention or collapse. There is a loss of bronchial epithelium free within the lumens of the bronchioles. The pulmonary vessels reveal no significant changes.
- PANCREAS:** The pancreatic parenchyma is well preserved. The islets and acini are well preserved. There is minimal congestion present but no fibrosis or hemorrhage.
- KIDNEY:** The glomeruli and tubules are well preserved. There is no parenchymal fibrosis evident or vascular proliferation present. The tubules are filled with eosinophilic material. There is no collapse of the tubular lumen.
- THYROID:** The follicles are uniform and regular. There is a small quantity of extravasation of mature erythrocytes into peri-follicular locations. Cellular inflammatory reaction is not present. There is no margination of polymorphonuclear leucocytes within the areas of hemorrhage.
- LIVER:** There is diffuse cytoplasmic vacuolation throughout the hepatic cytoplasm being distributed throughout the lobules and in both pericentral and periportal locations. A small number of mononuclear cells are present in portal areas. There is some variation in size, shape of the hepatic nuclei. The vacuoles that are present are irregular in size, being numerous in some cells and being single large vacuoles in others with a disruption of cytoplasmic borders in some.
- ADRENAL:** There is congestion of the inner cortical zones of the adrenal. The cytoplasm is otherwise well maintained. The cortico-medullary ratio is maintained.
- SPLEEN:** The follicles are present but without secondary reactive centers. There is some congestion of the pulp but focal hemorrhage is not present.
- HEART:** The myocardial fibers are well preserved. The nuclei are regular. Fibrosis is not present throughout the myocardium and cellular inflammatory reaction is not present. The atrium reveals no significant changes.
- SKIN:** There is dermal hemorrhage present but no accumulation of polymorphonuclear leucocytes. Blackened debris is present throughout the hemorrhagic area of the dermis having no identifiable form. There is pronounced eosinophilia of the collagen bundles. There is hemorrhage into the dermal layers with an alteration in the tinctorial properties of the epithelium with focal fragmentation of the epithelium adjacent to the area of dermal hemorrhage.

CORONARY:

There is moderate intimal proliferation along with an extra cellular deposition of lipid within the sub-intimal areas along with lipid filled macrophages present in this location. Small foci of perivascular mononuclear cells are present in the regions of most pronounced intimal proliferation.

PROSTATE:

The glandular elements are well preserved without any significant increase in collagenous connective tissue. Inflammatory reaction is not present.

Memphis and Shelby County

OFFICE OF THE COUNTY MEDICAL EXAMINER
858 Madison Avenue
MEMPHIS, TENNESSEE 38103

Case No.
C8-656
A68-252

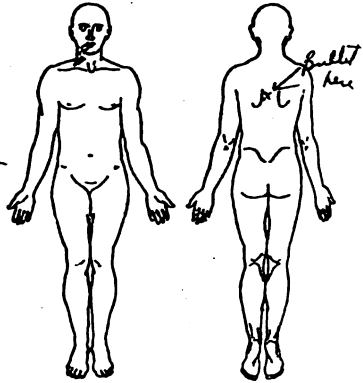
REPORT OF INVESTIGATION BY COUNTY MEDICAL EXAMINER

DECEASED Alvin Lee Kala RACE C SEX M AGE 39
 HOME ADDRESS 1077 1/2 N. 1st St. Memphis, Tenn. CITY OR COUNTY Memphis STATE Tenn. M W S D OCCUPATION: _____
 TYPE OF DEATH: Violent ☒ Casualty ☐ Suicide ☐ Suddenly when in apparent health ☐ Found Dead ☐
 (Check one only) In Prison ☐ Suspicious, unusual or unnatural ☐ Cremation ☐
 Comment: Shooting
 If Motor Vehicle Accident Check One: Driver ☐ Passenger ☐ Pedestrian ☐ Unknown ☐
 Notification by Shelby County Address City
 Investigating Agency _____

DECEASED'S SEX: Clothed ☐ Unclothed ☐ Partly Clothed ☐ Circumcised Yes ☐ No ☐
 Eyes br Hair br Mustache + Beard 0
 Weight _____ Pounds Length _____ Inches Body Temp. _____ Fahrenheit Date and Time _____
 Riger: Yes ☐ No ☒ Lysed ☐ Liver Color P Fined ☐ Non-Fined ☒

Marks and Wounds

7 inch x 1/2 inch
chest
Bullet in sub G of back



PROBABLE CAUSE OF DEATH

MANNER OF DEATH

DISPOSITION OF CASE

<u>Indeterminate</u> <u>Shooting</u>	(Check one only)	1. Not a medical examiner case <input type="checkbox"/>
	Accident <input type="checkbox"/> Natural <input type="checkbox"/>	2. Autopsy requested Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Suicide <input type="checkbox"/> Unknown <input type="checkbox"/>	Autopsy ordered Yes <input type="checkbox"/> No <input type="checkbox"/>
	Homicide <input type="checkbox"/> Pending <input type="checkbox"/>	Pathologist <u>[Signature]</u>

I hereby declare that after receiving notice of the death described herein I took charge of the body and made inquiries regarding the cause of death in accordance with Section 38-701-38-714 Tennessee Code Annotated, and that the information contained herein regarding such death is true and correct to the best of my knowledge and belief.

4-8-68 Shelby
 Date County of Appointment

[Signature]
 Signature of County Medical Examiner

PERSONAL HISTORY: Suicide attempts ☐ Suicide threats ☐ Hobbies, aptitude and skills with firearms, chemicals, etc. Domestic, premarital or marital conflicts ☐ Financial or business reverses ☐ Social or religious conflicts ☐ Legal difficulties ☐ Criminal record ☐ Unemployment ☐ Fear of disease ☐ Other (specify) _____

CONDUCT BEFORE DEATH: Efforts to prevent help ☐ Efforts to obtain help ☐ Suicide attempt: Admitted ☐ Denied ☐ Refusal to talk ☐ Written declaration of intended suicide ☐ Accusations against others ☐ Other (specify) _____

DATE	LAST SEEN ALIVE	INJURY OR ILLNESS	DEATH	DISCOVERY	MEDICAL EXAMINER RECEIVED	VIEW OF BODY	POLICE NOTIFIED
			4-4-68		4-4-68	4-4-68	Some
TIME					2047	2047	
INJURY OR ONSET OF ILLNESS		LOCATION		CITY OR COUNTY	TYPE OF PREMISES (HOSPITAL, HOTEL, HIGHWAY, ETC.)		
DEATH		St. Joseph					
VIEWING OF BODY BY MEDICAL EXAMINER		Morgan					
MEDICAL ATTENTION AND HOSPITAL OR INSTITUTIONAL CARE							
NAME OF PHYSICIAN OR INSTITUTION		ADDRESS		DIAGNOSIS		DATE	

CIRCUMSTANCES OF DEATH

	NAME	ADDRESS
FOUND DEAD BY		
LAST SEEN ALIVE BY		
WITNESS TO INJURY OR ILLNESS AND DEATH		

NARRATIVE SUMMARY OF CIRCUMSTANCES SURROUNDING DEATH:

Shot by unknown
assault at above location.

THE UNIVERSITY OF TENNESSEE MEDICAL UNITS
DIVISION OF NEUROPATHOLOGY

Autopsy Report

Case #: A68-252 Name: King, Martin Luther Jr.
Age: 39 Race: Negro Sex: Male
Date of Death: April 4, 1968 Date of Report: April 12, 1968

Macroscopic Description

Specimen consists of brain only (weight 1560 gms.) which was received fixed in formaldehyde. The specimen has been resected approximately 1.5 cms. below the lower end of the medulla (level of the foramen magnum), and therefore only this small portion of the cervical spinal cord is available for examination.

Cerebral hemispheres are symmetrical. There is no evidence of swelling. There are no atrophic changes. No anatomical variations or anomalies are observed on external examination. No areas of softening are felt. The leptomeninges are thin, glistening, transparent and except for two very small areas of recent subarachnoid hemorrhage over the right frontal lobe and the left parietal area (each measuring less than 1.0 cms.) there are no abnormalities. Herniations of brain tissues are observed on both uncinate gyri to a minimal degree (0.5 cms. on the right and 0.4 cms. on the left).

The vessels at the base of the brain are carefully dissected away to demonstrate perfectly normal blood vessel walls free of atheroma. No aneurysms are visualized. The anatomical configuration falls within the pattern of the majority, with two very wide posterior communicating branches and a relatively small, rudimentary, single, anterior communicating artery.

External examination of the cerebrum and spinal cord discloses no abnormality in the origin of the cranial nerves or in the rest of the anatomical landmarks. No significant alterations are observed in the stump of cervical spinal cord that is available, in the way of petechial hemorrhages or similar type of changes. The ventral surface of the cerebellar hemispheres also shows a minimal degree of recently collected blood in the subarachnoid space.

Coronal sections of cerebral hemispheres disclose no shift of the midline structures. The ventricular system is normal in caliber, shape and location. Cerebral cortex has a uniform width and measures 0.5 cms. in average thickness. No abnormalities are observed in the white matter in the form of myelin loss, hemorrhages, or destructive lesions of any other type. Lenticular nuclei, caudate nuclei, claustrum, amygdaloid nuclei, thalamic nuclei, hypothalamic nuclei, subthalamic nuclei, lateral geniculate bodies, corpus callosum, fornices, internal cerebral veins, choroid plexus, and other commonly easily identified structures are carefully evaluated for any other abnormalities, but they all appear to be well within normal limits. Intracerebral blood vessels are inconspicuous. No exudate is observed over the surface of the ependymal lining.

Transverse sections of the brain stem are made approximately at 0.3 cms. intervals and no petechial hemorrhages, softening, or other type of abnormalities are detected at any of the levels examined. No evidence of compression (i.e., deformity) by the uncinate gyri is seen at the level of the midbrain.

Sagittal sections of the cerebellum show no demonstrable abnormalities in the cortex, the white matter, the dentate nucleus or the lining of the fourth ventricle. All the anatomical landmarks that are visible to the naked-eye are identified and they appear free of abnormalities.

Sections taken: frontal cortex, hippocampal gyrus, basal ganglia, cerebellar cortex, midorain, pons, medulla, and several sections of the small portion of the cervical cord that is available. The left side is labeled with a notch.

Specimen is permanently saved; photographs are taken.

Julio H. Garcia, M.D.
Neuropathologist

JHG:aw

THE UNIVERSITY OF TENNESSEE MEDICAL UNITS
DIVISION OF NEUROPATHOLOGY

Autopsy Report

Date: April 30, 1968

Case #: A68-252 Name: King, Martin Luther Jr.

Age: 39 Race: Negro Sex: Male Expired: 4-4-68

Final Neuropathological Diagnoses

1. Normal central nervous system.

Other Pertinent Anatomical Findings*

- * Trauma - gunshot wound - by history, approximately one hour prior to death.

Microscopic Description

Samples obtained from the following areas were examined after embedding in paraffin and staining with Hematoxylin and Eosin: left frontal gyrus, right basal ganglia, left hippocampus, right parietal lobule, optic chiasm, midbrain, cerebellum, pons, medulla, and multiple sections of the small fragment of cervical spinal cord available. All sections show histological structures that are well within the normal limits. There is a minimal collection of red blood cells in the subarachnoid space observed in some of the sections taken from the cortex. A slight degree of thickening and early hyalinization in the arterioles in the basal ganglia is also noticed. A few of the capillaries in the medulla display accumulation of lymphocytes at the periphery. No further histological changes are noted.

J. H. Garcia, M.D.
Neuropathologist

JHG:aw

SCIENTIFIC REPORT ON THE SUBJECT OF

THE EXAMINATION OF FIREARM-RELATED EVIDENCE IN THE INVESTIGATION OF THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

By

THE FIREARMS PANEL

JOHN S. BATES, JR., *Senior Firearms Examiner, New York State Police Laboratory, Albany, N.Y.*

DONALD E. CHAMPAGNE, *Firearms and Tool Mark Examiner, Florida Department of Criminal Law Enforcement, Tallahassee, Fla.*

MONTY C. LUTZ, *Firearm and Tool Mark Analyst, Wisconsin Regional Crime Laboratory, New Berlin, Wis.*

ANDREW M. NEWQUIST, *Special Agent and Firearm, Tool Mark and Latent Fingerprint Examiner, Iowa Bureau of Criminal Investigation, Des Moines, Iowa*

TECHNICAL ASSISTANCE

GEORGE R. WILSON, *Senior Firearms Examiner, Metropolitan Police Department, Washington, D.C.*

Report to the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
Second Session

March 1979

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INTRODUCTION

(1) From the outset, the King assassination task force of the Select Committee on Assassinations believed that a complete scientific examination of all firearms evidence * was essential to its investigation. The committee wanted to address the many questions that had arisen since the assassination concerning the alleged assassination rifle, the bullet recovered from the body of Dr. King and other evidence related to the actual shooting. A particular question was whether the bullet recovered from Dr. King had been fired from the rifle, a question that the FBI had been unable to resolve.

Background

(2) In early April 1968, the FBI laboratory in Washington, D.C., examined the bullet removed from Dr. King by the autopsy pathologist, Dr. Jerry T. Francisco. It also examined several other items, allegedly related to the shooting, which had been recovered at the entrance to Canipe's Amusement Co. (1) by the Memphis police soon after the murder—a rifle in which was found an expended cartridge case and a Peters cartridge box containing nine .30-06 Springfield caliber cartridges. These items had been delivered to the Memphis FBI office on April 4, by Memphis Police Inspector N. E. Zachary (2) and were brought to the FBI Laboratory in Washington, D.C. at 5:10 a.m. on April 5 by Special Agent Robert Fitzpatrick. (3)

(4) The FBI tests consisted of visual and microscopic examinations and comparisons of each item of evidence. The Laboratory identified the bullet removed from Dr. King as a “.30 caliber metal-jacketed ‘soft-point’ sporting type bullet of Remington-Peters manufacture,” the same type as the bullet portions of five of the cartridges found in the Peters cartridge box.

(5) On April 17, 1968, the FBI issued its report, (4) which concluded, in summary, that:

- (6) —The expended cartridge case had been fired in the rifle.
- (7) —The bullet recovered from Dr. King's body could have been fired from the rifle, but its deformation and the absence of clearcut marks precluded a positive determination.
- (8) —It was not possible to establish a positive link between the bullet and the cartridge case through marks on the bullet.
- (9) —Of the nine cartridges in the Peters cartridge box, five were commercial-type .30-06 Springfield caliber of Remington-Peters manufacture. The bullet removed from Dr. King matched the bullet components of those five.
- (10) —The four remaining cartridges were military type ammunition made by the Remington Arms Co.

*A glossary of technical terms can be found at the back of the report.

(11) —Similar Peters cartridge boxes normally contain Remington-Peters ammunition identical to the five commercial-type cartridges. The expended cartridge case was also a component of this type of ammunition.

(12) In a further attempt to establish links between the bullet, the expended cartridge case and the five commercial-type cartridges, the FBI conducted spectrographic and neutron activation analyses. It was hoped that by comparing the elements making up these items, it would be possible to determine if all had been packaged in the same Peters cartridge box.(5)

(13) On April 29, 1968, the FBI issued its report.(6) Though the five cartridges were from the same manufacturer, they varied in their elemental composition and could not be used as standards for comparison with the bullet.

(14) The FBI also examined Dr. King's clothing to see if anything could be determined about the cause of the damage, specifically whether it had been caused by either the bullet or secondary missiles or both, and the possible direction of a shot or shots. The clothing had been obtained by Memphis Police Detective E. S. Berkley from St. Joseph Hospital where Dr. King was given emergency treatment. Subsequently, it was delivered to the FBI laboratory.(7)

(15) In a report dated April 18, 1967,(8) the FBI concluded that it was not possible to determine if a bullet or bullet fragments had struck or penetrated the clothing because of the ambiguous nature of the damage.

(16) An additional item of evidence examined by the laboratory was a section of a windowsill removed from the second floor, north wing bathroom of the rooming house at 418-422½ South Main Street, Memphis—the assassin's alleged location. It had been removed by Lieut. James P. Hamby and Special Agent Franklin Johnson after they observed what appeared to be a recent indentation on its surface which they thought might have been caused by the rifle.(9)

(17) In a report dated April 11, 1964,(10) the FBI concluded that the characteristic markings in the indentation were insufficient for a determination of whether the impression was made by the rifle.

(18) At the conclusion of its examinations, the laboratory returned all firearms evidence to the Criminal Court of Shelby County, Tenn., the court of jurisdiction.

(19) Criticism of the FBI for failing to link the bullet positively with the rifle stemmed in part from the common belief that the technology existing then was so exact that it should have been possible to determine if a certain bullet was fired from a certain rifle, as long as a substantial portion of the bullet were available, the case in this instance.

(20) Some critics claimed that if the bullet and the rifle could not be tied together, it could not be proven that Ray was the assassin or the only person involved. Mr. Lane, Ray's counsel, wrote in Code Name "Zorro", "The failure of the State to prove that the 'death slug' was fired from what was alleged to be Ray's rifle reflected very poorly upon the case against Ray."(11) In his book "Frameup," Harold Weisberg said that he sought firm proof "from the very precise science available * * * that the bullet had been fired from that rifle to the exclusion of all others."(12).

(21) In light of the criticism of the FBI's treatment of the firearms evidence, and as part of its obligation to investigate fully the events surrounding Dr. King's assassination, the committee decided to convene a panel of experts to reexamine the firearms evidence.

Selection of the panel

(22) In April 1977, the committee sought recommendations for membership for the panel from the Association of Firearm and Tool Mark Examiners, the Forensic Science Foundation, and the American Academy of Forensic Sciences. Candidates were to be leading firearms experts who had had no prior affiliation with either the King or the Kennedy assassination case.*

(23) A list of 27 experts was proposed. Five were eliminated initially; three were current or past employees of the FBI; one had authored material on the firearms evidence; and one was unable to undertake the project.

(24) The remaining 22 prospects were asked to submit résumés, with information on past affiliations with the case and opinions about the assassination or the firearms evidence. Eighteen responded, 10 of whom did not want to be considered or did not meet the committee's criteria.

(25) Prior to final selection of the panel, the committee advised Jack Kershaw, then attorney for James Earl Ray, of the names and qualifications of each prospect. Kershaw declined to participate in the selection.

(27) Five experts were chosen to serve on the panel:

(28) John S. Bates, Jr.—senior firearms examiner in the New York State Police Laboratory at Albany. He has been a lecturer at the New York State Police Academy, New York State Municipal Police Training Council, and various community colleges.

(29) Bates is a member of the Association of Firearm and Tool Mark Examiners, serving as secretary since 1973. In that year, he received the association's Distinguished Member Award. He has written numerous professional articles.

(30) Donald E. Champagne—firearm and tool mark examiner with the Florida Department of Criminal Law Enforcement in Tallahassee for the past 10 years. He served in the Crime Detection Laboratory of the Royal Canadian Mounted Police in Ottawa, Ontario, for 15 years, and he has lectured extensively at the Canadian Police College and other law enforcement agencies.

(31) Champagne is president and a distinguished member of Firearm and Tool Mark Examiners. He is a member of the Southern Association of Forensic Scientists and the Canadian Society of Forensic Science.

(32) Monty C. Lutz—firearm and tool mark analyst with the Wisconsin Regional Crime Laboratory in New Berlin. He has been the chief firearm and tool mark examiner for the U.S. Army.

(33) Lutz is a past president of the Association of Firearm and Tool Mark Examiners. He has been named a distinguished member of the association. He has lectured at colleges and law enforcement schools across the country and is the author of numerous professional

*The same panel was to conduct an examination of the firearms evidence in the Kennedy assassination case.

publications. He received a B.S. in criminal justice from the University of Nebraska.

(34) Andrew M. Newquist—special agent and firearm, tool mark and latent fingerprint examiner for the Iowa Bureau of Criminal Investigation.

(35) Newquist is a distinguished member and past president of the Association of Firearm and Tool Mark Examiners and currently serves on its executive committee. He is a member of the International Association for Identification and a lecturer at the Iowa Department of Public Safety.

(36) The panel conducted its examination at the facilities of the Metropolitan Police Department Firearm Identification Section, Washington, D.C. Assigned as liaison to the panel and working closely with it as technical assistant was George R. Wilson, senior firearms examiner, Metropolitan Police Department, Washington, D.C., a position he has held for 9 years. The Laboratory, which he established, was the first in the Department's history.

(37) Wilson is second vice president of the Association of Firearm and Tool Mark Examiners. In 1974, he received the association's Distinguished Member Award. During his 25-year tenure with the Metropolitan Police Department, he has been awarded over 30 commendations for outstanding and meritorious performance of duty.

(38) Photographic services were provided by police photographer Gary R. Phillips of the Metropolitan Police Department's Photographic Services Section.

Issues addressed by the panel

(39) The panel was asked to study the evidence and attempt to answer the following questions:

(40) Was the bullet recovered from Dr. King fired from the alleged assassination rifle?

(41) Was the expended cartridge case found in the rifle fired in that rifle?

(42) Had the expended cartridge case been loaded into the rifle through the magazine or directly into the chamber?

(43) Is the expended cartridge case the same type and brand as the five commercial-type cartridges or the four military-type cartridges found in the Peters cartridge box?

(44) Is the bullet removed from Dr. King the same type and brand as the bullet portions of the Peters cartridge box commercial-type cartridges or the four military-type cartridges?

(45) Were the bullet recovered from Dr. King and the cartridge case found in the rifle components of the same cartridge?

(46) Were any of the cartridges found in the Peters cartridge box ever loaded into the chamber or magazine of Ray's rifle or any other firearm?

(47) Did the rifle cause the indentation on the surface of the windowsill taken from the roominghouse?

(48) Was the damage to Dr. King's shirt, necktie, and suitcoat produced by a bullet, bullet fragments, or something else?

(49) The panel was informed that it could also pursue other areas at its discretion.

■ Procedures and equipment

(50) As noted, the panel conducted its examination at the Firearms Identification Section of the Washington, D.C., Metropolitan Police Department. These facilities were conveniently located to the National Archives and the select committee's offices, and were made available by Police Chief Maurice J. Cullinane and Firearms Section Supervisor George R. Wilson.

(51) The panel members met initially on August 24, 1977, with the committee and the technical assistant from the Metropolitan Police Department's Firearms Laboratory. At that time, the following examination procedures were adopted:

(52) Each panel member would independently examine and compare under a microscope the bullet recovered from Dr. King, the cartridge case found in the rifle, the bullets and cartridges test-fired by the panel (see below) and the bullets and cartridge cases received from the FBI and listed as having been fired in the rifle.

(53) The panel would jointly conduct microscopical, chemical and visual examinations of all other evidence, as well as of the rifle, bullets and cartridges test-fired in it (see below). Each examiner would keep individual worksheets and notes.

(54) Among the specific tests to be conducted were:

(55) Comparison of the bullets test-fired by the panel from the rifle (see below), and with bullets received from the FBI and listed as having been fired from the rifle.

(56) Comparison of the cartridge case found in the rifle with cartridge cases test-fired by the panel in the rifle, and with cartridge cases received from the FBI and listed as having been fired in the rifle.

(57) Comparison of the exterior of the rifle with an impression in the surface of the windowsill.

(58) Before discussing his findings with other panel members, each examiner would submit his individual notes and worksheets and a final report to the technical assistant.

(59) On completion of the individual examinations, the panel would meet to discuss the findings of each member, reexamine the evidence as necessary, and then prepare a final, joint report, to be submitted to the select committee.

(60) Members would not be shown the results of the earlier FBI tests. The FBI reports were, however, to be reviewed by the technical assistant.

(61) After considering the results of the FBI's neutron activation analysis, the committee decided not to conduct further examinations of this type. Because the elemental composition of the five Peters cartridge box commercial-type cartridges differed, they could not be used as standards of comparison with the bullet recovered from Dr. Kings' body.

(62) As noted, the panel was to conduct visual and microscopical examinations, as necessary, on each item of evidence. A summary of general principles follows:

(63) A cartridge, or round of ammunition, consists of a cartridge case, primer, powder, and bullet. The primer contains a detonable mixture and fits into the base of the cartridge case, which contains powder. The bullet, constructed of lead or a lead core encased in a

stronger metal jacket, fits into the mouth of the cartridge case. A bullet is fired by placing the cartridge in the chamber of the firearm. The cartridge base rests against a solid support, called a breech or bolt face. When the trigger is pulled, the firing pin strikes the primer, igniting the detonable mixture, which in turn ignites the powder in the cartridge case. The combustion propels the bullet through the barrel.

(64) The bore (inside of the barrel) of modern firearms is rifled with spiral grooves in it to give bullets fired through it a spinning motion for flight stability. The raised portions between the grooves are called lands. The number, width and direction of twist of the lands and grooves are called the class characteristics of a barrel.

(65) In addition to the class characteristics, the components of every firearm, such as the barrel, firingpin and breech face, bear distinctive microscopic characteristics. While the class characteristics are common to all firearms of a given model and manufacture, an individual firearm's microscopic characteristics differ from all other firearms, regardless of model or manufacture. These distinctive markings, usually referred to as individual identifying characteristics, are produced initially by the manufacturing tools, which change microscopically during operation and vary from one firearm to another. Further individual identifying characteristics may be produced as the firearm is used, during its disuse, and as a consequence of maintenance or the lack of it.

(66) When a firearm is discharged, the individual identifying characteristics of its barrel, as well as its class characteristics, are engraved on the bearing surface of the bullet. The individual identifying characteristics of the firingpin and breech or bolt face are impressed on the base or primer of the cartridge case at the time of firing.

(67) Using a comparison microscope, an expert can compare the markings with those produced on a similar cartridge test-fired in the same firearm. If the patterns of the microscopic markings are sufficiently similar, it can be concluded that both cartridge cases were fired in the same firearm.

(68) Microscopical examination of other firearm components and the markings they produce may also demonstrate such things as whether a cartridge was ever loaded into a particular firearm or was loaded into a firearm more than once. It is also possible, through comparative microscopical examinations, to determine whether two bullets were fired from the same firearm.

(69) The committee obtained the firearms evidence from the Criminal Court of Shelby County, Tenn., on March 11, 1977; the autopsy photographs came from the office of the Shelby County medical examiner. All items of evidence were inventoried before and after being transferred to and from the police laboratory in Washington in August and September. Deputy Clerk of the Criminal Court of Shelby County, Charles Koster, came to Washington on August 24, 1977, to oversee the transfer of the firearms evidence to the police laboratory and to review security precautions generally. The evidence was secured in a safe in the laboratory; a log was maintained to record when the evidence was removed for examination.

(70) The bullets and cartridge cases test-fired by the FBI from the rifle were obtained for the committee from Special Agent Cort-

landt Cunningham, Chief of the FBI Firearms Identification Unit, by George R. Wilson.

(71) The examinations were conducted August 24 to 27 and September 23 to 27, 1978. The following equipment was used:

(72) Two American Optical forensic comparison microscopes, model K1453, serial Nos. 328 and 277, with fluorescent and incandescent lighting, fiber optics, photographic unit, and 10X eyepieces and objectives. One had a combined magnification of 12X, 20X, and 40X, the other of 20X, 40X, and 80X.

(73) American Optical low-power binocular microscope with zoom lens of 0.7- to 3-power eyepieces.

(74) EPOI "Electromike" measuring projector, model MP6.

(75) Mico model 5100 balance, with a 1,000-grain capacity.

(76) Slocumb "Speedmike" direct readout micrometer.

(77) Brown and Sharpe stage micrometer for air gap measuring.

(78) Marshall's reagent (Griess test).

(79) Sodium rhodizonate reagent.

(80) Horizontal water recovery tank.

(81) Horizontal cotton waste recovery box.

(82) .30-06 Springfield caliber, 150-grain, soft-point, jacketed cartridges of Remington-Peters manufacture, index 3033. Those cartridges test fired by the panel were designated panel T-1 to T-12. No designation was made for the unfired cartridges which the panel loaded and unloaded in the rifle.

(83) This ammunition was supplied from the police department's stock. It was similar to the expended cartridge case found in the Q-2 rifle and to the five commercial-type cartridges found in the Peters cartridge box.

(84) The panel conducted 12 test firings of the rifle using the .30-06 Springfield caliber cartridges. The first test shots were fired into a water recovery tank. This resulted in excessive expansion of the bullets' nose portion. Subsequent shots were fired into a horizontal cotton waste recovery box, which left the bullets more intact. All test-fired bullets and cartridge cases were used for comparison.

(85) Additional .30-06 Springfield caliber cartridges were used, unfired, for loading and unloading in the rifle to obtain class and individual identifying characteristics produced in that process.

(86) At the time of the panel's examination, the telescopic sight mounted on the rifle was set at "3X." An FBI report dated April 17, 1968, noted that the sight was set at "6½X" when the laboratory received the rifle the day after the assassination. (13) The laboratory had test fired the rifle, as received, on April 5, 1968, to determine its accuracy using the sight. Groups of three shots were fired at 205 feet, the distance from which Dr. King was believed to have been shot. According to its report dated April 14, 1968, "the center of the groups was approximately 3 inches to the right and only slightly below the line of aim." (14) The report noted that the sight could have become misaligned when the rifle was abandoned or during subsequent handling before the FBI laboratory received it, and that this could have caused the distortion found in the tests. For this reason, the panel decided not to test the rifle for accuracy using the telescopic sight.

(87) The panel's examination required a total of 257 man-hours. The panel submitted a final joint report of its findings on October 28, 1977.

Evidence examined

(88) The evidence examined was:

(89) Exhibit Q1¹—One two-piece gold, brown, and black box, labeled "Browning Mauser," found along with other evidence at Canipe's Amusement Co.² (See figure 1.)

(92) Exhibit Q2—One .30-06 Springfield caliber pump-action rifle, Remington Gamemaster model 760, serial No. 461476, found at Canipe's Amusement Co. Attached is a Redfield 2X to 7X variable telescopic sight, serial No. A17350, and a Weaver sight mount.³ (See figs. 2A and 2B.)

(96) Exhibit Q3.—One expended commercial-type .30-06 Springfield caliber cartridge case of Remington-Peters manufacture, found in the Q2 rifle. (See figs. 3A and 3B.)

(97) Exhibit Q4-Q12.—Q4-Q8—Component parts of the five commercial-type .30-06 Springfield caliber cartridges of Remington-Peters manufacture, with 150-grain, jacketed, pointed soft-point bullets, found at Canipe's Amusement Co. in the Peters cartridge box. (See fig. 4A.) Q9-Q12—Four military-type .30-06 Springfield caliber cartridges of Remington Arms Co. manufacture, with full metal-jacketed bullets, found at Canipes Amusement Co. in the Peters cartridge box. (See figs. 4B and 4C. Cartridge box—One Peters .30-06 Springfield caliber cartridge box, found at Canipes Amusement Co. (See fig. 4 n.)

(98) Exhibit Q64.—Three fragments⁴ from the damaged jacketed bullet removed from Dr. King. They were: (1) the base portion of the bullet jacket, weighing 30.9 grains; (2) a jacket fragment weighing 6.7 grains; (3) a portion of the lead core material, weighing 26.8 grains. The combined total weight was 64.4 grains. (See fig. 5.)

(99) Exhibit Q71.—A piece of wooden board with a tag marked, "part of windowsill from window of bathroom on east side of apartment house, second floor (north wing), over 418-422½ South Main Street, Memphis, Tenn." It was about 31½ inches long, 5 inches wide and 1 inch thick, highly weathered, with a considerable quantity of white paint on one edge. It had a shallow, elongated indentation about

¹ The "Q" numbers were designated by the FBI.

² The panel found it to be in poor condition, held together with masking, transparent, and orange tape. It was wrapped in white twine, with a tag marked "James Earl Ray State No. 3035 and 3487." This box was originally intended as a shipping container for a Browning brand rifle.

³ The panel found the rifle to be in good operating condition. The trigger pull was measured at 4¾ pounds, well within the manufacturer's specifications of 3½ to 6½ pounds. The magazine was a detachable box-type with a four-cartridge capacity. The barrel was rifled with six lands and six grooves, right twist.

An examination of the rifle barrel revealed a residue in the bore which the panel believed should be removed prior to test firing. This was done with a dry cloth patch pushed through the barrel.

A red-colored substance was found on the front of and inside the magazine where the operating rod screws into the receiver. Pursuant to the panel's request, the Remington Arms Co. identified it for the record as most probably "Loktite," a red-colored cement used by the Remington Arms Co. to secure certain threaded connections. (15)

⁴ The bullet was recovered intact from Dr. King's body. As a result of subsequent handling, the bullet has since fragmented into three pieces.

five-sixteenths inch long on the top surface midway along its length and 4 inches from the painted edge. (See figs. 6A and 6B.)

(101) *Exhibit Q76*.—One white, men's long-sleeved button-down shirt by Arrow and a pill box containing a small piece of cloth removed from the shirt by the FBI for analysis. (See figs. 7A and 7B.)

(102) *Exhibit Q77*.—One gold, brown and black necktie by Superlaine and a pill box containing two small pieces of cloth removed from the tie by the FBI for analysis. (See fig. 8.)

(103) *Exhibit Q78*.—One black suit coat by Petrocelli and a pill box containing a small piece of cloth removed from the coat by the FBI for analysis. (See fig. 9.)

(104) *FBI laboratory test-fired cartridges*.—Four deformed commercial-type .30-06 Springfield caliber jacketed softpoint bullets of Remington-Peters manufacture and two .30-06 Springfield caliber cartridge cases, all fired in the rifle by the FBI.

(105) *Autopsy photographs*.—Autopsy photographs of Dr. King.

FINDINGS AND CONCLUSIONS OF THE FIREARMS PANEL

(106) The findings and conclusions were prepared by staff of the House Select Committee on Assassinations based on material submitted by the panel members. The panel has read and accepts those findings and conclusions.

Was the Q64 bullet fired from the Q2 rifle?

(107) The Q64 bullet had been substantially distorted and generally damaged because of impact and penetration into Dr. King. Wiping effects from penetration were also noted. (See fig. 10.) Of the three Q64 bullet fragments (fig. 5), the panel found that only the base portion of the jacket showed class characteristics, which consisted of six grooves and six lands, right twist.

(108) Each panel member made a total of 81 comparisons between the Q64 bullet, the four bullets previously test-fired by the FBI, and the 12 bullets test-fired by the panel in the Q2 rifle. With respect to class characteristics, all members found correspondence among all bullets. (See fig. 11.) On the other hand, with respect to individual identifying characteristics, no significant correspondence was found between the Q64 bullet and the test bullets; conversely, no gross differences were found. The panel was unable positively to identify or eliminate the Q64 bullet as having been fired from the Q2 rifle.

(109) The panel noted that it is not unusual that a bullet cannot be positively identified with a particular rifle. This can result from one or more factors:

- Damage to the bullet;
- Variations in the hardness of the bullet's metal;
- Variations in gas pressures created during firing from one cartridge to another;
- Natural variations caused by the intense heat and friction resulting from the high velocity of the bullet as it is driven through the barrel.

(110) When the bullets test-fired by the FBI and the panel in the Q2 rifle were compared microscopically, the panel found so much variation among the individual identifying characteristics that most could not be identified with each other.

(111) The panel concluded that the Q2 rifle inconsistently engraves individual identifying characteristics on successively fired bullets.

Was the Q3 cartridge case fired in the Q2 rifle?

(112) The Q3 expended cartridge case was compared microscopically with the two cartridge cases test-fired by the FBI and the 12 cartridge cases test-fired by the panel. The panel found correspondence among the individual identifying characteristics produced by the firing pin and bolt face. (See figs. 12 (bolt face and extractor of the Q2 rifle), 13 (bolt face impressions), 14 (extractor impressions), 15 (chamber impressions), 16 (bolt locking lugs of the Q2 rifle), and 17 (bolt locking lug impressions)). The panel concluded that the Q3 cartridge case was fired in the Q2 rifle.

Was the Q3 cartridge case loaded into the Q2 rifle through the magazine or directly into the chamber?

(113) The panel identified bolt drag marks (longitudinal striations) on the Q3 cartridge case (see fig. 17), similar to those produced experimentally on the test-fired cartridge cases and unfired cartridges. The relative position of bolt drag marks to the extractor marks (see fig. 12) on the rim of the Q3 cartridge case, which were engraved by the extractor and the bolt locking lugs (fig. 16) of the Q2 rifle, was also similar.

Is the Q3 cartridge case the same type and brand as the cases of the Q4-Q8 or the Q9-Q12 cartridges?

(114) The headstamp on the base of the Q3 cartridge case ("R-P .30-06 SPRG" (see fig. 3B)) indicated to the panel that it is commercial-type Remington-Peters ammunition—the same as the Q4-Q8 cartridges (see fig. 4A). The headstamps on the Q9-Q12 cartridges ("R A 55" (see fig. 4C)) indicated to the panel that they were military-type Remington Arms ammunition, unlike the Q3 and Q4-Q8 cartridges.

Is the Q64 bullet the same type and brand as the bullet portion of the Q4-Q8 or the Q9-Q12 cartridges?

(115) The Q64 bullet and the bullet components of the Q4-Q12 cartridges are all .30 caliber. Examination of the bullet jacket and core material of the Q64 bullet revealed that the jacket was of the same design and caliber and had cannelures similar to those of the bullet components of the Q4-Q8 cartridges (fig. 4A). The Q64 and the Q4-Q8 bullet components are therefore the same type.

(116) There were differences in design between the Q64 and the full metal-jacketed bullets loaded into the Q9-Q12 cartridges (fig. 4B). The Q64 bullet is not the same type of bullet as those in the Q9-Q12 cartridges.

Are the Q64 bullet and the Q3 cartridge case components of the same cartridge?

(117) The panel concluded that the Q3 cartridge case and the Q64 bullet had the same physical characteristics as the case and bullet components of the Q4-Q8 cartridges and that Q64 and Q3 could therefore be components of the same cartridge. However, the panel noted that there is no scientific procedure available that allows a fired bullet to be related conclusively to an expended cartridge case.

Were any of the Q4-Q12 cartridges ever loaded into the chamber or magazine of the Q2 rifle or any other firearm?

(118) Visual and microscopical examination of the cartridges by the panel revealed no extractor, ejector or other marks to indicate that they were ever loaded in the magazine or chamber of the Q2 rifle or any other firearm.

(119) The panel did find marks within the extractor grooves of the Q4-Q8 cartridges similar to those made by an inertia-type bullet puller. Because the cartridges were originally recovered intact, the panel assumed that the FBI laboratory had taken the cartridges apart for its examinations.

(120) The panel found a series of marks and striations in the extractor grooves, on the sides and across the bases of the Q9-Q12 cartridges that differed significantly from the marks and striations that the Q2 rifle leaves. The panel concluded that these cartridges once were part of a disintegrating machinegun link belt or were contained in an eight-round clip of the type used with the Garand M1 rifle. (See fig. 18.)

Did the Q2 rifle cause the indentation on the surface of the Q71 windowsill?

(121) The windowsill board was examined visually, microscopically and chemically. The sodium rhodizonate test for lead, conducted at a point on Q71 removed from the impression area, was positive, indicating possible contamination from lead in the paint. The Griess test for nitrites from gunpowder residues yielded negative results. The panel decided that nothing of significant value would be obtained by further testing.

(122) Evidence of class characteristics (size and form) which could indicate the type of object making the indentation were likewise not found.

(123) The panel concluded that class and other characteristics were insufficient either for identifying or eliminating the Q2 rifle with respect to the indentation. (See figs. 6A and 6B.)

Was the damage to Dr. King's Q76 shirt, Q77 necktie and Q78 suit coat produced by a bullet, bullet fragments or something else?

(124) The Q76 shirt was visually, microscopically and chemically examined (figs. 7A and 7B). It has been cut across the left and right front and on both sleeves. A small rectangular bit of material had been removed from the back collar area, as well as two small rectangular bits of material from the left cuff area. The collar button and part of the right collar stay were missing. The shirt was extensively blood-stained.

(125) The shirt had a large, elongated hole of irregular shape in the right point area of the collar, extending below the collar line. Visual and microscopical examination revealed no partially burned or unburned gunpowder in this area. The Griess test for nitrites indicated no gunpowder residue. The sodium rhodizonate test for lead showed lead particles at the perimeter of the hole in the right collar area.

(126) The Q77 tie was visually, microscopically and chemically examined (fig. 8). It was completely severed next to the right side of the

knot. A small bit of material had been cut from the rear of the neck band and two small bits from the inside lining.

(127) Visual and microscopical examination revealed no unburned or partially burned gunpowder particles in the severed area. The Griess test for nitrites was negative. The sodium rhodizonate test for lead was positive on the light-colored strand of lining protruding from the severed edge of the tie.

(128) The Q78 suit coat was visually, microscopically and chemically examined (fig. 9). It had been cut on the right sleeve and across the right chest. Small bits of material had been cut from the right upper sleeve area and the inner lining. The coat was extensively bloodstained. The upper right lapel area shows a series of irregular, tear-like holes in the outer layer of cloth. No penetration of the interfacing of the lapel was noted.

(129) Visual and microscopical examination revealed no unburned or partially burned gunpowder particles. The Griess test for nitrites was negative. Sodium rhodizonate testing revealed several areas with lead particles around the damaged right lapel area.

(130) Based on the visual, microscopical and chemical examinations of the clothing, the examination of the autopsy photographs of Dr. King, and considering the relative position of the garments when worn in the usual manner, the panel concluded that all damage to the Q76 shirt, Q77 necktie and Q78 jacket was consistent with the damage that would be caused by a high velocity bullet which fragmented on impact, and by the resultant secondary missiles such as bone and teeth fragments. The absence of gunpowder residues indicates that a firearm was not discharged in close proximity to the garments.

Summary of the findings

(131) Every effort was made by the firearms panel to identify or eliminate the Q64 bullet as having been fired from the Q2 rifle. The panel conducted numerous microscopical comparisons among bullets test-fired from the Q2 rifle by the panel and by the FBI. Not only could the Q64 bullet not be identified or eliminated through comparisons with test-fired bullets, but the test-fired bullets could not, in a majority of cases, be identified with one another, although they are known to have been fired from the same rifle.

(132) The panel found that the Q2 rifle, when the type of high velocity ammunition that was recovered in this case was used, did not produce similar individual identifying characteristics with any degree of consistency on bullets fired through it. Because of this situation, the panel could not identify or eliminate the Q64 bullet as having been fired from the Q2 rifle.

(133) The panel was able to determine, based on visual and microscopical examination, that the Q64 bullet is of the same type as the bullet portions of the Q4-Q8 cartridges. Thus, Q64 is the deformed bullet portion of a commercial-type .30-06 Springfield caliber cartridge of Remington-Peters manufacture and is unlike the bullet portions of the Q9-Q12 Remington Arms cartridges, which are military-type.

(134) The panel determined that the Q3 cartridge case was fired in the Q2 rifle and had most probably been loaded into that rifle through the magazine rather than directly into the chamber. Further, the Q4-

Q12 cartridges possess no marks indicating that they had ever been loaded into the magazine of, or chambered in, the Q2 rifle or any rifle. The Q9-Q12 cartridges do possess marks indicating that they may have been loaded into disintegrating-type machinegun link belts or an eight-round clip for the M1 Garand rifle.

(135) The panel finds that the Q64 bullet, the Q3 cartridge case and the Q4-Q8 cartridges are consistent in type with ammunition which would normally be contained in the 20-round Peters cartridge box. There is, however, no method of conclusively determining whether the cartridge case and the Q64 bullet were packaged by the manufacturer in the same box as the Q4-Q8 cartridges.

(136) Spectrographic and neutron activation analysis by the FBI of the Q64 bullet and the bullet portions of the Q4-Q8 cartridges conducted for purposes of elemental comparison, were inconclusive because of variation among the bullet portions of the Q4-Q8 cartridges.

(137) The panel found that the damage to the collar of the Q76 shirt, the Q77 necktie and the Q78 jacket is consistent with the damage caused by a high-velocity bullet fragmentation on impact and the resulting secondary missiles such as bone and teeth fragments. Chemical analysis revealed particles of lead throughout the damaged area of the clothing, but no gunpowder residue.

(138) The panel found no characteristic markings within the impression area of the Q71 windowsill which would either identify or eliminate the Q2 rifle as having been the cause. Chemical analysis for the presence of lead was performed on the windowsill, but the tests were negated by the lead-based paint in the impression area. Chemical analysis for the presence of gunpowder residue was performed, with negative results. The panel noted that these findings did not eliminate the possibility that a rifle was discharged at a point above or nearby windowsill.

(139) The results of the panel's microscopical examination of the Q76-Q78 clothing and the Q71 windowsill essentially correspond with those of the FBI. There is, however, no indication that the FBI had performed any chemical analysis of the Q71 windowsill.



FIGURE 1.—Q1, the rifle box recovered from in front of Canipe's Amusement Co. It was designed to contain a Browning rifle.



(Q2) RIFLE - Action Side

FIGURE 2A.—Q2, Ray's alleged assassination rifle, a .30-06 Springfield caliber pump action rifle, Remington Gamemaster model 760, serial No. 461476, with a Redfield brand 2X-7X telescopic sight, right side.



FIGURE 2B.—Q2, Ray's alleged assassination rifle, a .30-06 Springfield caliber pump action rifle, Remington Gamemaster model 760, serial No. 461476, with a Redfield brand 2X-7X telescopic sight, left side.

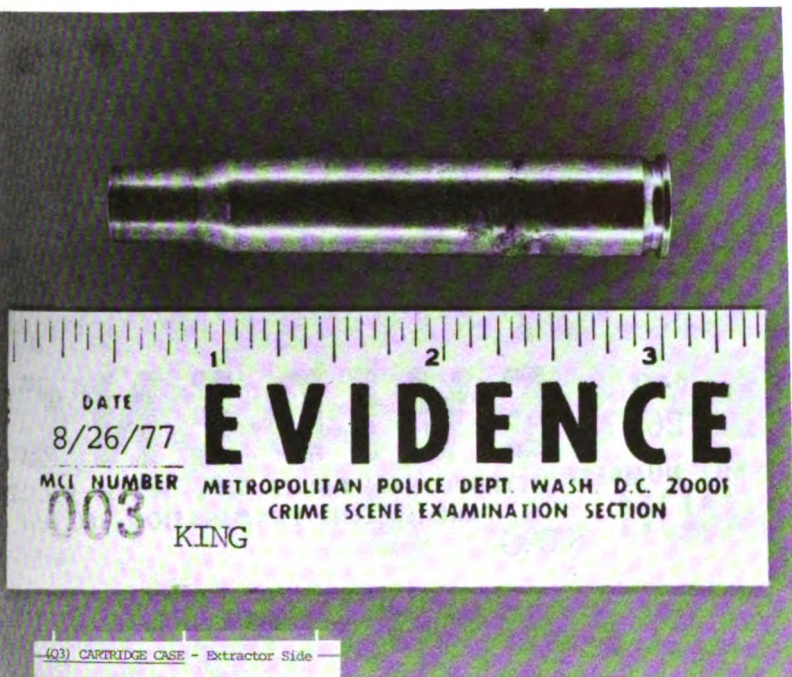


FIGURE 3A.—Q3, the expended cartridge case found in the chamber of the Q2 rifle, side view.

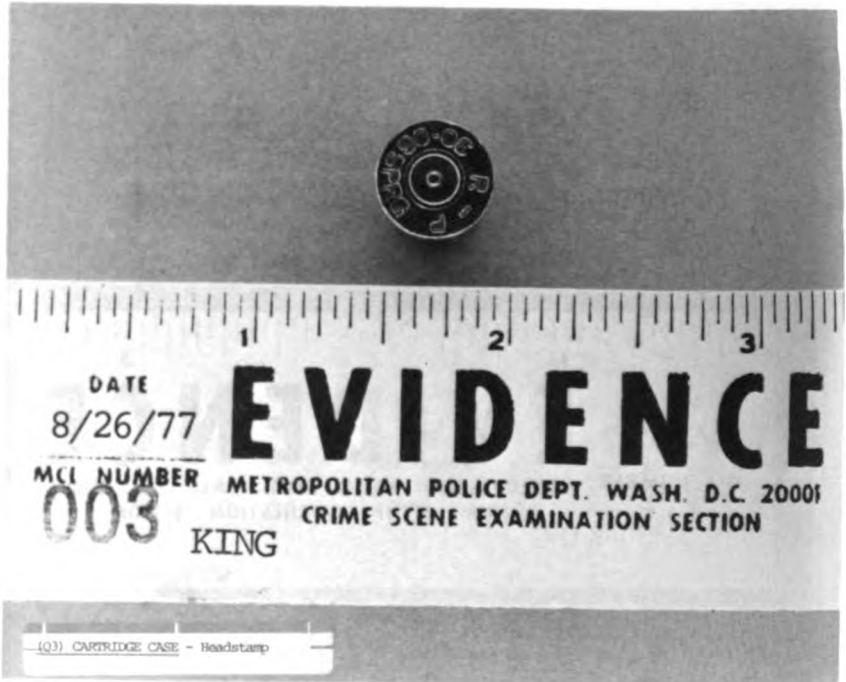


FIGURE 3B.—Q8, the expended cartridge case found in the chamber of the Q2 rifle. The headstamp, seen here, indicates that the cartridge case is a component of commercial-type .30-06 Springfield caliber ammunition of Remington-Peters manufacture.

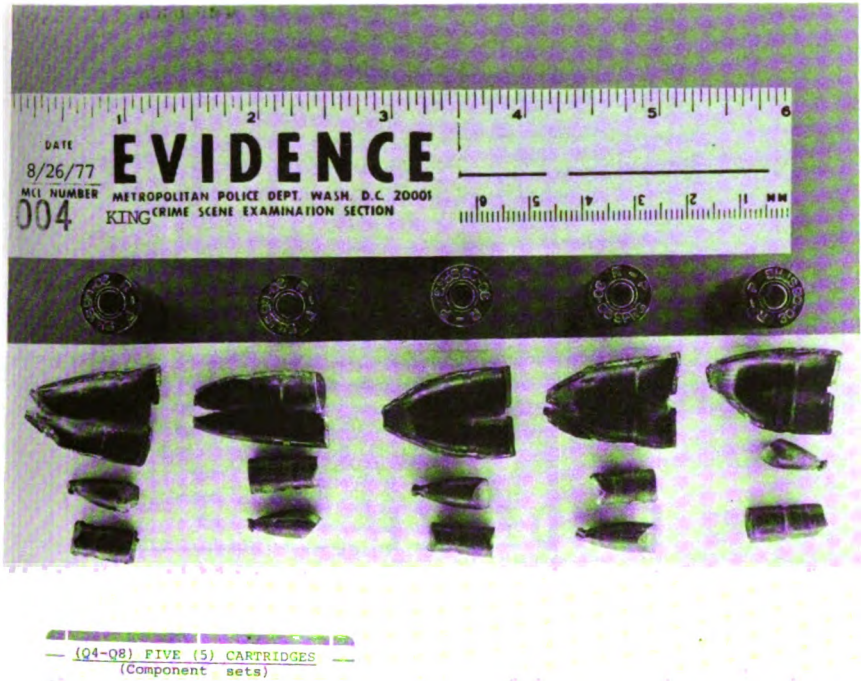


FIGURE 4A.—Q4-Q8, component parts of five commercial-type .30-06 Springfield caliber cartridges of Remington-Peters manufacture, found in the Peters cartridge box recovered from in front of Canipe's Amusement Co.



FIGURE 4B.—Q9-Q12, four military-type .30-06 Springfield caliber cartridges found in the Peters cartridge box recovered from in front of Canipe's Amusement Co.

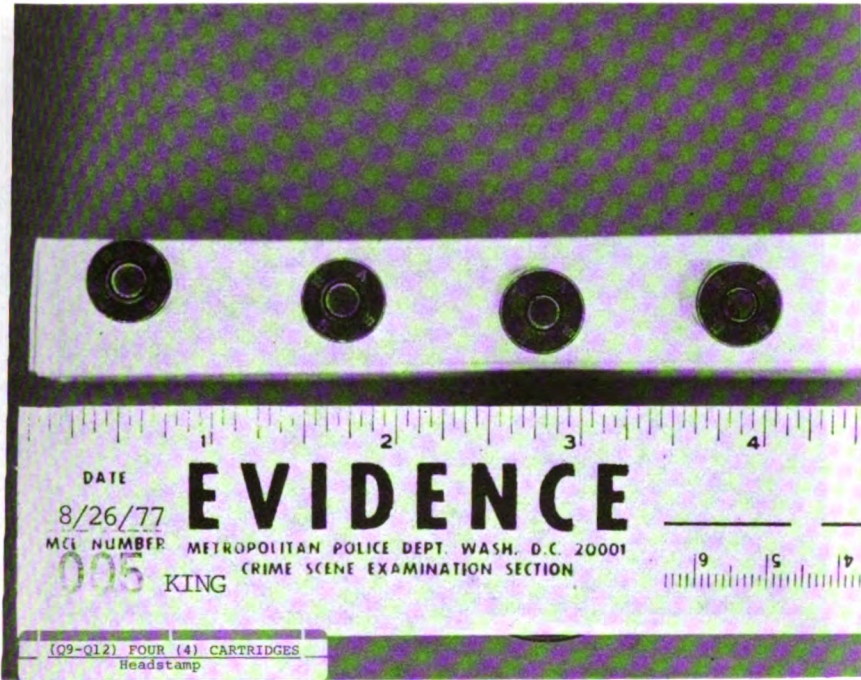


FIGURE 4C.—Q9-Q12, headstamps of the four military-type .30-06 Springfield caliber cartridges.

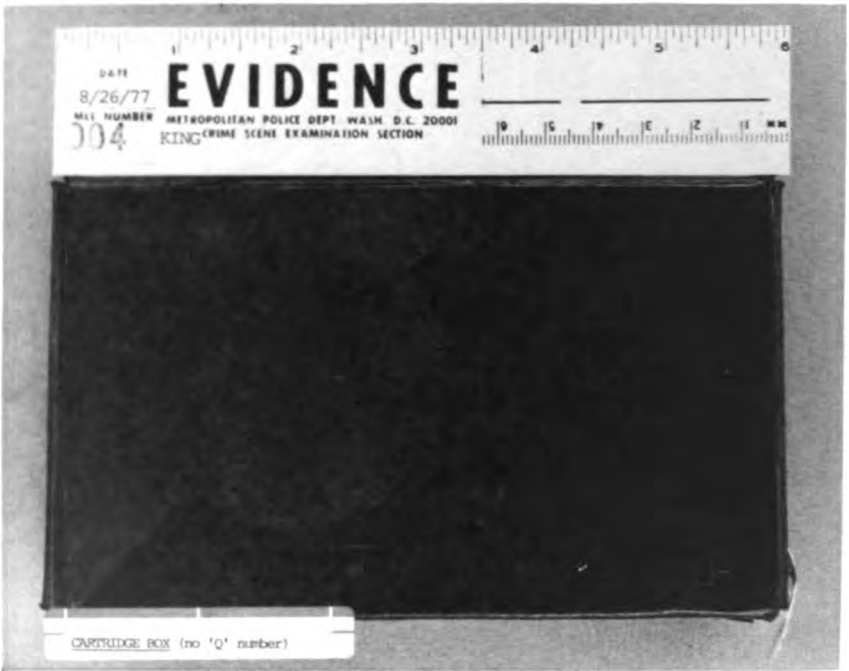


FIGURE 4D.—The Peters cartridge box recovered from in front of Canipe's Amusement Co. It contained the Q4–Q12 cartridges.

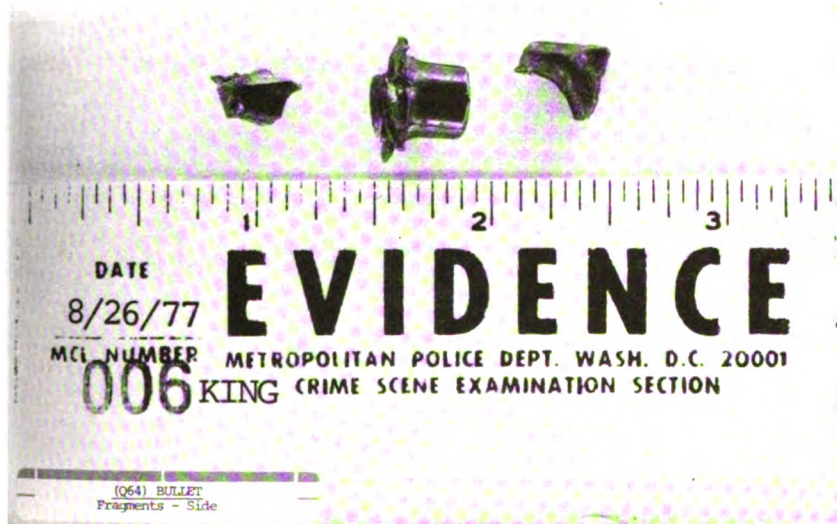


FIGURE 5.—Q64, three fragments of a bullet removed from the body of Dr. King, side view.

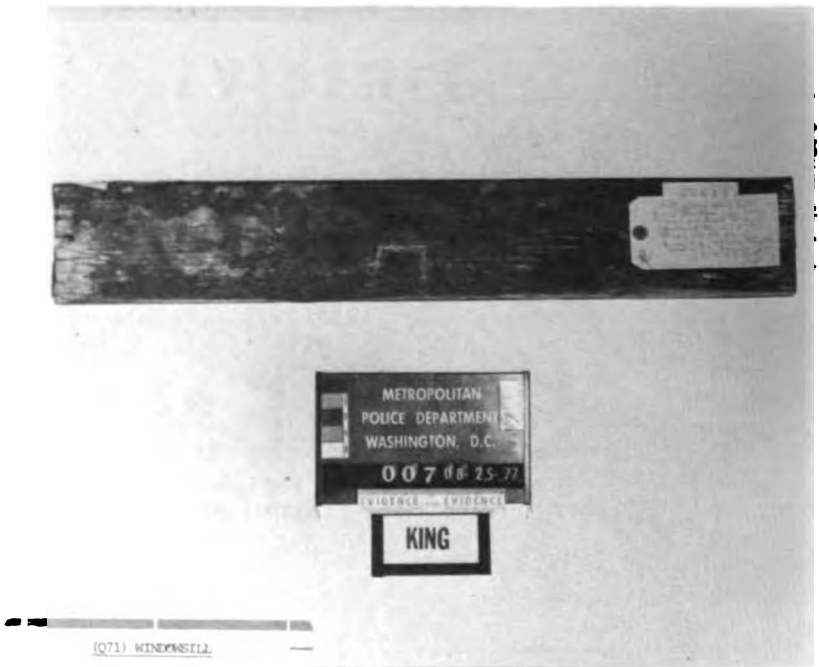


FIGURE 6A.—Q71, windowsill board retrieved from the second floor, north wing bathroom of the roominghouse at 418-422½ S. Main Street, Memphis, Tenn., the assassin's alleged location.



FIGURE 6B.—Q71, windowsill board retrieved from the second floor, north wing bathroom of the roominghouse at 418-422½ S. Main Street, Memphis, Tenn., the assassin's alleged location, closeup of the indentation.



Q161 WHITE DRESS SHIRT
(Removed from Dr. King)

FIGURE 7A.—Q76, the shirt worn by Dr. King at the time of the shooting. It has a large, elongated hole of irregular shape in the right point area of the collar, extending below the collar line.

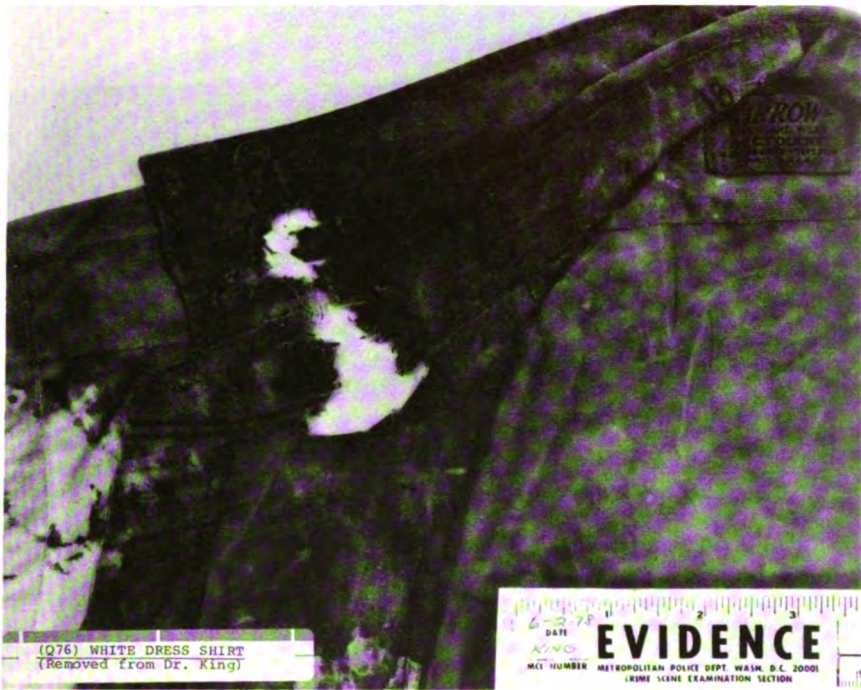


FIGURE 7B.—Q76, the shirt worn by Dr. King at the time of shooting. This closeup shows the large irregular hole in the right point area of the right collar, extending below the collar line.



FIGURE 8.—Q77, the necktie worn by Dr. King at the time of the shooting. It was completely severed next to the right side of the knot. This closeup shows a strand of lining protruding from the severed edge.

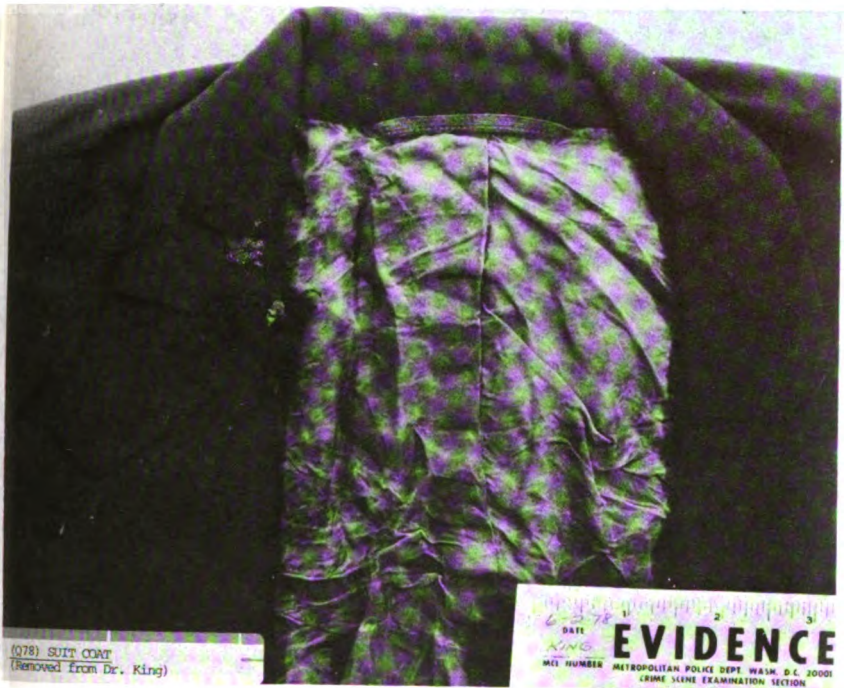


FIGURE 9.—Q78, the suit coat worn by Dr. King at the time of the shooting. This closeup shows a series of irregular tear-like holes on the upper right lapel area. No penetration of the lapel's lining was noted by the panel.



(Q64 EVIDENCE BULLET)
One Land Impression

FIGURE 10.—Photomicrograph of one of the land impressions on the Q64 bullet removed from Dr. King's body. It shows the type of damage sustained by the bullet.

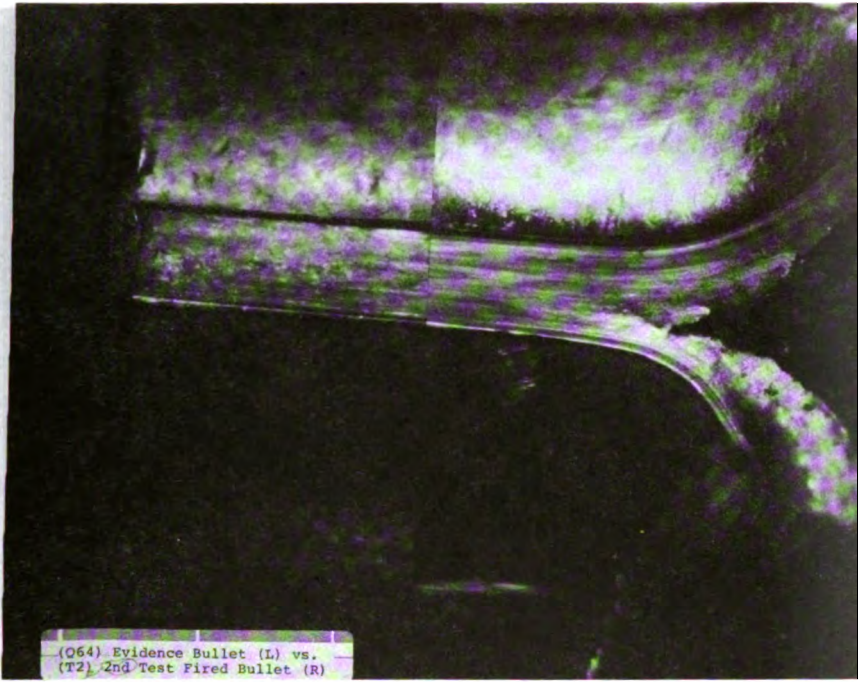


FIGURE 11.—Photomicrograph showing correspondence of class characteristics on the Q64 bullet removed from Dr. King's body (left) and those produced on the panel T-2 bullet (right) test-fired from the Q2 rifle.



FIGURE 12.—Photomicrograph showing the individual identifying characteristics (machine marks) on the bolt face and the location of the ejector of the Q2 rifle.

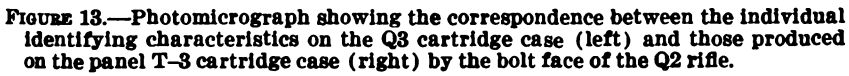




FIGURE 14.—Photomicrograph showing the correspondence between the individual identifying characteristics on the Q3 cartridge case (left) and those produced on the panel T-2 cartridge case (right) by the extractor of the Q2 rifle.

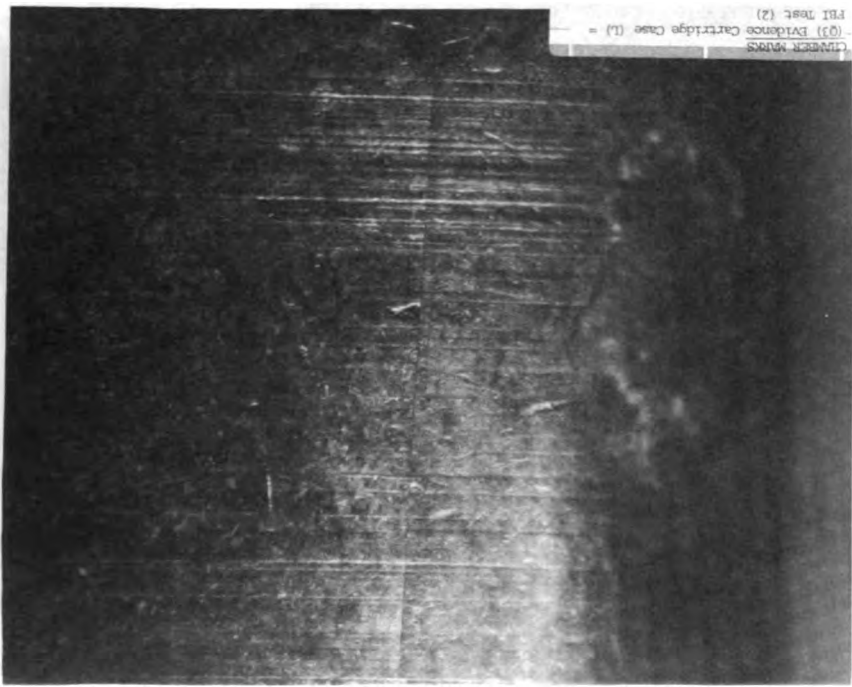


FIGURE 15.—Photomicrograph showing the correspondence between the individual identifying characteristics on the Q3 cartridge case (left) and those on the FBI test-2 cartridge case (right) produced by the chamber of the Q2 rifle.

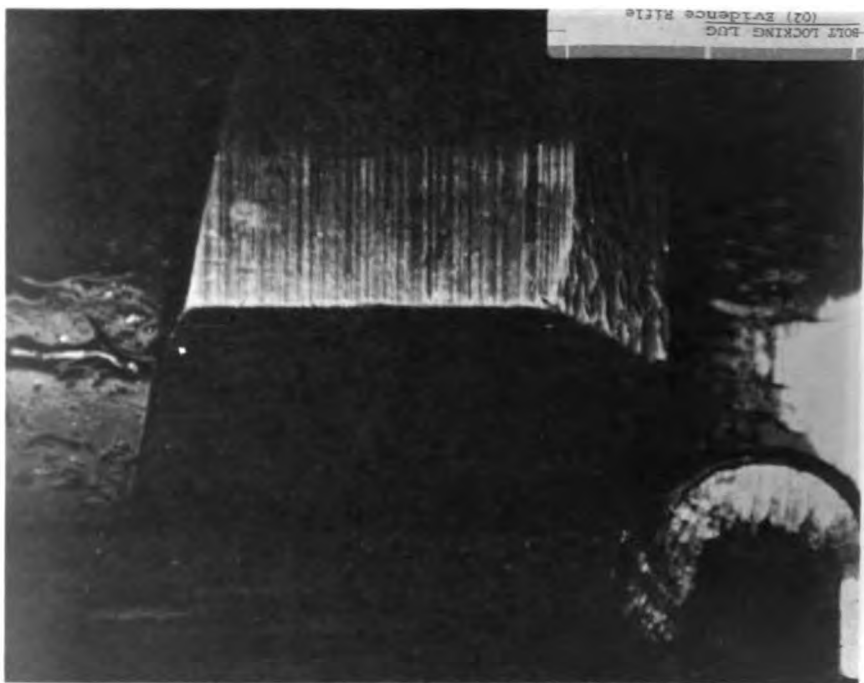


FIGURE 16.—Photomicrograph showing one of the bolt locking lugs of the Q2 rifle.

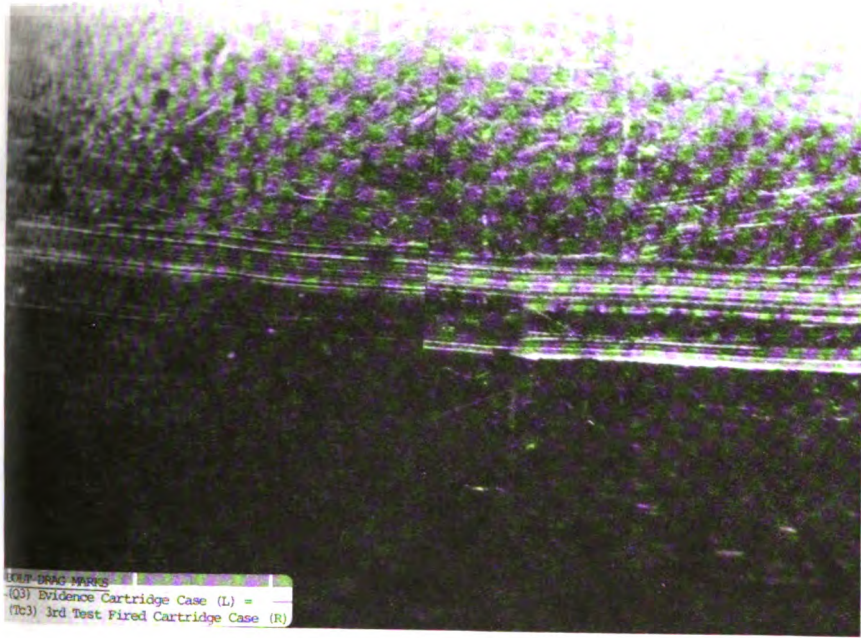


FIGURE 17.—Photomicrograph showing the correspondence between the individual identifying characteristics on the Q3 cartridge case (left) and those on the panel T-3 cartridge case (right), produced by the bolt locking lug of the Q2 rifle.

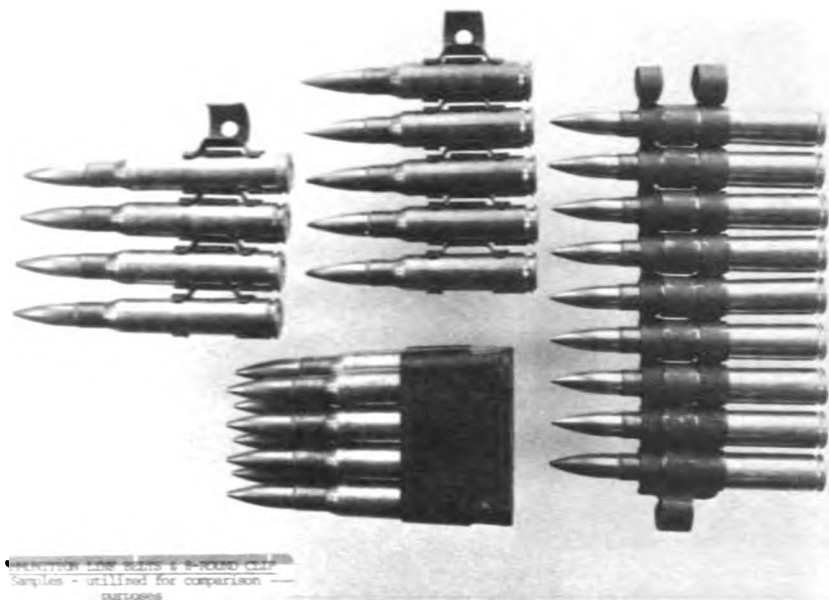


FIGURE 18.—The ammunition link belts and an eight-round ammunition clip used for comparison purposes by the panel.

GLOSSARY

- Action:** The heart of any firearm. It consists of the receiver, bolt or breech block, feed and firing, and unloading mechanisms.
- Bearing Surface:** That part of the outside surface of a bullet which comes in contact with the rifling as it passes through the barrel.
- Bolt face:** That portion of a rifle's bolt which engages the cartridge case head and from which the firing pin protrudes when the rifle is fired.
- Bore:** The interior of the barrel of a firearm.
- Breech Face:** In revolvers, the area of the frame which supports the cartridge case head and through which the firing pin protrudes when the revolver is fired.
- Breech Face Impressions:** When a cartridge is fired, the burning gases exert pressures that force the base of the cartridge back against the bolt or breech face. When this occurs, the toolmarks that are present on the bolt or breech face are imprinted on the flat areas of the contacting surfaces of the primer and cartridge case base.
- Bullet:** That part of a cartridge intended to be fired from the barrel of a firearm. It is usually composed of lead, plated lead, or lead encased in a metal jacket.
- Cannelure:** A knurled or plain ring around the bearing surface of a bullet, used to hold surface lubricant, retain the bullet in the cartridge case, or identify the type or weight of bullet. Cannelures may also be found on cartridge cases.
- Cartridge:** A complete assembly of a round of ammunition consisting of the case, primer, propellant powder, and bullet.
- Cartridge Case:** That part of a cartridge which holds the bullet, primer, and propellant powder together.
- Cartridge Clip:** A device for holding a number of cartridges to permit their easy insertion into a magazine. The Mannlicher-Carcano clip remains in the magazine until after the last cartridge is fed into the chamber, at which time it is designed to fall through the bottom opening of the magazine.

- Chamber:** In a rifle, the rear portion of the barrel, designed to hold and support a cartridge. In a revolver, it is also the recess cut into the cylinder to hold each cartridge.
- Chambering:** The manual or mechanical process of feeding a cartridge into the chamber of a firearm.
- Comparison Microscope:** A scientific instrument designed to allow the similarity or dissimilarity of individual identifying characteristics of two bullets or two cartridge cases to be observed at the same time.
- Cylinder:** A rotating cartridge container in a revolver.
- Double Action:** The mode of firing a revolver in which the hammer of the firearm is cocked and released by a single pull of the trigger.
- Eject:** The act of throwing the expended cartridge case clear of the action during the firing process.
- Emission Spectrography:** Allows the metallic composition of samples to be compared so that the possibility of common origin can be determined. This is done by subjecting the material to intense heat and comparing the color of gases emitted.
- Extract:** The process of withdrawing an expended cartridge case or unfired cartridge from the chamber of a firearm, either by mechanical or manual means.
- Firearms Identification:** A study of firearms, bullets, cartridge cases, and other ammunition components with the purpose of identifying those ammunition components as having been fired from, or in, a particular firearm to the exclusion of all other firearms.
- Firing Pin:** That part of a firing mechanism which strikes the primer.
- Firing Pin Impression:** The indentation caused by the firing pin striking the primer of the cartridge case.
- Gas Erosion:** The wear caused by the action of the hot propellant powder gases on the bearing surface of a bullet.
- Grooves:** The depressed areas between the lands of a rifled barrel.
- Horizontal Cotton Recovery Box:** A box, filled with cotton material, designed to recover fired bullets in an undamaged condition.
- Horizontal Water Recovery Tank:** A metal, water-filled tank designed to recover fired bullets in an undamaged condition.
- Individual Identifying Characteristics:** Unique reproducible microscopic marks which can be used to identify a fired bullet or expended cartridge case with a particular firearm.
- Lands:** The raised areas between the grooves of a rifled barrel.
- Loading Ramp:** A device that aids in guiding a cartridge into the chamber of a firearm.
- Magazine:** A device, either separate or integral to the firearm, in which cartridges are held in position to be fed into the chamber of the firearm.
- Microscopic Examination:** An examination of evidence which is enhanced by the use of scientific instruments.
- Muzzle:** The forward end of the barrel where the bullet exits.
- Neutron Activation Analysis:** A method of nuclear elemental analysis in which samples are irradiated to make their various elements detectable by radioactive measurement. The elemental composition of the activated samples is then compared to determine the probability of common origin.
- Photomicrograph:** Photograph taken through a microscope.
- Primer:** The ignition part of a cartridge.
- Rechambering:** The process of altering the dimensions of a chamber to accommodate other cartridges.
- Recrowning:** The process of restoring the rounded contour to the muzzle after the barrel has been shortened.
- Rifling:** The spiral lands and grooves in a barrel which impart spin or rotation to the bullet stabilizing it in flight.
- Rifling Class Characteristics:** The number, width, and direction of twist of the lands and grooves in a barrel.
- Sear Mechanism:** The part or device designed to hold the firing mechanism in a cocked position until released by pressure on the trigger.
- Secondary Missiles:** Objects put in motion due to the impact of a bullet.
- Single Action:** The mode of firing a revolver that requires that the hammer be manually cocked before it can be fired.
- Spectrographic Analysis:** See "emission spectrography."

Striations: Minute grooves, ridges, or scratches normally running parallel with each other that are caused by an abrasive action.

Toolmark: Characteristics of a surface imparted to a softer surface when they come in contact under pressure and motion. Toolmarks may be impressed or engraved.

Trigger Pull: The amount of force, expressed in pounds, required to release the firing mechanism.

Twist: The spiral direction of lands and grooves in a rifled bore, expressed as right or left.

Visual Examinations: Examination of evidence without the assistance of a scientific instrument; also referred to as macroscopic examination.

Wiping: The removal of some of the fine microscopic scratches on a bullet, particularly the lead variety, as it enters and passes through fabric, heavy tissue, and muscle.

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- (1) 424 South Main Street, Memphis, Tenn.
- (2) FBI report, April 17, 1968 (MLK document 040051), pp. 145-149.
- (3) Ibid.
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- (5) FBI report, April 29, 1968, R. P. Murkin file, Bureau No. 44-38861, Laboratory report PC-A 5498 BX, p. 1.
- (6) Ibid.
- (7) FBI report, April 17, 1968 (MLK document 040051), p. 152.
- (8) FBI report, April 18, 1968, R. P. Murkin file, Bureau No. 44-38861, Laboratory report PC-A 5498 BX, p. 1-2.
- (9) FBI report, April 17, 1968 (MLK document 040051), p. 154.
- (10) FBI report, April 11, 1968, R. P. Murkin file, Bureau No. 44-38861, Laboratory report PC-A 5498 BX, p. 1-2.
- (11) Mark Lane and Dick Gregory, Code Name "Zorro" (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1st ed. 1977), p. 162.
- (12) Harold Weisberg, "Frame-Up" (New York: Outerbridge and Dienstfrey, 1st ed. 1977), p. 34.
- (13) FBI report, April 17, 1968, R. P. Murkin file, Bureau No. 44-38861, Laboratory report PC-A 5498 BX, p. 7.
- (14) FBI report, May 14, 1968, R. P. Murkin file, Bureau No. 44-38861, Laboratory report PC-A 5498 BX, p. 1.
- (15) Outside contact report, Clark Workman, manager of the Ilion Research Division of the Remington-Arms Co., HSCA July 18, 1978 (MLK document 230229).

**SCIENTIFIC REPORT ON THE SUBJECT OF
A CIVIL ENGINEERING SURVEY OF THE SCENE OF THE
ASSASSINATION OF DR. MARTIN LUTHER KING, JR.**

By

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**Report to the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
Second Session**

March 1979

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I. INTRODUCTION

(1) Dr. Martin Luther King, Jr., was shot and mortally wounded on April 4, 1968, as he stood in front of room 306 on the second-floor balcony of the Lorraine Motel in Memphis, Tenn. A .30-06 caliber bullet entered his face and neck, destroying structures in his neck and damaging the upper thoracic and lower cervical spinal cord. According to the autopsy report of Jerry T. Francisco, M.D., chief medical examiner of Shelby County, Tenn., the direction of the bullet's path was from front to back, downward, and from right to left. As a result of its investigation of Dr. King's death, the Federal Bureau of Investigation concluded that the bullet that killed Dr. King was fired from a second-floor bathroom at the rear of a roominghouse, managed by Bessie Brewer, at 422½ South Main Street in Memphis. Witnesses at the roominghouse described a man who fled from the bathroom immediately after the fatal shot was fired. The window of that bathroom does provide a view of room 306 at the Lorraine Motel. (Fig. 1.)

CRIME SCENE

Assassination of Dr. Martin Luther King, Jr.
Memphis, Tennessee

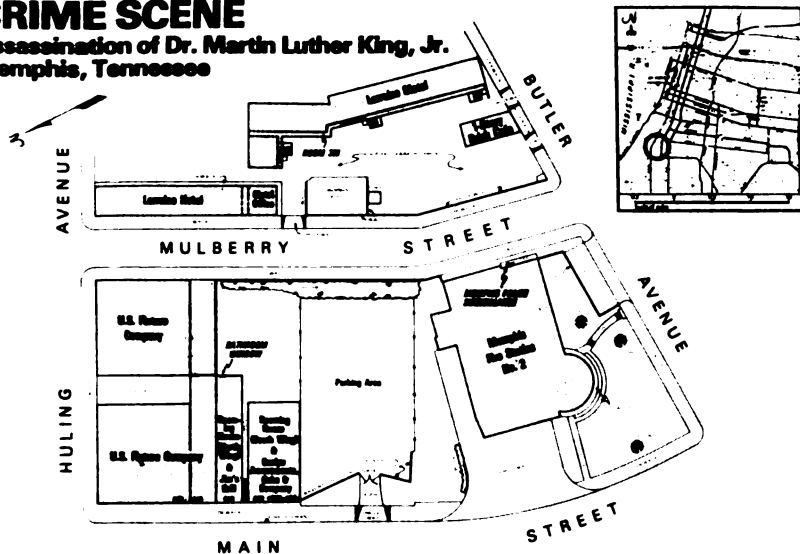


FIGURE 1.—Diagram of the crime scene.

(2) On April 22, 1968, Frank Holloman, director of the Memphis Fire and Police Departments, requested that Charles Blackburn, director of the Memphis Division of Public Works, conduct a survey of the scene of Dr. King's assassination. Holloman told Blackburn that

the FBI had requested that the Memphis Police Department furnish triangulated measurements from the point where the murder weapon was fired to the point where the bullet hit Dr. King. Arthur C. Holbrook, Memphis city engineer, and a crew of six persons from his office met with Lt. A. S. Zelinski and Lt. J. L. Harrison, Memphis Police Department, on the morning of April 23, 1968, and surveyed the Brewer roominghouse/Lorraine Motel area where the shooting occurred. Holbrook described his survey in an April 23, 1968 letter to Director Holloman:

I was shown, by Lieutenants Zelinski and Harrison, the spot where Dr. King was standing and the window from which the shot was fired and that the bullet entered Dr. King at a point 59 inches above the balcony floor of the Lorraine Motel, and that the gun was resting on a point on a windowsill of a building which fronts on South Main Street and across Mulberry Street from the Lorraine Motel.

An engineer's transit was placed over the spot where Dr. King was shot. The telescope being 59 inches from the balcony floor, and the instrument was made level.

From this position two triangles were established, with a base line common to the two triangles, established and measured. Angles were turned, checked, turned again, and checked again and every effort was made to provide for the utmost accuracy of the calculations.

The level distance from the point from which the shot was fired to the point where Dr. King was standing is 206.36 feet. The distance along the flight of the bullet from the point from which it was fired to the point where Dr. King was standing is 207.02 feet.

The windowsill of the building from which the shot was fired is 16.63 feet higher than a point 59 inches above the floor of the balcony on which Dr. King was standing when shot.

(3) According to the Holbrook survey, the shot that killed Dr. King may have come from the window of the bathroom at the rear of Brewer's roominghouse. His survey, however, did not eliminate other possible locations of the assassin, particularly the bushes beneath the bathroom window. Holbrook resurveyed the scene in November 1968.

(4) On June 8, 1968, suspected assassin James Earl Ray was arrested in London, England. Ray pleaded guilty to the first-degree murder of Dr. King on March 10, 1969, in the Shelby County (Tenn.) Criminal Court, and Judge W. Preston Battle sentenced him to 99 years in the State penitentiary. Dr. Jerry T. Francisco, the medical examiner who performed the autopsy of Dr. King on April 4, 1968, testified at Ray's guilty plea hearing. Francisco said he had visited the crime scene and, in his opinion, the angle of the bullet through Dr. King's body was consistent with a shot fired from the second-floor bathroom window at the rear of the roominghouse at 422½ South Main Street.

(5) Eyewitness accounts disagreed over the point of origin of the fatal bullet and Dr. Francisco's report did not resolve the ambiguities. A number of critics attacked the conclusion that the shot came from the roominghouse bathroom window, and specifically Francisco's testimony about the angle of the bullet's flight. For example, Mark Lane

wrote in Code Name "Zorro" that the value of Francisco's opinion about the origin of the shot was reduced considerably because he did not know where Dr. King was standing, the direction he was facing or whether he was leaning over when he was shot. Lane also discussed accounts of eyewitnesses who said the shot came from a clump of bushes under the bathroom window. According to Lane, Solomon Jones, Dr. King's chauffeur in Memphis, said that he saw someone run from the bushes on the embankment sloping down from the rooming-house immediately after the shot was fired. Harold Carter also said he saw a man with a rifle run from the bushes after he heard a shot. In "Frame-Up," Harold Weisberg also wrote that Francisco's testimony provided no basis for a conclusion that the bullet that killed Dr. King came from the bathroom window, charging that the medical examiner made no effort to explore whether a shot from another point was possible.

(6) Among other issues, the committee's forensic pathology panel looked into the question of whether the angle of the wound and the path of the bullet through Dr. King's body indicated that the bullet that struck him was fired from the bathroom window or from another location. The panel found that the bullet pathway was consistent with a shot coming from the right and downward, from across Mulberry Street. The bathroom window looked on to Mulberry Street, and was to the west-northwest of Dr. King as he stood on the Lorraine balcony, or to his right. The slope angle of the bullet was downward. An 8.5-foot retaining wall runs along Mulberry Street, opposite the Lorraine Motel parking lot, so the shot had to come from above that elevation. Thus, the medical panel concluded that the bullet was fired from the roominghouse building itself, or from the backyard of the building. Above the 8.5-foot retaining wall, the yard slopes quickly upward so that the slope angle from a point 56 inches above the balcony floor, the approximate height of Dr. King's cheek at the moment he was shot, is horizontal (zero degrees zero minutes) to the level of the backyard. Although the panel found that a prone assassin could not have fired the shot, a rifleman at the bushy edge of the yard would fire slightly downward at a vertical angle of 2 degrees, 20 minutes, or one at the second floor bathroom window at the rear of the roominghouse at 422½ South Main Street would be firing downward at a vertical angle of 4 degrees, 36 minutes, at a slope distance of 207.17 feet from the window to the victim. Either of these shots could have caused Dr. King's wounds. The forensic pathology panel could not establish the exact location of the assassin from the medical evidence it reviewed because the exact position of Dr. King at the moment he was hit could not be determined and the difference of only 2 degrees, 16 minutes vertical angle between these two alternatives is negligible.

II. SELECTION OF THE ENGINEERING FIRM

(7) In its effort to resolve the location of the assassin at the time Dr. King was shot, the committee, in 1978, decided to retain an engineering firm to resurvey the scene of the Memphis assassination. It learned that since the 1968 survey by Arthur C. Holbrook, Memphis city engineer, the state of the art has advanced tremendously as increas-

ingly precise and sophisticated engineering devices have been developed. The committee considered a number of firms based on the recommendation of Dr. Eugene Zwoyer, executive director of the American Society of Civil Engineers, New York, N.Y. Zwoyer was instructed that the survey would require a reputable and experienced firm that had no previous involvement in the investigations of the assassinations of either Dr. King or President John F. Kennedy. He was also informed that the survey would involve a two-block commercial/residential urban area in Memphis, Tenn., and require the determination of several lines of trajectory from possible locations of the assassin to the victim, using the most sophisticated equipment available. The committee considered five civil engineering firms suggested by Dr. Zwoyer. It chose Koogle & Pouls Engineering Inc., of Albuquerque, N. Mex. The firm satisfied two important committee criteria: It had no previous involvement in either the investigation of the death of Dr. King or President Kennedy, and it was unfamiliar with the scene of Dr. King's assassination and never before worked in Memphis, Tenn. Thus, the Koogle & Pouls firm demonstrated its objectivity, which complemented its experience with other surveys. The firm specializes in engineering, geodetic, and land surveys as well as photogrammetric mapping and data acquisition. It has surveyed over 2,000 miles of high-voltage line and other route location projects in the Rocky Mountains and desert of the Southwestern United States. In these surveys the firm used precision surveying instruments and methodology for the measurement of angles and distances designed to meet rigid National Geodetic Survey accuracy specifications.

(8) An experienced crew surveyed the Memphis scene in June 1978, including Herbert G. Koogle, president and chief engineer of Koogle & Pouls, and Joe M. Stewart, assistant vice president of the firm.

(9) Koogle received his B.S. degree from Stanford University. He has worked on projects involving, among other things, geodetic control surveying and photogrammetric mapping, as well as engineering design of many civil projects such as water supply drainage studies and location surveys. By 1978, he had 26 years experience in civil engineering. He has served as president and chief engineer of Koogle & Pouls since 1964.

(10) Koogle served two 5-year terms as a member of the New Mexico State Board of Registration for Professional Engineers and Land Surveyors, and twice served as chairman of the board. He is a member and has served as president of the New Mexico Society of Professional Engineers. He is also a member of the American Society of Civil Engineers, the New Mexico Association of Surveyors and Mappers, the American Congress on Surveying and Mapping, the American Society of Photogrammetry, and the American Public Works Association.

(11) Stewart had 18 years of experience in 1978 in surveying projects, including photogrammetric control and geodetic surveying, ordinary and precision leveling, and route surveys for roads and transmission lines. He is responsible for Koogle & Pouls field management and data reduction on specific surveying projects.

(12) The committee asked the Koogle & Pouls firm to survey the scene and report on the probable location of the assassin, specifically

III. TECHNICAL INSTRUMENTATION

requesting determination of the horizontal and vertical angles, distances, and physical relationships involved in possible trajectories to the point of impact.

(13) Koogle & Pouls Engineering Inc., used the most sophisticated engineering equipment available in its survey of the scene of Dr. King's assassination in Memphis, Tenn.

(14) The Kern theodolite is a standard 1-second direct reading precision instrument used for surveying angular measurements in vertical and horizontal planes. It is manufactured by the Kern Instrument Co. of Aarau, Switzerland, and is capable of extremely precise and reliable angular measurements. The Kern DKM2-AE theodolite is one of the most recent developments in a product line that represents advanced technology with respect to optical sighting and angular measurement. The theodolite has automatic collimation for zenith reference in the measurement of vertical angles. It presents an upright image to the eye of the viewer. The angular measurements are read from precisely engraved glass plates through an eyepiece that allows for precise vernier settings and direct reading to 1 second of arc. The telescope magnification of 30 diameters permits precise sighting on small objects. This theodolite was chosen for its accuracy, ease of handling, and suitability to the methodology used by the firm to develop basic geometric data at the assassination scene.

(15) The AGA model 12 Geodimeter, an electronic distance measuring (EDM) unit weighing 6.2 pounds, uses an infrared beam carrier to measure the time it takes a modulated carrier to traverse the distance from the EDM to a reflector at a given point and return to the instrument. This amount of time, based on the established velocity of light, is extremely short. It is measured through complex electronic circuitry that reduces the information to a direct readout of distance in feet. The light source is an infrared gas-emitting diode modulated by a radio frequency signal, which is decoded out to the returning infrared beam from the reflector. The phase modulations are then compared in the electronic circuitry to establish the amounts of time measured in nanoseconds (billionths of seconds). The information is fed into a small microprocessor (computer) within the circuitry of the instrument, and a direct readout of the distance in feet is produced.

(16) The Geodimeter is manufactured by the AGA Corp. of Lidingo, Sweden. The equipment is assembled at the U.S. AGA office in Secaucus, N.J. That instrument was developed to satisfy a severe need in civil engineering and land surveying for an instrument that could accurately measure distances directly, particularly over obstacles in urban areas and in rough ground terrain.

IV. THE SURVEY

(17) On Friday evening, June 9, 1978, Herbert G. Koogle, president of Koogle & Pouls Engineering Inc., met in Memphis, Tenn. with the committee and with members of the committee's King forensic pathology panel: Michael Baden, M.D., chief medical examiner for New York City; John Coe, M.D., chief medical examiner for Hennepin

County, Minn.; and Joseph Davis, M.D., chief medical examiner for Dade County, Fla. The medical examiners described Dr. King's wounds, and explained that they were unable to fix conclusively the precise azimuth (horizontal direction) and trajectory of the fatal bullet on the basis of their examination of the medical evidence. The physicians noted that it was impossible to determine Dr. King's exact position at the moment he was hit.

(18) On Saturday morning, June 10, 1978, Koogle and Joe M. Stewart, supervisor of field survey operation for Koogle & Pouls, with the committee and its medical examiners present, surveyed the area of the Lorraine Motel on Mulberry Street and the roominghouse at 418-422½ South Main Street. After a general examination of the area, the firm set up a Kern DKM2-AE theodolite on the second-floor balcony of the Lorraine Motel in front of the door to room 306. The center of the theodolite was placed 6.65 feet from the adjacent (southerly) corner of the concrete floor of the balcony, and 1.47 feet in from the edge of the floor slab which is a 5-inch structural steel channel beam. This probable location of Dr. King at the time he was shot was selected on the basis of photographic evidence and eyewitness accounts furnished by the committee. The polar method of determining angles and distances to various points required for checking previous data and development of independent information was considered most suitable and efficient for this survey. An AGA geodimeter, model 12, was mounted atop the Kern theodolite for electronic distance measurement. (See "Instrumentation" section for a description of this equipment.)

(19) Using the Theodolite and electronic distance measuring (EDM) unit, certain measurements were made using the polar system of measurement which involves a relative azimuth (horizontal) and the measurement of a slope distance to a retrodirective reflector prism at the exact point on the other end of the line from the theodolite and EDM unit. The horizontal azimuth angle, measured from a reference baseline, the vertical angle from zenith, and the slope distance were measured and recorded.

(20) To serve as the zero index for all horizontal angles, a base azimuth was established to the utility pole located on the northwest corner of Mulberry Street and Butler Avenue. Zenith (vertical) angles are automatically indexed to gravimetric level by the automatic leveling system in the Kern Theodolite. Special care was taken to insure that the line of sight for the EDM unit did not pass through any portion of the glass enclosure built around the area in front of room 306. (This glass enclosure was put up after Dr. King's assassination to protect a shrine erected in his honor.) For orientation, three polar measurements were made to specific points at or near the motel, and one to the utility pole on the sidewalk just west of the motel swimming pool. These polar measurements were reduced to horizontal distances and carefully plotted on the film copy of the "Plan of Lorraine Motel Area," prepared in November 1968 by Arthur C. Holbrook, Memphis city engineer. Based on the plotted points, this site map was determined to be an adequate graphic representation of the area.

(21) A direct measurement was made to the center of the bathroom windowsill at 418-422½ South Main Street. Three additional measurements were made in the area of the tree and bushes at the east end of the garden area behind 418 and 422½ South Main Street where one witness reportedly saw a fleeing figure immediately after the shot that killed Dr. King was fired. (Fig. 2 and 3.)

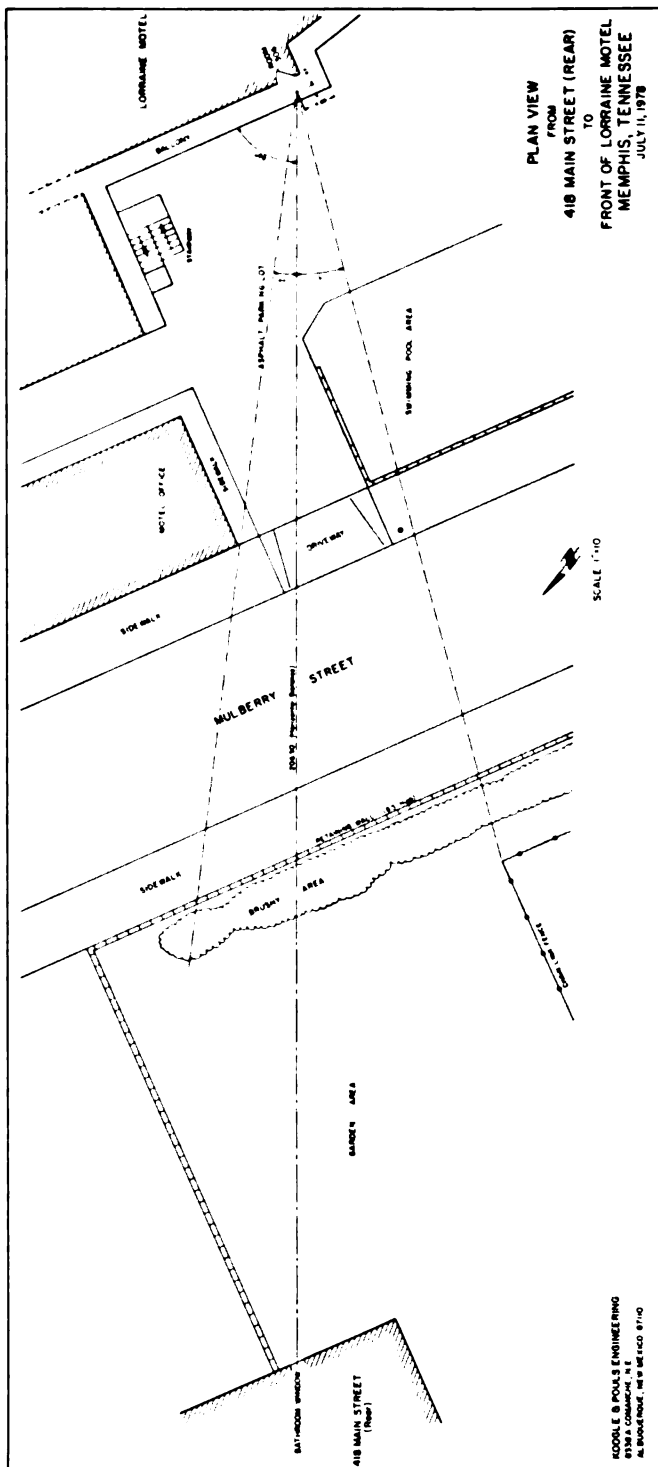


FIGURE 2.—Plan view from 418 Main Street (rear) to front of Lorraine Motel.
 (This diagram has been reduced to about one-third its original size. One inch equals approximately 30 feet.)

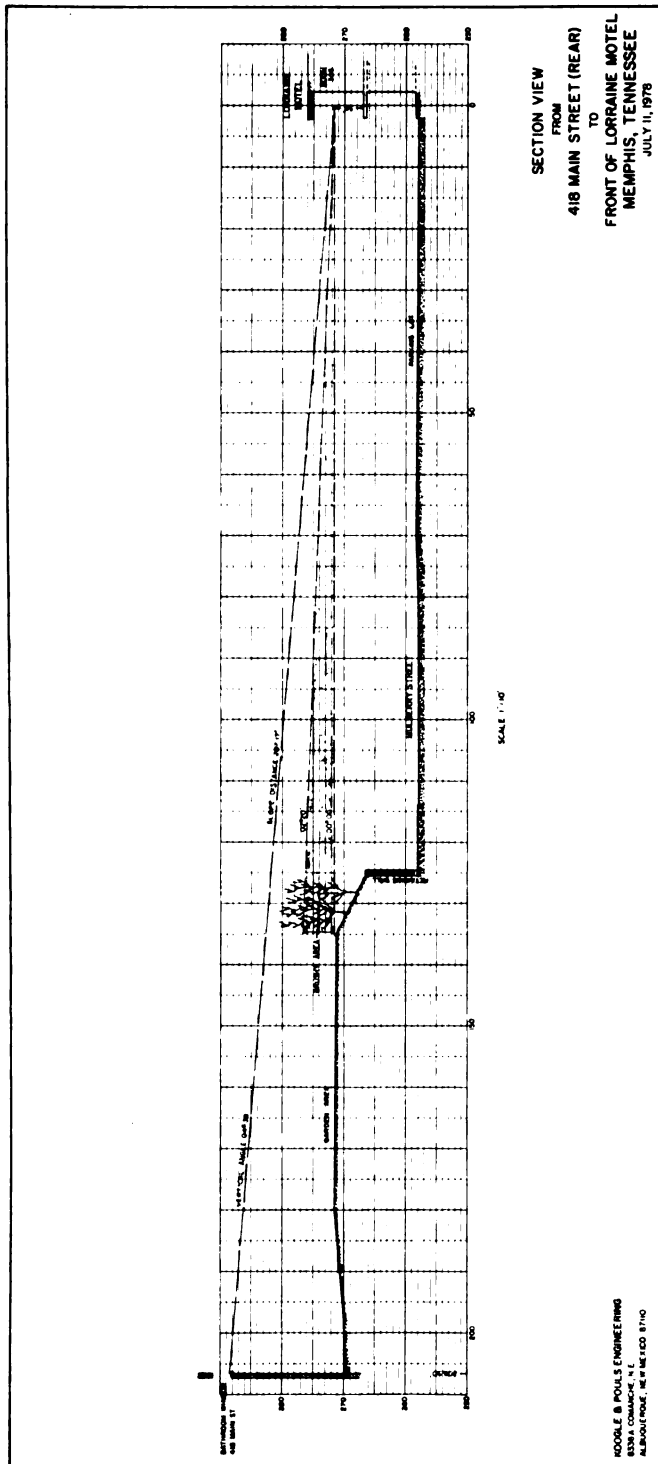


FIGURE 3.—Section view from 418 Main Street (rear) to front of Lorraine Motel.
(This diagram has been reduced to about one-third its original size. One

V. RESULTS OF THE SURVEY

(22) Based on the polar measurements, the firm determined that the "Plan of the Lorraine Motel Area," prepared in November 1968 by Arthur C. Holbrook, city engineer of Memphis, is entirely adequate for the analysis required in this survey. The slope distance, or direct line distance, from a position 56 inches above the point on the surface of the second-floor balcony that was established in front of room 306 at the center of the theodolite, to the center front of the bathroom windowsill at 418-422½ South Main Street is 207.17 feet at an angle above the horizontal of 4 degrees 36 minutes. The height above the balcony of 56 inches was selected on the basis of the examination of evidence by the members of the forensic pathology panel and eyewitness accounts furnished by the committee. This evidence indicated that the most probable posture of Dr. King at the instant he was hit by the projectile was with his head forward and looking down into the parking area with a probable slight forward bend at the waist, typical for an individual standing with his attention focused downward. A difference of 1 inch in the height above the surface of the balcony floor will make an angular difference from the bathroom windowsill of approximately 1.4 minutes of arc, a negligible variance for the purposes of this survey. The 1968 autopsy report of the Shelby County, Tenn., Medical Examiner Dr. Jerry T. Francisco noted that the distance from the right heel of Dr. King to the probable point of impact of the bullet was 59 inches. After consulting with the committee and the members of the forensic pathology panel, the firm determined that the point of impact could have been within a range of 54 to 59 inches above the floor of the balcony. Again, this relatively minor difference in height above the floor would result in a small angular change from the bathroom window to the point where Dr. King was standing and these small differences would have no discernible effect on Dr. King's wound.

(23) At least one witness stated that he saw a person in the garden area behind 418-422½ South Main Street immediately after the shot was fired. The firm was unable to eliminate the garden area as a possible location of the assassin. Survey measurements made to selected points in this area indicated that the general ground level in the vicinity of the top of the terrace beyond the retaining wall is essentially at the same elevation as a point 56 inches above the surface of the balcony floor. Therefore, the angular range in a vertical plane will vary from level to an incline of approximately 2.5 degrees from the selected point 56 inches above the balcony floor measured to a shoulder height of 5.4 feet for a standing person.

(24) After considerable discussion with the three medical examiners, it became apparent that a 3- to 4-degree difference in angularity of the trajectory would not enable them to reach a definite conclusion about the possible location of the origin of the shot. With the lack of photographic or specific eyewitness evidence concerning Dr. King's posture when he was hit, it is not possible to establish with certainty the vertical angularity of the trajectory. The lower the ballistic angle the more Dr. King would have had to be leaning forward, perhaps somewhat over the balcony railing, to cause the resulting wound. Assuming Dr. King was standing with his head forward and facing

downward, his body titled slightly forward from the waist, the path of the bullet through his face, neck and upper body indicates a descending trajectory, although the angle cannot be determined because of the lack of evidence of Dr. King's posture at the moment he was shot.

VI. CONCLUSION

(25) Although the top of the sloping ground behind the retaining wall within the garden area at the rear of 418-422½ South Main Street cannot be eliminated from consideration as a possible location of the assassin, based on the eyewitness information and photographic evidence furnished to the firm, the engineering measurements, and discussions with the medical panel and the committee, the geometric data tends to favor the second-floor bathroom window at the rear of 418-422½ South Main Street as the most probable location of the assassin. This location is consistent with the azimuth (66 degrees from the edge of the balcony measured counterclockwise) and the slight downward inclination of the trajectory of 4 degrees 36 minutes. This conclusion is supported by most eyewitness testimony, as well as the medical panel, given the path of the bullet through the body and the most probable posture of Dr. King when he was shot.

**SCIENTIFIC REPORT ON THE SUBJECT OF
ANALYSIS OF FINGERPRINT EVIDENCE RELATED TO
THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.**

**By
THE FINGERPRINT PANEL**

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and

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**Report to the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
Second Session**

March 1979

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I. INTRODUCTION

(1) A fingerprint is an impression made by ridges on the ends or bulbs of fingers. These impressions are useful as a means of identification because no two persons have the same ridge characteristics appearing in the same positions on the fingers, and fingerprints do not change during one's lifetime. Three features are considered in classifying fingerprints: general shapes and contours; finger positions of pattern types; and relative size, determined by counting the ridges in loops and by tracing the ridges in whorls. This information is incorporated in a concise formula, the fingerprint classification.

(2) Fingerprints found at a crime scene are referred to as "latent" (hidden) impressions because in most cases they are difficult or impossible to see and, therefore, require development to make them visible for preservation as evidence and for comparison with fingerprints of a known person. The fingertip ridges are covered with perspiration that exudes from sweat pores in the ridges. When an object is touched, an outline of the ridges is left on it in a deposit of perspiration or oily matter from the fingers. Latent prints are made visible by the use of various chemicals, by photographic enhancement, and by dusting them with fingerprint powder that adheres to the moisture or oily matter present in the latent prints. The value of a latent print for identification depends on its number of identifiable characteristics and where it is found.

(3) Dr. Martin Luther King, Jr. was assassinated on April 4, 1968, in Memphis, Tenn. The Federal Bureau of Investigation's Laboratory and Identification Division, Latent Fingerprint Section, examined hundreds of fingerprints collected in the course of the FBI investigation of the assassination of Dr. King. This fingerprint analysis eventually helped lead to the identification and apprehension of the assassin.

(4) Dr. King's killer apparently fled the scene after firing the fatal shot from a second story bathroom window at the rear of a rooming-house, managed by Bessie Brewer, at 422½ South Main Street. This bathroom window provided a view of Dr. King's room at the Lorraine Motel. The suspect, however, left behind important evidence, including a .30-06 caliber Remington rifle with a Redfield telescopic sight, binoculars, and a blue zipper bag containing clothing and personal articles. These items were found in a bundle that had been dropped almost immediately after the assassination in the doorway of Canipe's Amusement Co., 424 South Main Street. Investigators determined that the suspect had rented room 5B at the roominghouse on the afternoon of April 4, 1968, using the name John Willard.

(5) The rifle found in the doorway of Canipe's Memphis store was purchased on March 30, 1968, at the Aeromarine Supply Co. in Birmingham, Ala., by a person using the name Harvey Lowmeyer. On April 11, 1968, the FBI discovered the suspected assassin's getaway

car, a 1966 white Ford Mustang, in the parking lot of an Atlanta, Ga., apartment house. The car was registered to Eric Starvo Galt. Galt had stayed at James Garner's Atlanta roominghouse in late March 1968, and he spent the night before the assassination, April 3, 1968, at the New Rebel Motel in Memphis. Additional evidence was recovered from Garner's roominghouse, including a map of Mexico.

(6) On the evening of Dr. King's murder, April 4, 1968, Capt. Nick J. Carimi, Memphis Police Department, Bureau of Identification, lifted several prints from the second-floor bathroom at the rear of Bessie Brewer's Memphis roominghouse, and from room 5B.(1) On the following day, James H. Brandon and Bobby F. Ewing, technicians with the Memphis Police Department Bureau of Identification, lifted several more prints from the roominghouse.(2) The 10 fingerprint lifts taken by Captain Carimi and the technicians were given to the FBI on April 6, 1968, and Special Agent Robert Fitzpatrick personally delivered the specimens to the FBI Laboratory and Identification Division in Washington, D.C., on the same day.

(7) Of the 10 lifts from the roominghouse, only 2 were of value for later comparison. One latent fingerprint, lifted from the dresser in room 5B, matched the print of a Memphis police officer, and a fingerprint removed from the fireplace in room 5B was not identified.(3)

(8) The evidence from the bundle was examined, and the following latent prints were found.(4) (FBI "Q" numbers are noted. In indexing evidence, the FBI assigns "Q" numbers to "questioned" items and "K" numbers to "known" items.)

Black rifle box (Q1)-----	1 palm print.
Rifle (Q2)-----	1 fingerprint.
Telescopic sight (Q2)-----	Do.
Binoculars (Q14)-----	Do.
Memphis (Tenn.) <i>Commercial Appeal</i> newspaper, April 4, 1968 (Q19)-----	Do.
After shave bottle (Q24)-----	Do.
Schlitz beer can (Q53)-----	Do.

The palm print on the black rifle box (Q1) was identified as that of Donald Wood, a clerk at Aeromarine Supply Co., Birmingham, Ala., where the rifle had been purchased. Of the other prints from the evidence in the bundle, the fingerprints from the rifle and the fingerprint from the binoculars were made by the same finger. The position of the prints and the shape of the ridges indicated that the prints were probably from a left thumb.(5).

(9) The windowsill from the second-floor bathroom at the rear of Bessie Brewer's Memphis roominghouse was sent to the FBI Laboratory and Identification Division, Washington, D.C. The FBI found one latent fingerprint on the sill, but determined it belonged to FBI Special Agent Frank Johnson.(6) The FBI took 25 latent lifts from room 34 of the New Rebel Motel in Memphis, the place where Eric S. Galt stayed on April 3, 1968, the day before Dr. King was killed. Only four of these lifts were valuable. Two prints from Galt's New Rebel Motel registration card (Q86) were later found to belong to a motel clerk and an FBI agent.(7)

(10) On April 15, 1968, the FBI recovered a map of Mexico (Q194) in the room where Galt had stayed at Garner's roominghouse in Atlanta, Ga. A latent lift from the map matched the prints from the

rifle and the binoculars.(8) The FBI determined from the map lift that the print, probably from the left thumb, had an ulnar loop of 12 ridge counts.

(11) In its efforts to identify the latent prints, the FBI experts under the direction of George Bonebrake reviewed all sections of its single fingerprint file and compared all outstanding identification orders. The FBI noted that the map print was similar to that found on the rifle and the binoculars. From a search of the records of 53,000 fugitives, the investigators discerned that approximately 1,900 of these fugitives had ulnar loops of 10 to 14 ridge counts in the left thumb. On April 19, 1968, 15 days after Dr. King's murder, the three latent fingerprints were identified with the prints of James Earl Ray, an escapee from the Missouri State Penitentiary who had been serving a sentence for robbery.(9)

(12) Ray was apprehended at Heathrow Airport in London, England, on June 8, 1968. Four days before his arrest, he allegedly robbed the Fulham Branch of the Trustee Savings Bank in London of about £95. A holdup note printed on a paper bag was left at the scene by the suspect and recovered by officers of the Metropolitan Police, New Scotland Yard. Fingerprint specialists at New Scotland Yard and the FBI positively matched the print found on the note with the left thumb print of James Earl Ray.(10) Ray, however, denied that he robbed the Fulham Bank.

(13) The committee, in its investigation of the assassination of Dr. Martin Luther King, Jr., decided to review all fingerprints identified as those of James Earl Ray as well as prints on other evidence that had been associated somehow with Ray and might indicate conspiracy. It determined not to reexamine, for example, fingerprints that were identified as those of investigating officers; prints from anonymous letters; and prints related to suspects other than Ray. The fingerprints that the committee determined should be reviewed came primarily from (1) the bundle found in the doorway of Canipe's Amusement Co.; (2) the Brewer Memphis roominghouse; (3) the New Rebel Motel; (4) the 1966 Ford Mustang; and (5) the Garner Atlanta roominghouse. Some miscellaneous items were also selected for review, such as the June 4, 1968 London robbery note, because of Ray's contention that he was not involved in the holdup.

(14) The committee needed a highly qualified expert in fingerprint analysis to review more than 60 questioned specimens related to the death of Dr. King. It first retained Victor J. Scalice of Forensic Control Systems, New York, N.Y., who had served as a member of the committee's John F. Kennedy fingerprint panel. (See Kennedy fingerprint panel report for a description of the selection of those panel members.) Scalice reviewed six of the prints selected by the committee. He compared a photographic copy of the fingerprints of James Earl Ray to latent lifts from the following items: the rifle (Q2); the binoculars (Q14); the Memphis Commercial Appeal newspaper (Q19); the Schlitz beer can (Q53); and the London robbery note (Q389); and determined that these impressions had been made by James Earl Ray, confirming the conclusions of the FBI analysts. Scalice was unable to compare a lift from the telescopic sight (Q2), however, because the photograph of the original lift was poor.(11)

(15) Scalice could not examine all of the relevant prints because of an extremely full schedule of other work so he agreed that the committee should employ an expert in the Washington, D.C., area who could review the original latent lifts at the FBI headquarters if necessary.

II. SELECTION OF FINGERPRINT PANEL

(16) To fulfill its obligation to investigate all the circumstances of the death of Dr. King, the committee convened a panel of fingerprint examiners to review relevant latent prints that were collected by the FBI in 1968. The panel members were asked to review the fingerprint exhibits selected by the committee and compare them with the fingerprints of James Earl Ray and, as part of its investigation of possible conspiracy, with the prints of his brothers, John L. Ray and Jerry W. Ray. They also were asked to compare selected latent lifts with the prints of known or suspected Ray associates, including: Jesse B. Stoner, president of the segregationist National States Rights Party and an associate of Jerry W. Ray (12); Randy Rosenson, an alleged associate of Raoul who Ray mentioned in a 1977 Canadian Broadcasting Co. interview (13); and Gus Prosch, an alleged gunrunner and supposed purchaser of a weapon at the Aeromarine Supply Co. in Birmingham, Ala., on April 3, 1968, a weapon that according to one source, may have been used in Memphis the next day. (14)

(17) The committee, following the suggestion of fingerprint examiner Victor J. Scalice, sought to use highly qualified fingerprint examiners from the Washington, D.C., area to review latent fingerprint lifts relevant to the death of Dr. King and, if necessary, examine the original materials at the FBI headquarters. On the recommendation of Burtell M. Jefferson, Chief of Police, Metropolitan Police Department, Washington, D.C., the committee employed as consultants Ray H. Holbrook and Darrell D. Linville, fingerprint specialists with the Metropolitan Police Department.

(18) Ray H. Holbrook completed a Federal Bureau of Investigation fingerprint training course in 1959. He worked in the FBI Identification Division from 1959 until 1969. He began his present work as a fingerprint specialist with the Identification Branch, Fingerprint Examination Section, Metropolitan Police Department, Washington, D.C., in 1969. Holbrook has lectured at the Metropolitan Police Academy and at the Antioch Law School in Washington, D.C. He is a certified latent print examiner and a member of the International Association for Identification.

(19) Darrell D. Linville completed a Federal Bureau of Investigation fingerprint training course in 1957. He worked with the FBI Identification Division from 1957 until 1970. He began his present work as a fingerprint specialist with the Identification Branch, Metropolitan Police Department, Washington, D.C., in 1970. Linville has taught at the Metropolitan Police Department Academy, Washington, D.C., and has instructed foreign police officers in the Henry System of Fingerprint Identification. He is a certified latent print examiner and a member of the International Association for Identification. On numerous occasions he has testified as a fingerprint expert.

(20) Both Holbrook and Linville examined latent prints collected at the scene of the June 1972 burglary of Democratic National Headquarters in the Watergate Hotel, Washington, D.C. Senator Sam J. Ervin's Senate Select Committee on Presidential Campaign Activities used their report in its investigation of the burglary.

III. REPORT OF THE FINGERPRINT PANEL

(21) The following fingerprints were examined and compared. (The FBI questioned evidence index numbers, or Q numbers, are noted if they were assigned.)

FBI photograph

No.:

3. One fingerprint on side of telescopic sight. (Q2) (Identified by FBI as right ring fingerprint of James Earl Ray.)

6. One fingerprint on aftershave bottle. (Q24) (Identified by FBI as right index finger of James Earl Ray.)

10. One fingerprint on latent lift marked "right side of fireplace" from room 5B, Brewer roominghouse, Memphis.

17. Two fingerprints and one palm print on Browning rifle.

25. Two fingerprints on bathroom door—New Rebel Motel, Memphis.

26. One fingerprint on bathroom door—New Rebel, Motel, Memphis.

27. One palm print on bathroom door—New Rebel, Motel, Memphis.

28. One palm print on bathroom door—New Rebel Motel, Memphis.

29. One palm print from 1966 Mustang, left door handle.

30. One palm print from 1966 Mustang, 8 inches from right door plunger under right rear glass.

31. One impression of value on 1966 Mustang right door handle.

44. Two fingerprints on lined piece of paper, Garner roominghouse, Atlanta, (Q168)

45. Two palm prints on piece of newspaper, Garner roominghouse, Atlanta.

46. One palm print on latent lift A-1, Garner roominghouse, Atlanta.

47. One palm print on latent lift A-3, Garner roominghouse, Atlanta.

48. One palm print on latent lift A-5, Garner roominghouse, Atlanta.

49. Two palm prints on latent lift 9, Garner roominghouse, Atlanta.

50. One palm print on latent lift 10, Garner roominghouse, Atlanta.

51. Two palm prints on latent lift 11, Garner roominghouse, Atlanta.

52. One palm print on latent lift 12, Garner roominghouse, Atlanta.

53. Two fingerprints on change of address order, signed Eric S. Galt. (Q173)

54. Two fingerprints on change of address order, signed Eric C. Galt. (Q173)

55. One fingerprint on Mexican map. (Q194)

56. One fingerprint on Mexican map. (Q194)

57. One fingerprint on Mexican map. (Q194) (Identified by FBI as left thumb print of James Earl Ray.)

58. One fingerprint and one impression of value on Mexican map. (Q194)

59. One fingerprint on Mexican map. (Q194) (Identified by FBI as left index fingerprint of James Earl Ray.)

60. One fingerprint on Mexican map. (Q194)

61. One fingerprint on paper bearing notation. (Q214)

62. One fingerprint on money order. (Q216)

63. One fingerprint on money order. (Q216)

64. One fingerprint on money order. (Q217)

65. One fingerprint on money order. (Q219)

66. Two fingerprints on money order. (Q221)

67. Three fingerprints on money order. (Q221)

68. One fingerprint on money order. (Q222)

69. One fingerprint on money order. (Q223)

70. One fingerprint and one palm print on money order. (Q223)

71. One fingerprint on letter signed Eric S. Galt. (Q225)

72. One fingerprint on back of envelope to Locksmithing Institute. (Q215)

76. One fingerprint on Futura Books order blank, dated February 17, 1968 signed Eric S. Galt. (Q255)

77. One fingerprint on order blank. (Q255)

87. Two fingerprints on envelope. (Q254)

88. One fingerprint on envelope. (Q253)

89. One fingerprint on envelope. (Q253)

111. Two fingerprints on envelope. (Q293)

112. Three fingerprints on envelope. (Q293)

113. One fingerprint on envelope. (Q294)

115. One fingerprint on coupon from Eric S. Galt to Modern Photo Bookstore. (Q326)

134-135. Three fingerprints on letter from Galt to Southern African Council. (Q334)

153. Palm print on Sneyd paper with name and address. (Q367)

154. Five fingerprints on Sneyd letter. (Q367)

158-159. Four fingerprints on Royal Bank of Canada newsletter.

162-164. Letter signed Galt. (Q385)

165. One fingerprint on London robbery note. (Q389) (Identified by FBI as a fingerprint of James Earl Ray.)

166-167. Eleven fingerprints and two palm prints on rooming-house ledger and card. (Q 407 and Q408)

173. One fingerprint on check from Indian Trails Restaurant, Winnetka, Ill. (Q404) (Identified by FBI as a fingerprint of James Earl Ray.)

(22) Also, two unnumbered latent lifts taken from the second-floor bathroom at the rear of Bessie Brewer's Memphis roominghouse were examined.

(23) The following print photographs were provided for comparison to the questioned fingerprints.

(24) A. Inked finger and palm impressions of James Earl Ray.

(25) B. Inked finger and palm impressions of John L. Ray.

(26) C. Inked finger and palm impressions of Jerry W. Ray.

(27) (The impressions of James Earl Ray and his brothers, John and Jerry, were compared with all of the latent prints examined.)

(28) D. Inked impressions of Gus Prosch, Jr., who allegedly bought a weapon at Aeromarine Supply Co., Birmingham, Ala., on April 3, 1968, the day before Dr. King was killed. (Compared to photograph 17 only.)

(29) E. Inked impressions of Jesse B. Stoner, president of the segregationist National States Rights Party and an associate of Jerry W. Ray. (Compared to photographs 31 and 44 only.)

(30) F. Inked impressions of Randy Rosenson, an alleged associate of Raoul who Ray mentioned in a 1977 Canadian Broadcasting Co. interview. (Compared to photographs 31, 44, 55, 56, and 60.)

(31) No palm prints were available for Prosch, Stoner, or Rosenson.

(32) The results of the comparisons were as follows:

Photograph 17 was compared with inked impressions of Gus Prosch, with negative results.

Photographs 31 and 44 were compared with inked impressions of Jesse Stoner, with negative results.

Photographs 31, 44, 55, 56, and 60 were compared with inked impressions of Randy Rosenson, with negative results.

(NOTE: No palmar impressions were available for Prosch, Stoner or Rosenson.)

Photograph 3, developed on side of the Redfield telescopic sights, is an impression made by the right ring finger of James Earl Ray.

Photograph 6, developed on aftershave lotion bottle, is an impression made by the right index finger of James Earl Ray.

Photograph 57, developed on 1966 Republica Mexicana, Guia Roji (map of Mexico), is an impression made by the left thumb of James Earl Ray.

Photograph 59, developed on 1966 Republica Mexicana, Guia Roji (map of Mexico), is an impression made by the left index finger of James Earl Ray.

Photograph 115, one fingerprint on coupon from Eric S. Galt to Modern Photo Bookstore.

Photograph 165, developed on London robbery note, is an impression made by the right thumb of James Earl Ray.

Photograph 173, developed on Indian Trails check, is an impression made by the right thumb of James Earl Ray.

(33) The panel concluded that James Earl Ray made the latent impressions from the telescopic sight (photograph 3), the aftershave bottle (photograph 6), the Mexican map (photographs 57 and 59); the London robbery note (photograph 165); and the check from the Indian Trails Restaurant (photograph 173) Indian Trails Restaurant (photograph 173); a coupon from Eric S. Galt to Modern Photo Bookstore (photograph 115). These results agree with the earlier findings of the FBI. Two impressions from an unnumbered latent lift card, taken from the second-floor bathroom at Brewer's 4221½

South Main Street roominghouse, Memphis, were also examined. One latent palm impression from the bathtub was of no value for comparison. The other palm impression from the bathroom windowsill was compared to the palm print of James Earl Ray and found not to match.

(34) The remaining latent impressions were compared with the inked finger and palm impressions of James Earl Ray, Jerry William Ray, and John Larry Ray, but no additional identifications could be made.

(35) The following consolidated identifications were made. The fingerprints are considered identical with an unknown person or persons.

Photograph 44: Two latent impressions of value developed on lined piece of paper (Q168). The two latent impressions are identical with each other.

Photograph 53: Two latent impressions of value developed on "Change of Address Order" signed Eric S. Galt (Q173). The two latent impressions are identical with each other.

Photograph 62: One latent impression of value developed on back of Bank of America money order No. 0799-18037 (Q216). The one latent impression is identical with the latent impression in photo No. 65 and with one latent impression in photo No. 67.

Photograph 63: One latent impression of value developed on back of Bank of America money order No. 0799-18037 (Q216). The one latent impression is identical with the latent impression in photo No. 64.

Photograph 64: One latent impression of value developed on back of Bank of America money order No. 0799-18288 (Q217). The one latent impression is identical with the latent impression in photo No. 63.

Photograph 65: Two latent impressions of value developed on back of Bank of America money order No. 0799-17281 (Q219). One of the two latent impressions is identical with the latent impression in photo No. 62 and with one latent impression in photo No. 67. The other latent impression is identical with the latent impression in photo No. 69.

Photo 67: Three latent impressions of value developed on back of Bank of America money order No. 0799-19701 (Q221). One of the three latent impressions is identical with the latent impression in photo No. 62 and with one latent impression in photo No. 65. One of the two remaining latent impressions is identical with one latent impression in photo No. 70.

Photograph No. 69: One latent impression of value developed on front of Bank of America money order No. 0799-19704 (Q223). The one latent impression is identical with one latent impression in photo No. 65.

Photograph 70: Three latent impressions of value (one of which is a palmar impression) developed on front of Bank of America money order No. 0799-19704 (Q223). One of the three latent impressions is identical with one latent impression in photo No. 67.

Photograph 76: One latent impression of value developed on order blank for Futura Books dated February 27, 1968, signed Eric S. Galt (Q255). The one latent impression is identical with one latent impression in photo No. 77.

Photograph 77: Two latent impressions of value developed on order blank for Futura Books dated February 27, 1968, signed Eric S. Galt (Q255). One of the two latent impressions is identical with the latent impression in photo No. 76.

Photograph 134 and 135: Four latent impressions of value developed on letter from Galt to Southern African Council (Q334). Three of the four latent impressions are identical with each other.

Photographs 158 and 159: Five latent impressions of value developed on bank newsletter, Royal Bank of Canada. Two of the five latent impressions are identical with each other.

REFERENCES

(1) Compilation of FBI fingerprint reports, July 5, 1978, House Select Committee on Assassinations, report of Captain Nick J. Carimi, Memphis Police Department, Bureau of Identification, April 16, 1968 (MLK document 230450) (hereinafter cited fingerprint report).

(2) Fingerprint report, report of James H. Brandon and Bobby F. Ewing, fingerprint technician, Memphis Police Department, Bureau of Identification, April 17, 1968.

(3) Fingerprint report, FBI laboratory worksheet for Q68-71, April 8, 1968.

(4) Fingerprint report, FBI laboratory worksheets for the rifle box, rifle, and other items from the bundle found in the doorway of Canipe's Amusement Co., April 5, 1968 and April 8, 1968.

(5) Fingerprint report, FBI summary, "James Earl Ray—Interesting Identification." Undated.

(6) See fingerprint report, FBI worksheet Q68-71, note 3 above.

(7) See fingerprint report, FBI index of latent prints. Undated, 14 pp.

(8) Ibid. See also fingerprint report, FBI laboratory worksheet, April 17, 1968.

(9) See fingerprint report, FBI summary, note 5 above. See also FBI Airtel, from Director to Memphis Murkin file 44-1987G, serial 325.

(10) See fingerprint report, FBI index of latent prints, note 7 above.

(11) See incoming correspondence from Victor J. Scalice, Forensic Control Systems, August 15, 1978, House Select Committee on Assassinations (MLK document 240206).

(12) See HSCA report, II. D.

(13) Ibid.

(14) Ibid.

**SCIENTIFIC REPORT ON THE SUBJECT OF
QUESTIONED HANDWRITING RELATED TO
THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.**

By

JOSEPH P. McNALLY
Examiner of Questioned Documents
Valley Cottage, N.Y.

**Report to the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
Second Session**

March 1979

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I. INTRODUCTION

(1) In the course of its investigation of the assassination of Dr. Martin Luther King, Jr., the Federal Bureau of Investigation obtained and examined hundreds of documents that contained specimens of handwriting. Many of these documents were signed by or related to James Earl Ray, convicted assassin of Dr. King, or related to Eric S. Galt, John L. Rayns, and Ramon George Sneyd, aliases used by Ray. The documents examined included motel registrations, laundry receipts, checks, bank records, sales invoices, money orders, passports, correspondence, and other miscellaneous writings. The FBI also analyzed letters from citizens, including anonymous and crank mail, as well as handwriting samples and documents relating to suspects other than James Earl Ray.

(2) Based on their examination of handwritten Eric S. Galt signatures, the FBI determined that the signatures were all written by the same person, and ultimately concluded that the relevant documents had been executed by Ray. Further comparisons revealed that documents bearing the signatures of John L. Rayns and Ramon George Sneyd were also written by Ray.

(3) Since Ray admitted using the Galt, Rayns, and Sneyd aliases, there was little controversy about the origin of these writings. The committee, therefore, determined that a comprehensive review of the FBI handwriting examination was unnecessary, and decided to examine only the following items:

(4) 1. London robbery note (FBI specimen Qc389; MLK exhibit F-242) (Figs. 1-1 and 1-2). On June 4, 1968, 4 days before his apprehension, James Earl Ray allegedly robbed the Fulham branch of the Trustee Savings Bank in London, England, of about £95. The Metropolitan Police of New Scotland Yard sent the FBI a photocopy of a robbery note left at the Fulham bank by the robbery suspect. The FBI laboratory received the copy on July 15, 1968. The committee's King fingerprint panel, as well as the FBI examiners, determined that a latent fingerprint on the note was the right thumbprint of James Earl Ray. The FBI experts, however, examined the handwriting on the note and were unable to identify the handwriting as that of Ray because the writer, rather than printing the note, outlined the letters and filled them in so that the normal identifying characteristics were not evident. Ray denied that he was involved in the Fulham bank robbery. The committee, therefore, decided that a second handwriting analysis of the note might provide further evidence bearing on Ray's part in the holdup.

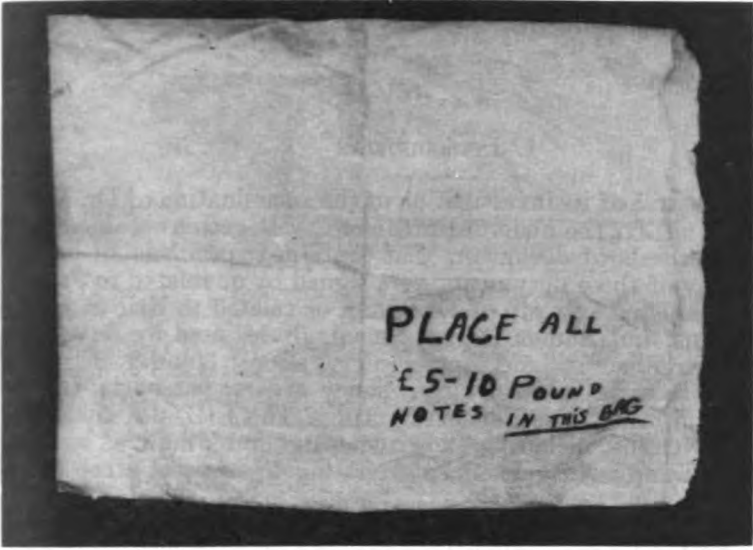


FIGURE 1A.—Note found at the Fulham branch of the Trustee Savings Bank, London, England, on June 4, 1968 (front).



FIGURE 1B.—Fulham bank note (back).

(5) 2. Three items were examined that related to Ray's efforts to obtain a Canadian passport in April 1968. Following the April 4, 1968 assassination of Dr. King in Memphis, Tenn., Ray fled to Atlanta, Ga. and from there he traveled to Toronto, Ontario, Canada, where he arrived sometime between April 6 and 8, 1968. While in Toronto, Ray applied for a Canadian passport at a local travel agency on April 16, 1968, and the passport was issued from Ottawa, Ontario, the Canadian capital, on April 24, 1968. The passport was issued to Ramon George Sneyd, the identity Ray had assumed. He used the passport to travel from Toronto to London, England, on May 6, 1968. In the course of obtaining the passport, Ray first adopted the alias Paul Edward Bridgman, which he used in a request for a Canadian birth certificate he made on April 10, 1968. He learned, however, that the real Bridgman already had a passport. Afraid that his ruse would be detected if he used the Bridgman name, Ray adopted the alias Ramon George Sneyd by April 16, the day he applied for his passport and ordered a birth certificate from the Bureau of Vital Statistics in that name. In connection with his passport application, Ray completed a Statutory Declaration in Lieu of Guarantor form so that he did not need a witness to swear that he had been a Canadian citizen for at least 2 years.

(6) Ray maintained that he secured his Canadian passport without assistance. The committee analyzed the handwriting on the following items related to his efforts to secure a passport to determine whether they had been prepared by Ray or by someone else:

- (a) Photocopy of an April 10, 1968, letter from Paul Bridgman requesting a birth certificate. (MLK exhibit F-233A) (fig. 2.) The committee obtained a photocopy of this letter from the FBI file of Canadian materials related to the investigation of the death of Dr. King, received from the Shelby County, Tenn., district attorney general's office on July 25, 1977.

DEAR SIR;

4-10-68

ENCLOSED IS \$2.00 MONEY ORDER
FOR BIRTH CERTIFICATE.

NAME PAUL EDWARD BRIDGMAN

BORN TORONTO, ONTARIO, NOVEMBER 10, 1932

FATHER EDWARD G.B. BRIDGMAN.

MOTHER MAIDEN NAME, EVELYN GODDEN.

THANKS:

Sincerely,

Paul Edward Bridgman

112- OSSINGTON - AVE.

TORONTO, CANADA.

ONTARIO.

Rec'd & Conf.

You Robert Helch

From Sec'y

Minister of Citizenship & Registrar Gen

Parliament Bldgs, Toronto

certified abstract of birth records - question

2554 2

FIGURE 2.—April 10, 1968, letter of request for birth certificate, signed Paul Edward Bridgman.

- (b) Photocopy of an April 16, 1968, letter from Ramon George Sneyd requesting a birth certificate. (MLK exhibit F-233B) (fig. 3.) A photocopy of this document was also found in the FBI Canadian materials which the committee received from the Shelby County Tenn., district attorney's office.

4-16-68

DEAR SIR

ENCLOSED IS A M.A FOR \$2.00,
WOULD YOU PLEASE SEND BIRTH CERTIFICATE,

NAME: RAMON GEORGE SNEYD
BORN OCTOBER-8-1932
TORONTO, ONTARIO

FATHER'S NAME: GEORGE SNEYD

MOTHER'S NAME, MAIDEN,

GLADYS MAE KILNER

THANKS,

Ramon George Sneyd
962 DUNDAS ST. W.
TORONTO, ONTARIO.

3

-2570

FIGURE 3.—April 16, 1968, letter of request for birth certificate, signed Ramon George Sneyd.

- (c) Photocopy of the Statutory Declaration in Lieu of Guarantor signed by Ramon George Sneyd on April 16, 1968. (FBI specimen Qc364; MLK exhibit F-234) (fig. 4.)



STATUTORY DECLARATION IN LIEU OF GUARANTOR

I, RAMON GEORGE SNEYD
 of 902 DUNDAS ST. W. - TORONTO, ONTARIO
 do solemnly declare that:

1. The statements contained in the attached application for passport are true and correct;
2. There is no one in Canada, eligible under the Canadian passport regulations to vouch for passport applications, who knows me well enough to vouch for my application. The reason for this is that

I HAVE BEEN IN CANADA FOR 11 YEARS

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

Declared before me
 at TORONTO in the
 Province of ONTARIO
 this 16th day of APRIL
 AD 1968

[Signature]
 Commissioner for Oaths or a Notary
 Public
 (Strike out inappropriate)

FIGURE 4.—Statutory Declaration in Lieu of Guarantor, dated April 16, 1968, and signed Ramon George Sneyd.

(7) 3. Photocopy of hand-drawn map of escape plan from Brushy Mountain State Penitentiary, Petros, Tenn. (Fig. 5.) In 1978 the com-

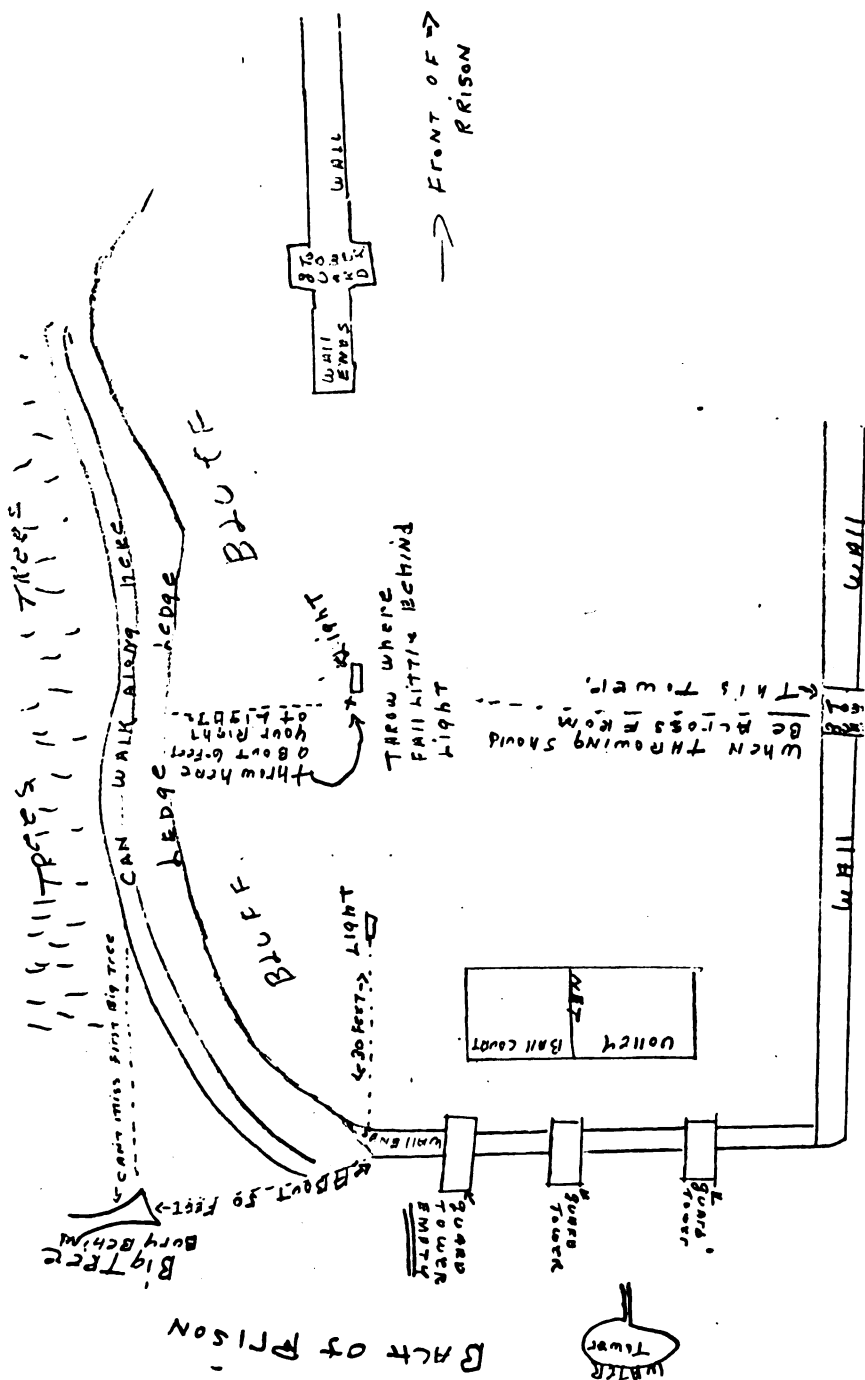


FIGURE 5.—Hand-drawn map labeled "Back of Prison".

mittee obtained a hand-drawn map of an escape plan, allegedly made by James Earl Ray. The map was analyzed in an attempt to determine if it indeed was drawn by Ray.

II. SELECTION OF THE HANDWRITING EXPERT

(8) The committee needed a highly qualified questioned document examiner to analyze the writings relevant to its investigation of the assassination of Dr. King. It chose Joseph P. McNally, who had served on the committee's John F. Kennedy handwriting panel. That selection process is set forth in the introduction of the report of the Kennedy handwriting panel.

(9) McNally received a B.S. and an M.P.A. in police science from the John Jay College of Criminal Justice, City University of New York. He began work in questioned document identification in 1942 with the New York City police laboratory. He has worked as supervisor of the document identification section of the police laboratory, training officer in the police academy, commanding officer of the police laboratory, and handwriting expert in the office of the district attorney of New York County. He retired from the police department at the rank of captain in 1972 and began private practice in questioned document identification. He is a consultant to the Human Resources Administration of New York City.

(10) McNally is a fellow of the American Academy of Forensic Sciences, a member of the International Association for Identification, the American Society for Testing and Materials, and the American Society of Questioned Document Examiners. He has lectured at the City University of New York, Rockland College, and the New York Police Academy.

III. FINAL REPORT OF DOCUMENT EXAMINER JOSEPH P. McNALLY

(11) The following writings were examined and compared:

- (a) Two photocopies of a note (apparently written on a paper bag), (MLK exhibit F-242A front, 242B back) (Fig. 1-1 and 1-2.)

Front: "P L A C E A L L

£ 5 - 10 P O U N D

N O T E S I N T H I S B A G"

Back: "P U T

A L L"

- (b) Photocopy of April 10, 1968, letter requesting birth certificate, signed "Paul Edward Bridgman". (MLK Exhibit F-233A) (Fig. 2.)
- (c) Photocopy of April 16, 1968, letter requesting birth certificate, signed "Ramon George Sneyd". (MLK exhibit F-233B) (Fig. 3.)
- (d) Statutory Declaration in Lieu of Guarantor, dated April 16, 1968, signed "Ramon George Sneyd". (MLK exhibit (F-234) (Fig. 4.)
- (e) Photocopy of hand-drawn map. (Fig. 5.)
- (f) Photograph of a handprinted note—exemplar (or specimen) printing of James Earl Ray. (Fig. 6.) Designated "last page" and "pg. 20". The note consists of 28 lines and begins as follows:

"IT IS SUGGESTED THAT ON -L AND DEPENDANT UPON, THE SUBMISSION OF THE ISSUES HERE PROPOSED TO BE RAISED HAS BEEN. . ."

IT IS SUGGESTED THAT ON -L AND DEPENDANT UPON, THE SUBMISSION OF THE ISSUES HERE PROPOSED TO BE RAISED HAS BEEN ADJUDICATED,

AND UNLESS SUCH ADJUDICATION BE FAVORABLE TO MOVANT, THESE ISSUES AND THE RECORD OF THE ADJUDICATION THEREON ARE ESSENTIAL TO THE SUBMISSION OF A PROPER RECORD FOR APPEAL, IF THERE IS TO BE AN ADEQUATE APPELLATE REVIEW WITHIN THE MEANING AND THE SPIRIT OF THE AUTHORITIES HEREIN CITED. THE RULE THAT CONSTITUTIONAL QUESTIONS SHALL BE RAISED AS EARLY IN THE PROCEEDING AS IS PROPER, AND THE RULE THAT WHAT IS NOT BRIEFED ON AN APPEAL IS DEEMED TO BE WAIVED, SHALL EFFECTIVELY OPERATE TO FORECLOSE MOVANT'S RIGHTS ON THE APPEAL HEREIN, UNLESS THIS HONORABLE COURT ABIDES BY ITS OBLIGATION TO "ENFORCE THE CONSTITUTION OF THE UNITED STATES." (SMITH V. O'GRADY 312, U.S. 329 334, 61 S. CT 572, 574, 85 L. ED. 834.)

AN MOVANT RESPECTFULLY URGES THAT THESE THINGS.

RESPECTFULLY SUBMITTED BY:

NOTORIZED BY:

JAMES RAY pg. 20

FIGURE 6.—Hand-printed note, containing notations "last page" and "James Ray pg. 20".

- (g) Canadian passport application papers, Form A-O, May 16, 1968, in the name Ramon George Sneyd. (FBI specimen Q369)

- (Fig. 7.) Four photographed pages which contain:
 Page 1—Hand printing.
 Page 2—Print and signature "Ramon George Sneyd".
 Page 3—Affidavit (script) signed "Ramon George Sneyd".
 Page 4—Typed letter, dated May 17, 1969.

DEPARTMENT OF EXTERNAL AFFAIRS

FORM A-O—APPLICATION FOR CANADIAN PASSPORT

Applicant must be 16 years of age and over. Please detach and read the instructions sheet before completing application.

Answers to be type-written or printed in ink.

1. NAME
 FIRST NAME: RAMON
 MIDDLE NAME: GEORGE
 FAMILY OR LAST NAME: SNEYD

2. MAR. PASSPORT NO. IN CASE OF (If Applicable)
962 DUNDAS ST. W.
STREET NO. OR NO. 10

3. DATE OF BIRTH DAY: 8 MONTH: 10 YEAR: 32

4. HEIGHT COLOUR OF HAIR: COLOUR OF EYES WEIGHT: 170 & OCCUPATION: SALESMAN

5. PLACE OF BIRTH CITY, TOWN, ETC.: TORONTO COUNTRY: CANADA PROVINCE: ONTARIO

6. VISIBLE DISTINGUISHING MARKS (See Instruction No. 9)

7. PLEASE READ INSTRUCTIONS Nos. 2 AND 10 BEFORE ENTERING NAMES OF CHILDREN TO APPEAR IN PASSPORT

8. PERMANENT ADDRESS OF CHILDREN (If any) NAMED ABOVE

9. APPLICANT'S PERMANENT ADDRESS (NOT SAME AS GIVEN IN QUESTION NO. 2. PLEASE PROVIDE HERE)

10. PERSON TO NOTIFY IN CANADA IN CASE OF EMERGENCY NAME: PAUL BRIDGMAN STREET: 102 OSSINGTON CITY, TOWN: TORONTO PROVINCE: ONTARIO RELATIONSHIP: FRIEND

11. APPLICANT'S MARITAL STATUS
 SINGLE ☒ MARRIED ☐ WIDOWER ☐ DIVORCED ☐ SEPARATED ☐ ANNULLED ☐

12. HAS YOUR NAME BEEN CHANGED? YES ☐ NO ☒

13. HAVE YOU APPLIED FOR A CANADIAN PASSPORT OR CERTIFICATE OF IDENTITY (TRAVEL DOCUMENT) WITHIN THE LAST TEN YEARS? YES ☐ NO ☒

14. HAVE YOU GOTTEN A CANADIAN PASSPORT IN LAST TEN YEARS? YES ☐ NO ☒

15. PLEASE COMPLY WITH INSTRUCTION NO. 12

16. HAVE YOU A VALID OR EXPIRED PASSPORT OF ANOTHER COMMONWEALTH COUNTRY? YES ☐ NO ☒

17. PLEASE ENCLOSE AND ENTER DATE OF ISSUE

18. HAVE YOU THE NATIONALITY OF CITIZENSHIP OF A FOREIGN COUNTRY IN ADDITION TO CANADIAN CITIZENSHIP? YES ☐ NO ☒

19. ENTER NAME OF COUNTRY

PHOTOGRAPHS

FOR OFFICIAL USE ONLY

REMARKS
 Passport issued to replace expired passport D590324 issued at Ottawa on 24 April 1968

FILED BY
 INDEXED BY
 APPLICATION EXAMINED BY
 CHECKED BY
 PASSPORT NO. 42662214
 DATE May 16, 68
 24 April 68

DATE OF BIRTH DAY: 8 MONTH: 10 YEAR: 32

PLACE OF BIRTH CITY, TOWN, ETC.: TORONTO COUNTRY: CANADA PROVINCE: ONTARIO

DATE OF BIRTH DAY: 8 MONTH: 10 YEAR: 32

PLACE OF BIRTH CITY, TOWN, ETC.: TORONTO COUNTRY: CANADA PROVINCE: ONTARIO

DATE OF BIRTH DAY: 8 MONTH: 10 YEAR: 32

PLACE OF BIRTH CITY, TOWN, ETC.: TORONTO COUNTRY: CANADA PROVINCE: ONTARIO

FIGURE 7A.—Form A-O: Application for Canadian Passport, Department of External Affairs, printed name of applicant "Ramon George Sneyd". (Page 1)

ALL APPLICANTS NOT BORN IN CANADA
PLEASE READ INSTRUCTION NO. 13 AND ANSWER QUESTIONS 17 TO 20 INCLUSIVE

17. IF YOU ☐ OR YOUR FATHER ☐ WERE ADMITTED TO CANADA AS A LANDED IMMIGRANT NAME OF SHIP OR AIRLINE
 GIVE PORT OF ENTRY DATE

18. GIVE PERIODS OF PERMANENT RESIDENCE IN CANADA UP TO PRESENT TIME
 FROM: TO: FROM: TO: FROM: TO:

19. HAVE YOU A CERTIFICATE OF NATURALIZATION ☐ OF CITIZENSHIP ☐ OR HAS YOUR NAME BEEN INCLUDED IN A CERTIFICATE OF NATURALIZATION
 CHECK APPROPRIATE BOX IF QUESTION APPLIES TO YOU OR SUBMIT CERTIFICATE FOR INSPECTION. ENTER CERTIFICATE NO. DATE OF ISSUE (See Instruction No. 13)

20. DO YOU CLAIM CANADIAN CITIZENSHIP THROUGH YOUR FATHER (THIS EXCLUDES ADOPTIVE FATHER) YES ☐ NO ☐
 IF "YES", GIVE FATHER'S NAME AND **FORWARD FOR INSPECTION** HIS BIRTH CERTIFICATE. (See Instruction No. 13)
 FATHER'S COUNTRY OF BIRTH FATHER'S NATIONAL STATUS WHEN YOU WERE BORN

PRESENT MARRIAGE—This section must be completed by women who are married or who have been married. NOTE: If married more than once, please answer questions below regarding present or most recent marriage. In next section enter details of your earlier marriage or marriages. (Please note Instruction 13(c) and Questions 29 and 30, if applicable)

21. PLACE OF MARRIAGE DATE OF MARRIAGE YOUR NATIONALITY OR CITIZENSHIP BEFORE MARRIAGE

22. HUSBAND'S FULL NAME HUSBAND'S BIRTH DATE HUSBAND'S PLACE OF BIRTH

23. PRESENT NATIONALITY OR CITIZENSHIP OF HUSBAND AT TIME OF MARRIAGE IF WIDOW, GIVE DATE OF HUSBAND'S DEATH

24. IF MARRIED BEFORE JANUARY 1, 1947 AND YOU CLAIM CITIZENSHIP SOLELY THROUGH MARRIAGE, WAS YOUR HUSBAND AT THE TIME OF MARRIAGE
 A CANADIAN NATIONAL, OR BRITISH SUBJECT BY BIRTH ☐ BY NATURALIZATION ☐ OR BY INCLUSION IN HIS FATHER'S CERTIFICATE OF NATURALIZATION ☐ (See Instruction No. 13)
 YOUR RESIDENCE IN CANADA HAS BEEN (Give Date) FROM: TO: YOU HAVE PREVIOUSLY RESIDED IN (Name Country or Countries)

PREVIOUS MARRIAGE(S)—This section must be completed by women who have had a marriage other than the one noted above. If there has been more than one previous marriage, please answer same questions for each previous marriage on a separate sheet and attach. (Please note Instruction 13(c) and Questions 29 and 30, if applicable)

25. PLACE OF MARRIAGE DATE OF MARRIAGE YOUR NATIONALITY OR CITIZENSHIP BEFORE MARRIAGE

26. HUSBAND'S FULL NAME HUSBAND'S BIRTH DATE HUSBAND'S PLACE OF BIRTH

27. PRESENT NATIONALITY OR CITIZENSHIP OF HUSBAND AT TIME OF MARRIAGE IF HUSBAND DECEASED, DATE OF DEATH

28. IF MARRIED BEFORE JANUARY 1, 1947 AND YOU CLAIM CITIZENSHIP SOLELY THROUGH MARRIAGE, WAS YOUR HUSBAND AT THE TIME OF MARRIAGE
 A CANADIAN NATIONAL, OR BRITISH SUBJECT BY BIRTH ☐ BY NATURALIZATION ☐ OR BY INCLUSION IN HIS FATHER'S CERTIFICATE OF NATURALIZATION ☐ (See Instruction No. 13)
 YOUR RESIDENCE IN CANADA HAS BEEN (Give Date) FROM: TO: YOU HAVE PREVIOUSLY RESIDED IN (Name Country or Countries)

29. IF MARRIED MORE THAN ONCE, **FORWARD PRESENT MARRIAGE CERTIFICATE FOR INSPECTION.**

30. IF MOST RECENT MARRIAGE WAS DISSOLVED OR ANNULLED, **FORWARD DIVORCE DECREES OR OTHER SUPPORTING DOCUMENTS.**
 (All Certificates and Documents will be Returned)

DECLARATION OF APPLICANT
 I solemnly declare that the statements made in this application are true, that the photographs enclosed are a true likeness of me, and that I am a Canadian Citizen. I enclose the fee of five dollars (\$5.00) Canadian funds or its equivalent in bank draft ☐ or postal money order ☐
 Do not Send Cash
 LOCATION (CITY, TOWN, ETC.) DAY MONTH YEAR SIGNATURE OF APPLICANT (See Instruction No. 14)
 LISBON, PORTUGAL 16 5 1968 Ramon George Sneyd

DECLARATION OF GUARANTOR
 Please see Instruction No. 4, for list of eligible guarantors and procedure for certifying photographs.
 (Only Guarantors listed will be accepted)
 NOTE: No Fee is Chargeable For This Declaration

FIRST NAME MIDDLE NAME FAMILY NAME
 I,
 declare that to the best of my knowledge and belief all the statements made in this application are true. I make this declaration from my knowledge of the applicant
 whose name is
 whom I have known personally for years
 (State how long you have known him)
 LOCATION (CITY, TOWN, ETC.) DAY MONTH YEAR
 BUSINESS ADDRESS OF GUARANTOR—BE FULL (Please Print) TELEPHONE (CITY) HOME

FIGURE 7B.—Application for Canadian Passport, dated May 16, 1968, and signed "Ramon George Sneyd" in Lisbon, Portugal. (Page 2)

AFFIDAVIT
(in lieu of guarantor)

1. Ramon George Sneyd
of
make oath and say:

1. The statements contained in the attached application for a passport are true and correct;

2. There is no one in Lisbon Portugal
eligible under the Canadian passport regulations to act as guarantor for passport applications, who knows me well enough to act as guarantor for my application. The reason for this is that

I am only visited here on vacation

3. Attached hereto and marked Exhibit "A" to this my Affidavit is a true photograph of myself.

Sworn before me at)

.....(city))

in(country))

this day of)

A.D. 19

Ramon George Sneyd
(Signature)

[Signature]
(Signature of qualified official)

NOTE: In addition to usual signature please PRINT below name and address of official before whom Affidavit is sworn.

.....
(Name) (Address)

Noted at on A.D. 19

.....
(Signature of official)

HAVE YOU ANSWERED ALL QUESTIONS ON THIS PAGE?

FIGURE 7C—Affidavit (in lieu of guarantor), dated May 16, 1968, and signed "Ramon George Sneyd". (Page 3)

EXTERNAL AFFAIRS



AFFAIRES ÉXTERIEURES

TO: The Canadian Passport Division

SECURITY: UNCLASSIFIED

FROM: The Canadian Embassy, Lisbon

DATE: May 17, 1968

REFERENCE:

NUMBER: 172

Reference:

FILE: QY-1A-1A COVER

SUBJECT: Re-issuance of Spoiled Passport

MISSION: 84-11

ENCLOSURES:
None

DISTRIBUTION:

1. Mr. Baron George Sneyd visited this Embassy to indicate that an error had been made in the spelling of his name in passport number 14609124 issued to him at Ottawa on April 29, 1968. His name had been spelled "Sneya" in this document.

2. We cancelled this inaccurate passport and after checking his Ontario birth certificate we issued him a replacement passport IT 602294 on May 16, 1968, valid until April 24, 1973.

3. This letter is being sent with the passport returns for May-June 1968.

The Embassy.

- FBI -
LABORATORY



FIGURE 7D.—May 17, 1968, typewritten letter from the Canadian Embassy, Lisbon, Portugal. (Page 4)

- (h) Photograph of a letter (script) from H.M. Prison, Heathfield Road, Wandsworth, London, SW. 18, signed "R. G. Sneyd". (FBI specimen Q387) (Fig. 8.)

In replying to this letter, please write on the envelope:—

Number 059184 Name SNEYD,

H. M. PRISON,
HEATHFIELD ROAD,
WANDSWORTH,
LONDON, S.W. 18.

Dear Sir,

I am at present in detention at the above listed address in London England. In the near future I will most probably be deported to the United States. The reason I am writing you is that you will probably dispatch agents to London to return me to the U.S. and I would like to have it on record now that I have no intention of making any oral statement, not that I have anything to hide but I would prefer to tell my story to a judge & jury. Therefore I would respectfully suggest you send someone with less imagination than Mr. Unson. I have also written my attorney Mr. Arthur Horne a similar letter. Sincerely

No 243

(29/50) (14-62)

R. G. Sneyd.

00
387

— FBI —
LABORATORY

FIGURE 8.—Letter in script from H.M. Prison, Heathfield Road, Wandsworth, London, SW. 18, signed "R. G. Sneyd".

(12) The London robbery note (item 1), the Bridgman and Sneyd birth certificate request letters (items 2 and 3), the Sneyd statutory declaration form (item 4), and the handdrawn map (item 5), were examined as questioned documents. The 28-line hand printed note (item 6), the Sneyd Canadian passport application (item 7), and the Sneyd letter from H.M. Prison, Heathfield Road, London (item 8) were used as exemplars or specimens of the writing and printing of James Earl Ray for comparison to the five questioned items.

(13) The quality of most of the photocopies and photographs of the questioned documents was rather poor and any opinion is necessarily qualified. The following determinations were made, however, from the examination of the five questioned items.

(14) A. The handprint on the birth certificate request letters (items 2 and 3), and pages 1 and 2 of the Sneyd Canadian passport application (item 7) were made by the same person.

(15) B. The script writing on the Sneyd letter from London (item 8) and page 3 of the passport application (item 7) were made by the same person.

(16) D. The signatures "R. G. Sneyd" (item 8) and "Ramon George Sneyd" (item 3), pages 2 and 3 of the passport application (item 7), and the Sneyd signature on the statutory declaration form (item 4) were made by the same person.

(17) E. The script writing "Pers. & Conf. . . . in question" at the bottom of the Bridgman birth certificate request letter (item 2) does not correspond to the script writing in the Sneyd London letter (item 8).

(18) F. The handprint notations on the statutory declaration form (item 4), although difficult to see, do not appear to resemble any handprint on the other documents.

(19) G. The bulk of the handprint on the map (item 5), identified as being by the same person, is in uppercase handprint. There are only a few exceptions that occur in the lowercase letters; "h", "i", and "p". There are many more lowercase handprinted forms on the hand-drawn map, including: "a", "d", "e", "f", "g", "h", "i", "l", "r", and "t". The letter "g" in script also occurs on the hand-drawn map. In the writing of the documents used for the applications for passport and birth certificates, the writer may have tended to be more formal, precise and careful to have everything consistently in the same type of handprint (uppercase). The hand-drawn map (item 5) is certainly an informal writing, intended for the writer alone and may have deviated from the other writings described here primarily because of its informality. This map is intended as a series of "scratch" notes and the method of writing—lowercase handprint, uppercase handprint, script forms writing in different directions—bear out this observation. The circumstances surrounding preparation of the hand-drawn map apparently caused the deviation in the method of writing—a greater use of lowercase letter forms mixed with uppercase letter forms than found in the bulk of these writings.

(20) Unfortunately, there are no "spontaneous" writings of the subject contemporaneous with the writing of the hand-drawn map (item 5) available for comparison.

(21) The uppercase writing forms of the hand-drawn map, plus lowercase writing forms which parallel those found in the other writings were examined and compared. From this examination and comparison it was determined that the uppercase forms of the map (item 5) and the other handprintings correspond. Similarities occur in the "A's" (both written with a tendency to flatten out the top section). The "B's" agree. The "D" of the map is written without interruption with the left vertical continuing on to form the right semicircle. This "D" occurs in the other writings. The "E's" are also similar. The small "h" of the map and that of the subject's writing corresponds. The odd quirk of using the lowercase "i" and dotting it appears in the writings. The "L" of the known documents with the curved horizontal stroke is common to the map and other writings. The "M" of the map has the middle section coming down to the baseline of writing. It does the same in the other writings. The "N" of both sets of writings agrees. The remainder of the uppercase handprinted forms in the map and the other writings agree.

(22) There is sufficient agreement in the uppercase handprinted letter forms and the few lowercase handprinted letter forms which are comparable in the map and the rest of the documents to warrant a conclusion that the writing on this hand-drawn map resembles that of other documents.

(23) H. The script writing and signatures have been associated with each other. The handprint on some documents has also been associated. Where one has a combination of print and script on the same documents, it seems obvious that the documents involved emanated from the same source or the same person, though print and script usually cannot be compared adequately because they are different forms of writing.

(24) I. On comparison of the printing on the two photographic prints on the paper bag London robbery note (item 1) and the handprinted, 28-line "James Ray" note (item 6), the writing on the holdup note (item 1) could not be identified as the same as that on the Ray note exemplar (item 6).

(25) There is a loss in clarity and detail of the writing pattern in both the questioned document (item 1) and known document (item 6). In the questioned document, the London robbery note, it appears that the individual letters were first written in dual lines, one paralleling the other, and the opening then filled in. (See figs. 1A and 1B.) The writer of the questioned document has carefully "lined-off" letters making up the message. In this way, the writer has effectively disguised the writing pattern, thus precluding positive identification.

(26) A letter-by-letter examination and comparison of the questioned holdup note (item 1) and the known Ray note (item 6) indicated as follows:

"A" In the questioned note, a triangular shape with the horizontal placed right in the center. This "A" indicates that it has been constructed with three separate strokes—two diagonals and a horizontal.

In the known document, some of the "A's" are written in one continuous movement with a horizontal continuance of the right diagonal. Others have been written in two strokes—

a double-staffed left side continuing on to the right diagonal and the horizontal written as a separate stroke. Others are written in three movements, such as the questioned "A," but the right side is more of a curve, and in some forms appears like a "7" with a horizontal stroke.

The four "A's" of the questioned note are careful and consistent. The "A's" of the known are careless and inconsistent.

"C" In the questioned note (item 1) the arc at the left is flattened and the bottom curve is shallow.

The "C" of the known note appears to have more of a curve.
"E" In the questioned document, the "E" of "PLACE" is written with the top horizontal slightly longer than the bottom. The "E" of "NOTES" is written with the bottom horizontal slightly longer than the top.

In the known note some of the "E's" have been written with four strokes—one vertical and three horizontal—all separated. Some of the known "E's" have been written as an "L" and then the last two horizontals added. The "L" form of these "E's" has a little "hump" at the bottom left. It seems that the questioned "E's" have been written with four separate strokes but they are much more carefully formed than the known "E's". Neither of the questioned "E's" show the "L" design found in some of the known "E's."

"i" In the questioned document (item 1), the "i" of "iN" is written without a dot while the "i" of "THiS" is written with a dot.

In the known note (item 6), the capital "I" is written like the typed "I" with serifs at the top and the bottom of the vertical. The small "i" is usually written with the dot. Only in three instances is the dot missing over the "i": "iSSUES" (line 5), "SPiRiT" (line 11), and "NOTORiZED" (line 28). In any event, a straight line stroke with "i" is of little identifying value.

"L" In the questioned note, this letter is composed of two straight line strokes. The vertical is apparently one stroke and the horizontal is added as the second stroke.

In the known note, the "L" is written in a continuous movement with a little "loop" or "spur" at the bottom left.

The questioned "L" is much different from the known "L."
"D" In the questioned document (item 1), it appears to be written in two strokes—a vertical and a curve.

Most of the known "D's" appear to be written in the same manner with some made in a continuous writing movement with a double-staffed vertical at the left side continuing on to the curve at the right.

"G" The questioned note (item 1) gives the appearance of being written in two movements—one for the "C" curve and another for the short horizontal that makes "C" a "G."

The "G" of the known document is written in a continuous movement with the short horizontal spur a continuation of the circle.

"H" A commonplace design form in the questioned note. Only one capital "H" in the known note ("THE" on line 6, fourth

word), and this "H" is changed from a small "h". The rest of the "h's" of the known note are lower case.

"N" In the questioned note is a standard letter design form. Some of the "N's" of the known document are carefully written, similar to the questioned "N." Most of the "N's" are sloppily written, differing from the questioned writing.

"O" Commonplace design form in the questioned note, which is somewhat similar to some of the "O's" of the known note.

"P" In the questioned document (item 1), a carefully written letter form. In the known note, most of the "P's" appear to have been written in lower case with design forms different from the questioned writing.

"T" In the questioned note, the "T's" are made up of two straight-line strokes.

In the known writing, the "T's" are made in the same manner of many of the letter "T's". In the known note, however, the horizontal appears to be longer. Many of the known "T's" have a little eyelet loop beginning the horizontal cross-stroke. This does not occur in the questioned writing.

"U" Carefully written standard letter form in the questioned writing.

In the known, the "U" is written carelessly. It sometimes looks like an "O," and other times like a "V."

"S" In the questioned note, this is just an ordinary standard form. It is similar to one or two of the "S's" of the known, which tend to be somewhat inconsistent. But the bulk of the "S's" of the known are different from that of the questioned.

(27) There are one or two similarities occurring between the questioned writing (item 1) and known writing (item 6). But these similarities are not significant personal characteristics that would tend to individualize the writing. They fall more into the category of "class" or "group" similarities. On the other hand, there are a number of differences that occur. Since the amount of writing in question is rather restricted, these differences indicate lack of similarity. The writing of the questioned document has been done carefully and methodically, in a manner that virtually defies identification. Almost all the letters are composed, in whole or in part, of straight lines: "A," "E," "H," "i," "L," "N," "T" (20 letters); a combination of straight and curved lines: "B," "D," "P" (5 letters); and curved lines: "C," "G," "O," "S," "U" (8 letters). The straight-line stroke letters are virtually unidentifiable. Those of mixed straight lines and curves are difficult to identify. The others may be more easy to identify.

(28) The numbers "5-10" on the questioned London note (item 1) also fall into a standard writing pattern that is unidentifiable with the known writings.

(29) The overall writing pattern of the questioned document, the London robbery note (item 1), is composed of letter design forms that have been written in a disguised manner. This disguised writing pattern precludes positive identification. In the case of the specific known exemplars that have been examined and compared in this report, no connection has been made between the questioned writing and the writing of the known exemplars.

IV. CONCLUSION

(30) 1. The writing on the London robbery note (item 1) could not be identified with the James Earl Ray exemplar (item 6). The letters of the robbery note were written in dual lines and filled in and the note had no identifiable writing pattern, thus precluding positive identification.

(31) 2. The Bridgman (item 2) and Sneyd (item 3) birth certificate request letters, and the Sneyd statutory declaration form (item 4) were written by James Earl Ray, with the exception of the lines of script at the bottom of the April 10, 1968, Bridgman letter beginning "Pers. & Conf." and ending "* * * in question," and the writing above the signature on the statutory declaration form (item 4). The writing not identified as that of Ray appeared to have been made by officials who reviewed the documents.

(32) 3. There is sufficient agreement in the 1978 hand-drawn map and the other documents to support a conclusion that James Earl Ray made the map, although the writing on the map was informal, intended for the writer alone, while the other documents were more formal and precise. This informality may explain the deviation in writing style from the more formal documents identified as Ray's writing.

SCIENTIFIC REPORT ON THE SUBJECT OF
THE REVIEW OF THE JAMES EARL RAY
POLYGRAPH EXAMINATIONS

By

THE POLYGRAPH PANEL

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Report to the
Select Committee on Assassinations
U.S. House of Representatives
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I. INTRODUCTION

(1) A wide variety of sophisticated devices are used to assist in the apprehension of suspected criminals and in determination of their guilt or innocence. The results of tests relating to fingerprints, firearms, and handwriting are among those generally acceptable as evidence in judicial proceedings. The results of polygraph examinations, however, have not merited such acceptance as evidence at trial.

(2) The polygraph is an instrument that records various body changes that occur as a person is interviewed. This data may serve as a basis for diagnosis of whether the person is truthful or lying. Polygraph equipment records responses with pens on a roll of paper, measuring simultaneously at least three physiological responses: Breathing patterns, cardio (blood pressure and pulse), and galvanic skin response (skin resistance). From the readings of physiological activity, a person's psychological set is determined.*

(3) Under rules adopted at the time of the creation of the committee in 1976, use of polygraph examinations during the investigation was strictly limited. In fact, reference to either "the failure or agreement to take a polygraph test," or to the results of a polygraph examination, was specifically prohibited.

(4) Such restrictions, however, were not provided for confidential administration of tests or the review and analysis of polygraph tests taken independently by key figures in the investigation. Consequently, the committee employed a panel of polygraph consultants to review the charts and other materials from polygraph examinations of Jack Ruby and Yuri Nosenko, important witnesses in the investigation of the assassination of President John F. Kennedy, as well as James Earl Ray, convicted murderer of Dr. Martin Luther King, Jr.

(5) In 1977, James Earl Ray voluntarily submitted to two polygraph examinations: One for a Playboy magazine article, the other for a television report by newspaper columnist Jack Anderson. Both examinations were conducted at Brushy Mountain State Penitentiary, Petros, Tenn., where Ray is serving a 99-year sentence for the murder of Dr. King. On June 22, 1977, polygraphist Douglas E. Wicklander of John E. Reid & Associates, Inc., Chicago, Ill., tested Ray in connection with a Playboy magazine interview, published in September 1977. Based on this examination, Wicklander formed the opinion that Ray lied in denying participation in Dr. King's murder but told the truth when he denied there was a conspiracy to kill the civil rights leader. Copies of charts, questions, and other materials from this test were turned over to the committee following authorization by Ray's lawyer at the time, Jack Kershaw. The committee's polygraph panel reviewed this material.

*See the introduction to the polygraph panel's analysis of the polygraph examination of Jack Ruby for more detailed background information.

(6) Chris Gugas, director of Professional Security Services, Hollywood, Calif., conducted another polygraph examination of Ray on December 21, 1977, for Ralph Andrews Productions. The results of the test were broadcast in "The Truth With Jack Anderson," a television program presented in January 1978. Gugas agreed to supply copies of the original test, questions, and related material to the committee. Gugas, like Wicklander with his Playboy test, formed the opinion that Ray lied in denying participation in the assassination but was truthful in denying a conspiracy to kill Dr. King.

II. SELECTION OF THE PANEL

(7) In August 1977, the committee decided to convene a panel of polygraph experts to review the June 1977 polygraph examination of James Earl Ray. In its effort to hire the most qualified polygraphists, the committee sought panel members who could approach their work objectively, free of substantial ties with Government agencies, and of involvement with the investigation of Dr. King's assassination. Recommendations for panel membership were requested from officers of the American Polygraph Association. They suggested nine persons who were then asked to provide résumés to the committee. Additional information was sought later, and each person was asked to provide his own list of leading polygraphists. Although some names appeared with regularity, it was evident that there is no general agreement about the leading polygraphists.

(8) The committee interviewed 19 prospective panel members and chose 3 polygraphists:

(9) 1. Richard O. Arther received a B.S. degree, with honors, in police science from Michigan State University in 1951, and an M.A. degree in psychology from Columbia University in 1960. Arther founded Scientific Lie Detection, Inc., in 1958, and cofounded the National Training Center of Polygraph Science, also in 1958. He has taught at Brooklyn College, Seton Hall University, the John Jay College of Criminal Justice, and the Graduate School of Public Administration of New York University.

(10) Arther has written over 200 professional articles and 2 books. He is a member of the Academy of Certified Polygraphists and the American Polygraph Association.

(11) 2. Charles R. Jones received a B.S. degree in education (major in social science) and completed the training course at the National Training Center in New York in 1959. Jones has been an instructor at the police training school in Charleston, W. Va., and currently teaches at the Zonn Institute of Polygraphy, Inc., in Atlanta, Ga. He joined the Lincoln M. Zonn firm in 1961, and is currently the president of that organization.

(12) Jones is a member of the American Polygraph Association. In 1976 he was elected a vice president of that organization.

(13) 3. Benjamin Frank Malinowski is a retired U.S. Army warrant officer with a career in criminal investigation and polygraph examinations. He attended the National Training Center in 1966, and is a graduate of the Provost Marshal School at Fort Gordon, Ga., and of the Zonn Institute of Polygraphy. He has been an instructor

at the U.S. Army Military Police School at Fort Gordon, Ga., and from 1967 to 1969 he was an operations officer with the Southern European Criminal Investigations task force. In 1975 he founded the Malinowski Polygraph Service.

(14) Malinowski is a member of the Academy of Certified Polygraphists, the American Polygraph Association, and the Georgia Polygraph Association, as well as a former president of the Georgia organization. He has written numerous articles and lectured extensively about polygraphy.

III. EVIDENCE EXAMINED

(15) The committee's panel reviewed both polygraph examinations that James Earl Ray voluntarily took in 1977. The first examination actually consisted of two separate examinations, conducted at Brushy Mountain State Penitentiary on June 22, 1977, by Douglas E. Wicklander of John E. Reid & Associates, for Playboy magazine. The first Wicklander examination went from 11:30 a.m. to 1:30 p.m., and was designed to investigate Ray's personal involvement in the assassination of Dr. Martin Luther King, Jr. The second examination started at about 3:15 p.m. that day, after a rest period of about 1 hour 45 minutes, and ended at 4:30 p.m. It was designed to investigate Ray's possible involvement in a conspiracy to assassinate Dr. King.

(16) The panel examined the following material:

- (1) a complete set of the test charts;
- (2) a short summary of the procedures used during the test, written by the polygraphist;
- (3) the consent form;
- (4) the test questions;
- (5) the "polygraph data" sheet reflecting information on the subject's health and use of medication; and
- (6) a letter sent from John E. Reid & Associates to Playboy magazine summarizing the results of the examination.

(17) The key questions asked during the first examination and Ray's answers follow:

Question 1. On April 4, 1968, did you shoot Martin Luther King, Jr.?

Answer. No.

Question 2. Did you kill Martin Luther King, Jr.?

Answer. No.

Question 3. Did you fire the shot that killed Martin Luther King, Jr.?

Answer. No.

Question 4. Do you know for sure who killed Dr. Martin Luther King, Jr.?

Answer. No.

(18) Wicklander rendered an opinion that Ray was untruthful in his response to the four questions. Wicklander noted "significant emotional disturbances indicative of deception on the subject's polygraph record * * *"

(19) The critical questions asked during the second Wicklander examination and Ray's answers follow:

Question 1. Did anyone ask you to kill Martin Luther King, Jr.?

Answer. No.

Question 2. Did you arrange with anyone to kill Martin Luther King, Jr.?

Answer. No.

Question 3. Did anyone give you money to kill Martin Luther King, Jr.?

Answer. No.

(20) Wicklander rendered an opinion that Ray was truthful in his response to these three questions. Wicklander noted "no significant disturbances indicative of deception on this subject's polygraph records * * *."

(21) On December 21, 1977, at about 2:10 p.m., Ray underwent a second voluntary polygraph examination to investigate his personal involvement in the assassination of Dr. Martin Luther King, Jr., and his possible involvement in a conspiracy. The examination was conducted at Brushy Mountain State Penitentiary by Chris Gugas, Sr., director of Professional Security Consultants, for Ralph Andrews Productions. The panel examined copies of the following material:

- (1) a complete set of the test charts;
 - (2) the test questions;
 - (3) information on Ray's consumption of food, drink, aspirin, and on his blood pressure readings; and
 - (4) a letter from Professional Security Consultants to Ralph Andrews summarizing the examination procedure and results.
- (22) The critical questions and Ray's answers follow:

Series 1

Question 1. Do you know who shot Dr. Martin Luther King, Jr.?

Answer. No.

Question 2. Did you shoot Dr. Martin Luther King, Jr.?

Answer. No.

Question 3. Between 1960 and April 4, 1968, do you recall telling any person in the United States that you were going to shoot or harm Dr. Martin Luther King, Jr.?

Answer. No.

Question 4. Did you fire any rifle at any person in Memphis in April 1968?

Answer. No.

Series 2

Question 1. Were you involved with any other person or persons in a conspiracy to shoot Dr. Martin Luther King, Jr.?

Answer. No.

Question 2. Did you know Dr. Martin Luther King, Jr., was going to be shot?

Answer. No.

Question 3. Did you ever have any rifle or pistol with you in the 422½ South Main Street roominghouse in Memphis on April 4, 1968?

Answer. No.

Question 4. Did you point any weapon toward Dr. Martin Luther King, Jr., on April 4, 1968?

Answer. No.

(23) After reviewing Ray's polygraph charts, Gugas opined that "Ray answered question No. 1 of test series 2 truthfully when he denied conspiring with any person or persons to shoot Dr. Martin Luther King, Jr." Gugas also said that Ray "attempted deception to all the other critical questions" on both series 1 and 2.

IV. EXAMINATION PROCEDURES

(24) On June 27, 1978, the three polygraph panelists, Richard O. Arther, Charles R. Jones, and Benjamin Frank Malinowski, met with the committee to review the two 1977 polygraph examinations of James Earl Ray. Prior to the meeting, the committee provided each panel member with a set of charts for each of Ray's polygraph examinations, test questions, consent forms, and medical data. Each polygraphist had independently examined the materials before the June 27 meeting.

(25) The panel members were asked to focus on the following four issues for each polygraph examination they evaluated:

- (1) Did the circumstances surrounding the administration of the polygraph examination affect the results?
- (2) Did any characteristics or activities of Ray himself affect the outcome of the test?
- (3) Did the procedure, technique, or equipment used by the polygraphist in administering the tests affect the outcome?
- (4) What conclusions could be made concerning interpretations of the charts?

V. FINDINGS OF THE PANEL

A. Review of the June 22, 1977, Douglas E. Wicklander polygraph examination of James Earl Ray—Test 1 and test 2

- (1) *Did the circumstances surrounding the administration of the polygraph examination affect the results?*

(26) The panel found indications of outside noises which may have created a poor environment for the most reliable polygraph examination. One interruption occurred at the crucial question, "Did you kill Martin Luther King, Jr.?" when Ray's attorney, Jack Kershaw, entered the testing facility. The panel, however, could not determine the effect the outside noises of Kershaw's interruption had on the test.

- (2) *Did any characteristics or activities by Ray himself affect the outcome of the test?*

(27) Ray interrupted the examination by talking at various times. The panel concluded the interruptions had no effect on the test.

- (3) *Did the procedure, technique or equipment used by the polygraphist in administering the test affect the outcome?*

(28) In reviewing the June 22, 1977, Ray polygraph test, the members of the panel noted several factors that may have affected the test results.

(29) (a) The panel objected to the use of the words "kill" and "killed" in test questions such as "Did you kill Martin Luther King, Jr.?" "Did you fire the shot that killed Martin Luther King, Jr.?" Two of the panel members thought less dramatic words, perhaps "shoot" and "shot," should have been used, while the third believed the stronger verb, "murder," should have been used.

(30) (b) The two control questions were inadequate. For example, the question, "During your escapes from jail, did you take part in or commit a crime?" is unnecessarily redundant and should be phrased differently. Either "take part in" or "commit" should be used, but not both expressions with "or." The question is also dangerous since it encompasses the relevant area of inquiry: Ray was an escaped convict at the time Dr. King was killed.

(31) (c) Stimulus marks were not used to show the beginning or end of questions. The panel believed such marks were necessary to determine exactly when the questions were asked and the physiological activity that occurred as the questions were asked.

(32) (d) The panel concluded that two questions from test No. 2 ("Did anyone ask you to kill Martin Luther King, Jr.?" and "Did you arrange with anyone to kill Martin Luther King, Jr.?") should have been constructed differently.

(33) (e) Two panel members would have combined the administration of tests 1 and 2, although under different circumstances they would not have objected to separate examinations. They believed that a "fatigue factor" may have affected the results of the second test, given shortly after the first test. The third panel member, however, had no objection to giving test 2 later on the same day as test 1.

(34) (f) The panel members agreed unanimously that different control questions should have been used in test 2 rather than the same questions that were used in test 1.

(4) *What conclusions can be made concerning interpretations of the charts?*

(35) The three panel members formed the unanimous opinion that the test 1 polygraph charts indicated that Ray was lying when he denied participating in the murder of Dr. King.

(36) The Wicklander questions in test 2 dealt with the possibility of conspiracy in the King assassination. All three polygraphists agreed that Ray reacted somewhat to test 2, question 3: "Did anyone ask you to kill Martin Luther King, Jr.?" The panel members believed, however, that test 2 was inconclusive.

B. Review of the December 21, 1977, Chris Gugas polygraph examination of James Earl Ray—Series 1 and series 2

(1) *Did the circumstances surrounding the administration of the polygraph examination affect the results?*

(37) The panel concluded that the testing, which took place at 2:23 p.m., was conducted at an unreasonably late hour. Polygraph testing should be conducted at an early hour after the examinee has rested and the body is "fresh." In this case, earlier testing might have provided more readable tracings.

(2) *Did any characteristics or activities by Ray himself affect the outcome of the test?*

(38) In both series 1 and series 2, the panel noted an apparent attempt by Ray to create artificial reactions to control questions. It seemed that Ray had studied polygraph technique and attempted to produce lie-type reactions to the control questions, a ruse used in an attempt to convince the polygraphist that his answers to relevant questions were truthful. He did this by depressing his arm on the cardio cuff, producing an upward swing in his measured blood pressure tracings.

(3) *Did the procedure, technique or equipment used by the polygraphists in administering the test affect the outcome?*

(39) The panel noted that the galvanic skin resistance component was improperly adjusted, making the galvanograph tracings difficult to discern. The pneumograph pens, also improperly adjusted, allowed the pens to hit the pen stops, producing pneumograph tracings that the panel found difficult to distinguish. Finally, the blood pressure change tracings were hard to discern because of improper cardiograph pressure in the cardio cuff.

(40) Stimulation testing of Ray, conducted before the relevant issues were introduced to determine if he was a good candidate for testing, was done to an unnecessary extent. This preliminary testing could have fatigued Ray, impairing his performance on the relevant questions.

(41) A relevant question (4) in series 1, "Did you fire a rifle at any person in Memphis in April 1968?" had no value. The purpose of the series was to determine direct involvement of Ray in the shooting of Dr. King, so the question should have specifically mentioned Dr. King.

(4) *What conclusions can be made concerning interpretations of the charts?*

(42) The polygraph panel had the opinion that Ray was deceptive when answering in the negative question 3 of series 1 ("Do you know who shot Dr. Martin Luther King, Jr.?") and question 5 of series 1 ("Did you shoot Dr. Martin Luther King, Jr.?"). The panel was unable to reach a definitive conclusion about question 8, which contained two issues: "Between 1960 and April 4, 1968, do you recall telling any person in the United States that you were going to shoot or harm Dr. Martin Luther King, Jr.?" They did note that this question was too long and ambiguous.

(43) The panel was unable to reach a definitive opinion about series 2 because of Ray's attempts to interfere with the test, improper adjustment of the polygraph instrumentation, and weak test question construction. Series 2 was concerned with Ray's possible involvement in a conspiracy, but only one relevant question was asked in series 2 on this issue. All other questions touched on direct involvement which had been dealt with earlier in series 1. Different questions should have been asked in series 2 to allow a broader base for a conspiracy conclusion.

**INVESTIGATION INTO THE ASSASSINATION OF
DR. MARTIN LUTHER KING, JR.
AN ANALYSIS OF THE ASSASSINATION
INVESTIGATION OF THE
DEPARTMENT OF JUSTICE
AND THE
FEDERAL BUREAU OF INVESTIGATION**

**Supplementary Staff Report
of the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
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I. INTRODUCTION: THE ISSUES AND THE APPROACH*

(1) Because of the extensive effort made by the FBI in both the security (Cominfil) investigations and the COINTELPRO operations carried out against Dr. King and the SCLC during the 1960's the House Select Committee on Assassinations was faced with the troubling question of whether that same agency was either willing or able to conduct a thorough and far-reaching criminal investigation of the assassination itself. Stated otherwise, could the FBI abandon the adversary posture it had assumed toward Dr. King, and carry out an objective and aggressive investigation of the person(s) responsible for the murder?

(2) Because of this overriding issue, the committee's review of the Federal assassination investigation involved a number of additional important inquiries:

- (a) Did the Justice Department, properly exercise its supervisory authority over the direction and conduct of the investigation?
 - (b) Were all available investigative resources committed to the task of identifying and locating the person(s) responsible for Dr. King's death?
 - (c) What was the nature of the FBI's coordination with, and use of, the facilities and resources of local authorities, including the Memphis Police Department and the Shelby County prosecutors?
 - (d) Was the investigation conducted with due regard for the constitutional rights of citizens? Of investigative targets? Of the defendant, James Earl Ray?
- (3) In order to examine these and other significant issues, the committee directed staff to undertake, as its first step, a thorough review of pertinent investigative files from both the Department of Justice and the Federal Bureau of Investigation.
- (4) Of primary importance were the FBI Headquarters MURKIN file (the official designation of the FBI's assassination investigation was "MURKIN"); the Memphis FBI Field Office MURKIN file, (Memphis was "office of origin" on the investigation); and major field office reports from 16 separate FBI districts, including the key cities of Atlanta, Birmingham, New Orleans, St. Louis, Kansas City, Chicago, and Los Angeles. In addition, the Justice Department files on the assassination investigation, a separate Department file on Ray's extradition, and the 1977 Justice Department Task Force Report were reviewed.

*This staff report was released on Nov. 27, 1978, during the committee's public hearings on the King assassination.

(5) This file review was followed by a series of lengthy in-person interviews with former officials of both the Justice Department and the FBI who played significant roles, either as supervisors or field agents, in the assassination investigation. The interviews were supplemented by executive session testimony from Ramsey Clark, former Attorney General of the United States; Cartha DeLoach, former Assistant to the Director of the FBI; and Robert Jensen, former special agent in charge of the FBI's Memphis Field Office.

(6) With the exception of J. Edgar Hoover, FBI Director in 1968; Clyde Tolson, Hoover's Associate Director; and Thomas Robinson, U.S. attorney in Memphis in 1968, all of whom are deceased, the committee was able to interview all individuals whose testimony was considered necessary for a thorough examination of the quality of the performance of the FBI and the Justice Department during the assassination investigation.

(7) The results of the committee's inquiry into the issues described above and other related areas are included in the following report. While the report is, in places, critical of both the FBI and the Department of Justice, the committee has received the complete cooperation of these agencies during this aspect of the committee's current investigation. Without ready access both to investigative files, and to Department and FBI personnel involved in the assassination investigation, the committee's task would have been far more difficult.

II. THE COURSE OF THE INVESTIGATION

A. The investigators—Memphis field office

(8) Memphis, Tenn., city of Dr. King's assassination, was 1 of 58 cities (1) in the United States in 1968 with an FBI "field" or "district" office. The Memphis field office was manned by approximately 90 (2) (agents and administrative personnel) working either out of Memphis or a resident agent office elsewhere in the district. Because of the location of the murder, Memphis immediately assumed the responsibilities of "office of origin," a designation which meant that Memphis received a copy of most of the paperwork produced by the Bureau and its various field offices during the investigation, and assumed, in addition to its daily investigative chores, reporting and administrative responsibilities. The head of the Memphis office, carrying the title of special agent in charge (SAC), was Robert Jensen.

(9) SAC Jensen's "case agent" for the FBI's assassination investigation was Special Agent (SA) Joseph Hester. As case agent, Hester assumed immediate responsibility for monitoring all aspects of the investigation, coordinating investigative leads, and preparing monthly reports on the progress of the case.

B. The investigators—FBI Headquarters

(10) Because of the significance of the investigation, and its national and ultimately international dimensions, the direction of the investigation was shaped in Washington, rather than out of the Memphis field office; consequently, a number of FBI headquarters officials were also closely involved in the investigation.

(11) From the beginning, the MURKIN investigation was classified as a civil rights investigation. Richard E. Long, an agent supervisor

assigned in 1968 to the Civil Rights Unit of the Civil Rights Section of the General Investigation Division, became the headquarters "case agent" for the MURKIN investigation; Long received this assignment because Memphis fell within his area of geographic responsibility. (3) As case agent, Long received incoming communications from field offices, worked with others in preparing daily memorandums for his superiors within the FBI and separate reports for the Department of Justice, drafted leads to the field, and coordinated interfield office communications.

(12) Long's immediate supervisor and head of the Civil Rights Unit was Edward J. McDonough. Immediately following King's assassination, McDonough assumed Long's outstanding caseload so that the case agent could devote full time to the paperwork of the MURKIN investigation. McDonough also screened all communications on the MURKIN investigation and assisted in preparing the daily summary memos used to keep FBI superiors informed on progress in the investigation. Neither Long nor McDonough exercised significant independent command authority: McDonough stated in his committee interview that except on rare occasions, neither he nor Long initiated leads from headquarters without clearing them with Clem McGowan, head of the Civil Rights Section. (4)

(13) Wilbur Martindale, head of the Civil Rights Act of 1964 Unit within the Civil Rights Section, worked closely with McDonough and McGowan in coordinating the MURKIN investigation. While not in the strict chain of command, (5) Martindale performed a large part of the daily report writing and recalls meeting on a daily basis with Clem McGowan, head of the Civil Rights Section, and Alex Rosen, Assistant Director in charge of the General Investigative Division, (6) to assess the evidence and direct the field investigation. Martindale also spent several weeks in London following Ray's apprehension as headquarters liaison with Scotland Yard, and was one of four FBI agents who accompanied Ray on his trip to Tennessee following his formal extradition from England. (7)

(14) Clem McGowan, chief of the Civil Rights Section of the General Investigative Division, represented the lowest level of significant command authority at headquarters during the MURKIN investigation; leads to the field generally originated from his office, or that of Alex Rosen or Cartha DeLoach. (8) McGowan's office reviewed most incoming airtels and communications initially, and then passed them up to Alex Rosen or down to Ed McDonough and Richard Long depending on their importance. McGowan recalls meeting on a daily basis with the personnel of his section, and almost as frequently with Rosen and DeLoach, to discuss the MURKIN investigation. He never personally discussed the case with Hoover. (9) McGowan stated that the daily memos prepared within the Civil Rights Section were the primary means used to brief Hoover. (10)

(15) In 1968, the FBI was divided into nine operational divisions, each headed by an Assistant Director. (11) The General Investigative Division (Division 6), which contained McGowan's Civil Rights Section as one of four separate sections, was the responsibility of Assistant Director Alex Rosen. Rosen, who had held this same position since 1942, (12) identified his primary function as keeping Director Hoover

informed of the significant case developments. (13) In performing his functions, Rosen reported directly to Cartha DeLoach. (14)

(16) Rosen stated that active daily and hourly coordination of the investigation was initially the responsibility of the Memphis office, followed closely by headquarters. Once evidence was developed on the international scope of Ray's travels, however, Rosen recalls that the burden of coordinating the investigation shifted from Memphis to headquarters. (15)

(17) Rosen's No. 1 man, James R. Malley, kept fully abreast of MURKIN communications relayed to Rosen's office, and had the authority to act independently on matters he felt Rosen had no need to see. (16) Malley did not meet with Hoover on the MURKIN investigation; (17) in-person briefings of the Director were handled by Alex Rosen or Cartha DeLoach or both.

(18) Cartha DeLoach, one of two Assistants to the Director in 1968, is the highest-ranked member of the MURKIN chain of command still living. In addition to his direct supervisory responsibility for the Bureau's investigative and public relations activities, DeLoach was also responsible for liaison with the Attorney General, Ramsey Clark. During the MURKIN investigation, as at other times, DeLoach answered directly to Clyde Tolson, Associate Director, and to J. Edgar Hoover, Director. In turn, DeLoach dealt primarily with Alex Rosen, and recalls little contact with Malley or McGowan. (18)

C. Initial Response and the Identification of James Earl Ray

(19) At 6 p.m. on April 4, 1968, Dr. King was struck by a single bullet fired from a high-powered rifle, while standing on the balcony of the Lorraine Motel in Memphis, Tenn. Approximately 1 hour later, at 7:05 p.m., King was pronounced dead by attending physicians at St. Joseph's Hospital in Memphis. Cause of death was a bullet that passed through the lower right side of Dr. King's jaw before severing the spinal cord at the root of the neck and lodging in the upper back.

(20) Within brief moments after the shot, members of the Memphis Police Department had saturated the crime scene. A call was placed to the FBI field office in Memphis and SAC Jensen was notified of the assassination attempt. (19) Jensen immediately contacted the night duty man in Division 5 (Domestic Intelligence); (20) shortly thereafter he was put through to Cartha DeLoach, Assistant to the Director of the FBI with supervisory authority over both the Domestic Intelligence Division and the General Investigative Division. DeLoach in turn notified Hoover. (21)

(21) While the news of the attempt on Dr. King's life moved through the FBI's command structure, Attorney General Clark was first contacted, he believed, by Jim Laue, a Justice Department community relations specialists who was with King when he was shot. (22) Steven Pollak, head of the Justice Department's Civil Rights Division (soon to be responsible for supervising the civil rights investigation), believed he was with Attorney General Clark at the time he first heard of the crime. (23) A short time later, Clark was in telephonic contact with DeLoach and thereafter with Hoover. A decision was made—apparently almost instinctively—to involve the FBI completely in the investigation of the assassination, and later that evening a written memorandum was sent from Pollak to the Director of the FBI ordering

"a full investigation into a possible violation of 18 U.S.C. 241"—the Federal statute barring conspiracies to impede or otherwise interfere with the constitutional rights of an individual—in this case Dr. King's.(24)

(22) Back in Memphis, witnesses to the shooting indicated that the shot had come from the rear of a lower-class roominghouse located at 422½ South Main Street, Memphis. A bundle of evidence containing, among other things, a 30.06 Remington Game Master rifle, model 760, with scope; a box of Peters cartridges; binoculars; articles of clothing and various toilet articles, was recovered from the entrance of Canipe's Amusement Co., at 418 South Main Street. Individuals inside Canipe's at the time of the assassination recalled seeing a white male walk quickly away from Canipe's immediately after the bundle was dropped; moments later a white Mustang parked just south of Canipe's drove rapidly north on Main Street and away from the crime scene.

(23) As the evening passed, the Memphis office initiated a trace of the weapon by serial number and interviewed witnesses, including Bessie Brewer, the landlady at 422½ South Main Street who recalled receiving a \$20 bill earlier that day in payment for an \$8.50 per week room from a white male using the name John Willard.(25) In addition, agents were attempting to locate and interview Charles Stephens, whom news releases identified as a witness to the assassination. Finally, arrangements were made with the Memphis Police Department to forward all physical evidence to Washington for analysis in FBI labs. (26) Agent Bob Fitzpatrick of the Memphis office left the city on a 12:25 a.m. flight to Washington; the evidence, including the binoculars, the rifle, the bullet taken from King's body, and a \$20 bill given to Bessie Brewer, arrived in FBI laboratories as of 5:16 a.m., April 5, 1968, and was immediately subjected to analysis.(27)

(24) While the FBI's Memphis investigation got off the ground, Attorney General Clark decided that an immediate visit to Memphis was in order. Accompanied by Roger Wilkins, Director of the Community Relations Service; Clifford L. Alexander, Jr., Director of the Equal Employment Opportunity Commission; and Cartha DeLoach, Assistant to the Director, FBI, Clark left Andrews Air Force Base on a 6:45 a.m. flight to Memphis the morning of April 5, 1968.(28)

(25) Several reasons have been offered for this visit of high level officials to the scene of the crime. Attorney General Clark indicated some concern over the explosive racial situation in Memphis following the assassination.(29) He also felt a need to remain immediately apprised of progress in the FBI's investigation in Memphis, thus explaining his decision to bring Cartha DeLoach with him.(30) DeLoach explained his participation in the trip as, in part, "window-dressing," prompted by a desire to have a high level FBI official on the scene. In Memphis members of this visiting group visited with Mayor Loeb(31) and the U.S. Attorney, Thomas Robinson, and made stops at the FBI field office, Director Holloman's office in the Memphis Police Department, and the Memphis airport to observe King's body being placed on a plane for a return trip to Atlanta.(32) Finally, a press conference was held in which Attorney General Clark expressed a belief that the assassin's capture was imminent, and that the available evidence indicated the involvement of only one individual;

Clark has explained his remarks in terms of his desire to quell the racial unrest that erupted throughout the Nation immediately following King's death. (33)

(26) Many of the early investigative developments, or leads, resulted from the Bureau's analysis of physical evidence discovered at the scene of the crime. Both the binoculars and the rifle were traced to their respective places of purchase. The binoculars had been bought locally, in the city of Memphis. (34) The suspected murder weapon, on the other hand, was traced to the Aeromarine Supply Co., in Birmingham, Ala. (35) Early ballistics tests conducted on the 30.06 rifle and the bullet fragment taken from Dr. King's body during the autopsy revealed that while "the bullet could have been fired from the rifle found near the scene," the mutilation of the bullet made it impossible to state "that it was actually fired from this one rifle." (36) Interviews with clerks at Aeromarine established that the rifle had been purchased on March 30, 1968, by an individual using the name of Harvey Lowmeyer, generally described as a "white male, 36 years old, 5 feet 8 inches tall, 150-160 pounds, black or dark brown hair." (37) Laundry marks found on a pair of undershorts and an undershirt in the bundle of evidence were traced to a specific machine model, and efforts started throughout the country to locate a particular laundry, and a particular machine. (38) One week after the assassination, the suspect's use of the Home Service Laundry in Los Angeles was established. (39) Finally, by April 9, 1968, a pair of duck-bill pliers found in the bundle was traced to the Rompage Hardware Co. in Los Angeles. (40)

(27) The FBI's MURKIN investigation was treated from the beginning as a "major case" or "special" investigation. Additional administrative personnel and agents were assigned to Memphis during the initial stages, including an accountant to maintain nationwide cost figures on the investigation. (41) A 24-hour deadline was imposed on all field offices to check out leads, and a tickler system was implemented by headquarters case agent Richard E. Long to monitor compliance during the field investigation. (42) On April 7, 1968, an "All SAC" memo issued from headquarters with instructions similar to those normally issued in special investigations:

All investigation must be handled under the personal direction of the SAC. Leads are to be afforded immediate, thorough investigative attention. You must exhaust all possibilities from such leads as any one lead could result in the solution of this most important investigation. SAC will be held personally responsible for any failure to promptly and thoroughly handle investigations in this matter. (43).

(28) Finally, in further recognition of the "special" nature of the MURKIN investigation, the FBI sent an inspector from headquarters to oversee the investigation in the crucial field offices. Inspector Joseph Sullivan, selected for his past experience in civil rights investigations in the deep South, was sent to Memphis, and remained there for approximately one week before moving to Atlanta to direct the investigation there. (44). While in Memphis and Atlanta, Sullivan took over the day-to-day direction of the investigation, leaving the

SAC free to attend to other matters in the office. (45) The Committee has been assured that the assignment of Inspector Sullivan to Memphis and Atlanta during the initial stages of the investigation did not indicate a lack of confidence in the field SAC's, (46) but simply was evidence of the importance of the investigation in the eyes of the Bureau. (47)

(29) During the first 2 days of the investigation, the FBI had discovered two aliases used by the suspected assassin—John Willard (used in renting a room at Bessie Brewer's roominghouse on April 4, 1968) and Harvey Lowmeyer (used during the Birmingham rifle purchase). On April 9, a third possible alias—Eric S. Galt was added to a growing list. During a routine motel search in the Memphis area, agents discovered that an individual using that name, and driving a Mustang with Alabama license plate "138993", had registered at the New Rebel Motel on April 3 and checked out on April 4, 1968. (48) Galt's residence was listed as 2608 Highland Street, Birmingham, Ala. (noteworthy because it was the same area as the fake residence listed by "Harvey Lowmeyer" during the rifle purchase on March 29 and 30, 1968).

(30) An investigation of 2608 Highland Street, Birmingham, revealed a roominghouse owned by Peter Cherpes, where Galt had resided during 1967. Cherpes and other tenants noted similarities between an artist's conception of the assassin and Galt. Further investigation in Birmingham disclosed that Galt had purchased the Mustang in September of the previous year from one William Paisley for a price of \$1,950. At the time of the car purchase, Galt possessed a safe-deposit box at the Birmingham Trust National Bank, and a comparison of writing samples from safe-deposit box documents and "Lowmeyer" 's rifle purchase receipt revealed "similarities". Galt's name was added to the list of individuals sought for interview by the Bureau, (49) and a directive issued to all continental offices to search records at the local offices of the Selective Service, telephone company, motor vehicle departments, financial institutions, credit bureaus and other "logical sources" for information under the new alias. (50) In addition, information on the Mustang was entered into the NCIC (51) (National Crime Information Center) system, insuring that inquiries concerning the vehicle would be directed to the FBI.

(31) On April 11, 1968, the Mustang was located in Atlanta, abandoned in the parking lot of the Capital Homes Apartment Building at the intersection of Memorial Drive and Connally Street. The car provided a number of leads. An inspection of mileage figures revealed that it had been driven approximately 19,000 miles since Galt purchased it from William Paisley in September of 1967. A Mexican tourist sticker indicated that the car had entered Mexico, at Nuevo Laredo, on October 7, 1967. (52) The car had been serviced twice in California, once in Hollywood, and on February 13, 1968, in Los Angeles. In the trunk, agents located clothing and bedding, floor mats, a hunting knife and tools, and a piece of cardboard with two names and the address of "1535 North Serrano" written thereon. (53) Shortly after the car's discovery, laboratory tests proved that fibers found on a blanket in the bundle of evidence in Memphis and on a sheet from the vehicle trunk were identical; the FBI concluded that "Galt's automobile (was) involved in the murder." (54)

(32) Additional evidence on Eric S. Galt, the primary suspect, continued to accumulate. By April 13, 1968, 9 days after the assassination, Galt's movements throughout the country had become clearer. Correspondence with the Locksmithing Institute, Little Falls, N.J., showed Galt in Montreal, Canada, on July 31, 1968. Field investigation in Birmingham disclosed Galt's attendance of classes of the Continental Dance Studio between September 12 and October 3, 1967, and a search of post office records in that city revealed his purchase of a significant amount of camera equipment in October of 1967; letters written to the Superior Bulk Film Co., Chicago, carried return addresses of Hotel Rio, Puerto Vallarta, Mexico and 1535 North Serrano, Los Angeles. A second Los Angeles address for Galt—the St. Francis Hotel on Hollywood Boulevard—was established for the period of January 21, 1968, to March 17, 1968.

(33) Particularly important for purposes of the upcoming prosecution case against Galt was a Los Angeles postal change of address card executed and mailed by Galt on March 17, 1968, which gave a new address of "General Delivery, Atlanta, Ga.", the city of King's home and SCLC headquarters. Galt's actual Atlanta address—113 14th Street NE., was discovered on a change of address implemented by the Locksmithing Institute, Little Falls, N.J., on March 30, 1968. Agents were placed in the "hippie" rooming house at that address in an undercover capacity, hoping to catch Galt if he returned to his prior residence. (55)

(34) While agents awaited Galt's return to Atlanta, others interviewed two of the suspect's chief acquaintances in California: Charles Stein, an unemployed, self-described "song-writer," and Marie Martin, a cocktail waitress at the Sultan Room Lounge on Hollywood Boulevard. Stein recalled meeting Galt on December 14, 1967; the following day, December 15, Galt prevailed upon Charles Stein, his sister Rita Stein, and Marie Martin to sign a petition in support of Governor George Wallace's Presidential campaign. Immediately thereafter Galt and Stein drove to New Orleans to pick up Stein's niece and nephew. Stein recalled Galt mentioning a meeting with individuals associated with an engineering or contracting firm; (56) he met Galt once in New Orleans on December 18, 1967, the day after their arrival. The next day they returned to Los Angeles, again driving nonstop. While in New Orleans, Galt stayed at the Provincial Motel; however, investigation at the motel revealed no long distance calls, and local telephone call records had been destroyed prior to the agent's arrival.

(35) Using statements of Stein and Marie Martin, as well as those of other witnesses, the FBI began to document aspects of the suspect's personality. Martin reported that he was constantly at the Sultan Room, took a bartending course, drank vodka and sometimes beer, didn't smoke, and was solemn and emotionless. She also remembered Galt recounting an incident when he drove his Mustang through a Black neighborhood and was hit by tomatoes thrown by the local residents. Charles Stein recalled neat dressing habits, a soft-spoken manner and a penchant for country western music. (57)

(36) In addition, in California agents located a Los Angeles bartending school attended by Galt and discovered two items of interest: First, the FBI obtained its first photo of the illusive Eric Galt, taken at

the time of his graduation; Galt's eyes were closed in the picture. Second, Thomas Lau, president of the Bartending School, told agents that on March 2, 1968, Galt turned down an offer of employment, explaining that he would be leaving town in 2 weeks to visit his brother. (58) Meanwhile, records were discovered at the Piedmont Laundry in Atlanta indicating visits by Galt on April 1, 1968, following "Lowmeyer's" purchase of the rifle in Birmingham, and on April 5, 1968, the day after the assassination. (59)

(37) On April 17, in order to secure an arrest warrant and additional publicity in the fugitive search, a Federal complaint was filed with the U.S. Commissioner in Birmingham, Mildred F. Sprague, charging Eric S. Galt "and an individual alleged to be his brother" with conspiracy to interfere with constitutional rights of Martin Luther King, Jr. (60) A "fugitive press release" was issued with the complaint, (61) and widespread distribution of the information and accompanying photo through the media was encouraged. (62)

(38) While the Department of Justice and the FBI solicited the assistance of the public through their press release, a fingerprint project was in progress at Bureau headquarters which led, on April 19, 1968, to the largest break in the case—the identification of James Earl Ray as the illusive suspect. Almost immediately after the assassination, the Bureau obtained unidentified latent prints of value from the rifle, binoculars, beer cans, and a Memphis newspaper—the Commercial Appeal—items found in the bundle of evidence thought to have been dropped by the assassin shortly after the murder. As the evidence accumulated, additional latents were obtained, including one on a map of Mexico discovered in the Atlanta rooming house by Galt shortly before the assassination. Comparisons revealed that at least three prints, found on the Mexico map, the rifle, and the binoculars, were identical, and apparently came from the left thumb; the print was identified as "an ulnar loop with 12 ridge counts." (63)

(39) After unsuccessfully comparing this and other prints with known prints of "approximately 400 suspects," the single fingerprint file and "all outstanding FBI identification orders," (64) a systematic search of fingerprint records of fugitives was initiated. Approximately 1,900 fugitives were identified with "ulnar loops of 10-14 ridge counts in the left thumb." (65) Fifteen days after the assassination, a manual comparison of the smaller group with the isolated latent produced a positive match with the prints of James Earl Ray, a fugitive from Missouri State Prison. (66)

D. Identification to Arrest

(40) It is clear from a review of the investigatory files that the identification of James Earl Ray terminated a major phase of the Bureau's investigation. Inspector Joseph Sullivan, the headquarters representative assigned to coordinate activities in the Memphis and Atlanta field offices during the early stages of the investigation, was taken off the case and sent to Detroit, Mich. to work on the racial informant program in that office. In recommending this move, Assistant Director Rosen, stated:

In view of current developments, there does not appear to be any need for Inspector Joe Sullivan to be in Atlanta, Ga.,

or Memphis, Tenn. We are now engaged in a fugitive investigation and all offices will have to focus their full attention to any leads which might develop as a result of our inquiries. (67)

Simultaneously, Memphis was directed to phase out the 15 agents and 3 stenographic clerks they had received on the heels of the assassination. (68)

(41) A new press release was issued, with directions to all field offices to insure "repeated and widespread distribution." (69) For only the second time in Bureau history, approval was given to make Ray a "special addition" to the "Ten Most Wanted List". (70) Finally, short appeals for public assistance in the fugitive investigation were drafted and approved for use on the April 21 and April 28 installments of "The FBI" on television, (71) and within a week after the identification, various institutions and officials had offered a total of \$150,000 for information leading to the apprehension and conviction of Ray. (72)

(42) With James Earl Ray, a fugitive from Missouri State Prison, now at the center of the investigation, the Bureau initiated efforts directed both at the family and at inmate and criminal associates of the suspect. Jerry Ray, the youngest of the three brothers, was interviewed in Chicago on the day of Ray's identification, denied knowledge of and participation in the assassination, supplied handwriting samples, photos, and major case prints, and stated that he had not seen his brother outside of prison since 1952. (73) Three days later, John Larry Ray, the middle brother, who had been located in St. Louis, stated that he had seen his fugitive brother twice in the last 20 years, and most recently 3 years back. He expressed surprise to the interviewing agents that so much effort was being expended in attempting to locate James, since all he had done was "kill a nigger." (74)

(43) Interviews with Ray's inmate associates produced voluminous and often contradictory information on a variety of topics, including the suspect's racial attitudes, the manner of his April 23, 1978 escape from Missouri State Prison, his involvement in the trafficking and use of drugs while in prison, assassination plots relating to King, and information on the suspect's present whereabouts. On several occasions, and quite predictably, agents attempting these interviews met with antagonism or outright refusals to cooperate in the investigation.

(44) In addition to the information relating to narcotics, the escape, and the suspect's racial attitudes, some inmates also told of a prisoner association known as "Cooley's Organization" alleged to have been active in the "protection" business during the period of Ray's incarceration at MSP. After receiving one allegation that Ray was a member of the organization, (75) and another that Ray said in 1963 that Cooley or his organization would pay \$10,000 to have King killed. (76) a directive issued from headquarters to the Kansas City Field Office to "press every effort possible to determine any information whatsoever concerning the Cooley organization." (77) Extensive field interviews were conducted. However, no substantial evidence was developed of the group's involvement in the assassination or of a concrete link between Ray and the organization. (78)

(45) Throughout the country, additional details on Ray's 1967-68 travels were developed.

(46) Prostitutes, bartenders, and cigarette girls in Puerto Vallarta, Mexico, told of the suspects interest in marihuana and of a possible "racial incident" between Ray and some Black customers at the Casa Susana in Puerto Vallarta. (79)

(47) Interviews with Dale Rodriguez, Lorraine Calloway, and Mariane DeGrasse established the likelihood of a second visit by Ray to New Orleans in March 1968, after leaving Los Angeles. (80) Meanwhile, further efforts were made to determine who Ray telephoned during his first drive to New Orleans with Charles Stein in December 1967. (81)

(48) Nevertheless, while the picture of Ray's preassassination life-style became clearer, important issues remained a mystery. With the passage of time, FBI files reflect increasing emphasis on establishing Ray's source of funding during both the preassassination travels and the postassassination flight. "All-Sac" directives were issued to contact local narcotic investigative agencies (82) to follow up on evidence of Ray's interest in marijuana in Mexico, and amphetamines in Missouri State Prison. On April 23, 1968, all offices were instructed to consider Ray a suspect in the unsolved bank robberies, burglaries and armed robberies. (83) And on April 29, 1968, an "All-Sac" memo issued directing field offices to contact local law enforcement agencies maintaining latent fingerprint records "for (the) purpose of possibly establishing Ray's past whereabouts and source of funds." (84)

(49) As the leads came up dry, additional approaches to the funding issues appeared: Ray's prison financial accounts at Missouri State Prison were reviewed, (85) and on May 6, 1968, Atlanta and Birmingham were told to check local safety deposit box records for April 4, 1968, to determine whether Ray had withdrawn valuables before fleeing. (86) On May 14, 1968, following up on the April 23, 1968 instructions, Washington directed all offices to display Ray's photograph to "appropriate witnesses in unsolved bank robberies and bank burglaries and to consider requesting the assistance of local police in displaying the picture to witnesses in unsolved robberies." (87) A week later, field offices in Atlanta, Birmingham, Los Angeles, Memphis, and New Orleans were told to investigate withdrawals from local banks exceeding \$10,000, during April 1968, to investigate the "possibility" that Ray was a hired assassin and received a timely payoff. (88) Finally, the Springfield Field Office began a thorough reinvestigation of the July 13, 1967, robbery of the Bank of Alton in Alton, Ill. The lead was considered promising because Ray was in the area at the right time and his description approximated that of the two unidentified suspects. Ultimately, however, the investigation bore no fruit. (89)

(50) Above and beyond these questions, however, was the overriding problem of Ray's apprehension itself. Three days after the positive print identification, a directive was sent to all offices re-emphasizing the 24-hour lead deadline, and directing contact with all criminal, racial and security informants to determine whether any possessed information on James Earl Ray. (90)

(51) In addition, record checks and interviews were performed at local banks, telephone companies, credit agencies, police departments, car rental agencies, motor vehicle departments, dancing schools, low and middle class hotels, laundries, libraries, motels, utility companies, selective service bureaus, and appropriate unions. (91)

(52) Beyond these general investigative efforts, specific "Ray-oriented" leads also appeared. On April 24, 1968, acting on Ray's use of Garner's low-rent roominghouse and other similar establishments Washington directed all offices to "conduct appropriate investigations of all hippie roominghouses and similar establishments to obtain any information concerning Ray." (92) And on April 25, a check by Ford Motor Co. of over 1.5 million warranty cards on work done since August 30, 1969, produced negative results with respect to Ray's Mustang. (93)

(53) Despite these impressive nationwide efforts, however, it is clear that the FBI felt the prospect for breaking the fugitive investigation lay with Ray's family. On April 20, 1968, St. Louis was directed to obtain all telephone calls from the phones of John Larry Ray, Carol Ann Pepper (Ray's sister) and any phone located in the Grapevine Tavern in St. Louis (leased by John Larry Ray and licensed to Carol Pepper). (94) This was followed up 2 days later by instructions sent to the four field offices responsible for areas inhabited by key members of the Ray family:

Full coverage is to be afforded relatives of subject residing in your respective territories. This will include a spot surveillance of these persons as well as a determination of their associates and individuals making frequent contact with them. You should also obtain all long distance telephone calls from their residences for period April 23, 1967, to the present time. You should make this a continuing project until otherwise advised by the Bureau * * * You should insure that each relative is adequately covered to possibly assist in the subject's location and apprehension. (95)

(54) While the Bureau approached Ray's relatives directly in numerous field interviews in an effort to secure information on the whereabouts of the fugitive, additional, indirect approaches of the family were also considered. On May 7, the St. Louis office informed the Director of discussions with the local U.S. attorney, in which the latter had agreed to "cooperate fully" in prosecuting Carol Pepper, Ray's sister, for false responses in an official liquor license questionnaire, "in the event pressure of this nature needed." (96) And on May 13, 1968, an official request was sent to the office of the Attorney General seeking authorization to install microphone and technical surveillance on the residence of John Larry Ray. The purpose of the requested surveillance, as phrased in the May 13 memo, was to "assist in the early apprehension of the subject." (97) The request was not approved, and was withdrawn on June 11, 1968, immediately following Ray's apprehension in London. (98)

(55) Efforts to secure precise information on Ray's location from the family did not bear immediate fruit. Nevertheless, in a May 9 interview with John Larry Ray in St. Louis, (99) Ray's brother reported that Ray had mentioned an intention to leave the country if he escaped; Ray had also indicated, on one occasion, admiration for Ian Smith, head of the Rhodesian Government. On May 10, 1968, based on this interview and other independent evidence of Ray's interest in African countries (100) headquarters initiated a U.S. passport review in the Washington Field Office, (101) focusing initially on

the 2,100,000 applications that had been filed since April 1967, the month of Ray's escape from Missouri State Prison. Thirty-six agents were assigned to the task (they had completed a review of 700,000 applications by the time of Ray's apprehension in London exactly 1 month later.)

(56) Other steps were taken to supplement the domestic passport project. Wanted fliers were sent to the American consulate in Rhodesia for distribution there, and Washington instructed the FBI legal attaché in Ottawa to implement a similar review project of Canadian passports with the assistance of the Royal Canadian Mounted Police.

(102) A check on flights between Montreal and Rhodesia was also ordered, (103) and 10 days later, on May 21, 1968, arrangements had been made with the State Department to provide information on Ray to the 290 U.S. diplomatic establishments throughout the world. (104)

(57) In addition to these efforts on the international scene, additional, often major domestic efforts were made in the fugitive investigation. On May 14, membership lists of the John Birch Society were checked for any ascertainable leads (105) (Ray had left a John Birch Society pamphlet at Garner's in Atlanta). On May 21, 1968, all domestic offices began a review of drivers license applications for the months of April and May 1968, for all white males between the ages of 30 to 55 years. (106) On May 22, 1968 (107) headquarters, willing to attempt every possible device, considered placing an ad for "self-hypnosis" in publications normally read by Ray "in an effort to surface subject", and sent a directive to various field offices to identify magazines habitually read by Ray. (108) And on May 28, 1968, in anticipation of an extensive project, the Director authorized a request to the Department of Health, Education, and Welfare to check all new social security card applications (received in 1968 at the rate of 110,000 per week), for a lead to Ray's whereabouts. Despite these efforts, however, the FBI's fugitive investigation in May produced discouraging results. As the days passed, the illusive suspect was proving an embarrassment to the Bureau.

(58) Then, on June 1, 1968, a break occurred in Canada when the RCMP passport review project turned up a possible match of Ray in the Canadian passport of one George Ramon Sneyd. RCMP officials determined from the Kennedy Travel Bureau in Toronto that "Sneyd" had purchased a Toronto-London-Toronto airline ticket with a scheduled departure of May 6 and return on May 21, 1968. Meanwhile, the FBI ascertained through print comparisons that Ray and Sneyd were, in fact, the same person, (109) and the trail was once again hot.

(59) A check with airline authorities revealed that Ray, instead of using the return portion of his airlines ticket, had exchanged it in London and continued on to Lisbon, Portugal. (110) FBI headquarters sent Unit Chief Wilbur Martindale to Europe to follow the latest lead. Martindale stopped off in London to meet with the FBI legal attaché from Paris; the two then continued on to Lisbon.

(60) Unknown to the FBI, however, Ray had returned to London on May 17, 1968, after a 10-day stay in Portugal. Approximately 3 weeks after his return to England, and on the same day that Martindale arrived in Lisbon, Ray was arrested at the London International

Airport. The time in London was 11:15 a.m., on June 8, 1968, somewhat more than 2 months after the assassination of Dr. King.

E. Arrest to Guilty Plea

(61) A quick review of basic cost information on the MURKIN investigation reveals that the FBI's nationwide field investigation wound down dramatically during the month of June 1968. For example, the overall mileage driven by FBI agents through May 31, 1968, was placed at 418,775 miles. The mileage figure for June was 24,430, and for the next 4 months—July through October—4,322 miles. Similarly, the overall cost of the MURKIN investigation through May 31, 1968, was \$1,117,870. Expenditures for June ran to \$135,375, and for the next 4 months combined, \$24,390. (111)

(62) Arrangements began immediately to bring Ray back to the United States. Attorney General Clark asked Fred Vinson, Jr., the Assistant Attorney General for the Criminal Division was told by the Attorney General to handle the extradition proceedings in London, (112) and in Memphis and Birmingham, Department of Justice attorneys completed affidavits of key witnesses for possible use in the English proceedings. (113) At the same time, Vinson's counterpart in the Civil Rights Division, Assistant Attorney General Stephen Pollak, was told by the Attorney General to work full time on the King case, (114) while at the FBI, agents were selected to return with Ray to the United States (115) and the London legal attaché began to monitor progress in Ray's various extradition hearings.

(63) In terms of the ongoing investigation, FBI files reflect one area of lingering concern: The funding of Ray's travels. On June 20, 1968, the question of funding was raised in a discussion between Attorney General Clark and Director Hoover, and in a memo later written to summarize the meeting, Hoover wrote:

I stated that in Ray's case, we have not found a single angle that would indicate a conspiracy. I said the only significant thing is the money he had and what he spent freely in paying bills and I thought that could have been obtained from a bank robbery. The Attorney General said that if we could show he robbed the Bank of Alton, it would be helpful. I said we are working on that because he was paying his bills with \$50 bills up to his arrest. I said on the other hand he stayed at flop houses and never stayed at a first-class hotel but at the same time spent, I thought, \$1,200 or more in buying guns and the car, which I thought was \$1,500, and then he took dancing (116) lessons, bartender lessons, and lessons in picking locks * * *

(64) In search of a solution to the funding problem, investigation of Ray's involvement in the Alton Bank robbery continued in the Springfield Office. (117) Meanwhile, the Kansas City Field Office was instructed to contact the warden at Missouri State Prison for new information on the "Cooley Organization"—a lead "which may assist in tracing subject's sources of funds". (118) Finally, on June 24, 1968, Hoover authorized the liaison section to coordinate with the State Department in an attempt to ascertain the existence of a Swiss bank

account in Ray's name. (119) Despite these efforts, a specific answer to Ray's manner of funding alluded the FBI.

(65) Also apparent, following Ray's apprehension, was some effort to investigate the possibility of conspiracy in the assassination. On June 11, 1968, AAG Pollak asked Assistant Director Rosen, "whether the FBI was running out all allegations relative to possible conspiracy," and was assured that "so far (the FBI had) not been able to establish that there was any conspiracy (but remained) constantly alert to this possibility." (120) On June 13, Ray's contact with "a fat man" in Canada was resolved as an innocent occurrence. (121) On June 18, 1968, FBI headquarters, apparently in response to a second directive from the Department of Justice to continue to follow out leads pertaining to a possible Federal violation" (122) (that is, conspiracy), ordered a "specialized recheck" in Birmingham and Memphis of clients at the New Rebel Motel and the Birmingham motels during what was designated as the relevant conspiratorial period (Mar. 29, 1968 and Apr. 3, 1968) in search of possible Ray associates.

(66) While a thorough analysis of the Bureau's conspiracy investigation will be included in a later portion of this report, it can be noted here that the Bureau's finding that Ray acted alone remained, throughout the investigation, constant and unshaken. On July 23, 1968, the FBI sent a memo to the Justice Department recommending dismissal of the conspiracy complaint that had been filed 3 months earlier in Birmingham "in view of the fact that this offense was not cited in the order of extradition." (123) Fred Vinson, AAG of the Criminal Division, concurred with the FBI's recommendation on July 29, 1968; (124) however, AAG Stephen Pollak (whose Civil Rights Division was responsible for the conspiracy prosecution), instructed the FBI 1 day later that "it would not be appropriate to dismiss the complaint at this time. The conspiracy investigation is still underway." (125) Thus, it was not until December 2, 1971, that the conspiracy complaint in Birmingham was ultimately dismissed. (126)

(67) In Memphis, the Tennessee State murder case against Ray proceeded slowly to trial. On July 19, Ray returned from London and was released by the FBI into the custody of local authorities in Shelby County, Tenn. Sometime before, but after Ray's apprehension, Memphis FBI case agent Joe Hester's "prosecutive summary report" had been distributed to Phil Canale, district attorney general, for his use during the prosecution. This was the first major release of FBI investigative files to the local prosecutors since the assassination. Ten additional investigative reports from key field offices were sent to Memphis on August 6, 1978. (127).

(68) As is indicated from the cost data cited earlier, the FBI's investigation had by this time been dramatically reduced; however, some additional steps were being taken. On August 27, a request was made by the FBI to the Justice Department to consider a search warrant or grand jury subpoena to obtain the written notes of author William Bradford Huie. After lengthy consideration, the Department decided on November 27, 1968, not to undertake this approach. (128) While the files contain no explanation for this decision, it is noted that this memo is dated after the publication of Huie's second Look magazine article on Ray and the King case; (129) it seems likely, therefore, that

the Department did not feel the potential gain would justify risking an adverse legal ruling on the propriety of a search warrant served to an author under contract to a criminal defendant, to obtain the product of his communications with the defendant.

(69) The November 12 trial date was postponed when Ray fired his first attorney, Arthur Hanes, Sr., and hired Percy Foreman. Mr. Hugh Stanton, Sr., Shelby County public defender, was assigned to assist Foreman shortly thereafter, and a March 10, 1969, trial date was ultimately set.

(70) In the end, however, the trial never occurred. Rather, Ray pled guilty to the first degree murder of Dr. King and accepted a sentence of 99 years in the Tennessee State prison. In an interview with FBI Memphis SAC Jensen, 3 days later, Ray proved generally uncooperative, and provided no evidence of the involvement of others in the assassination, (130) and while the FBI MURKIN file remains open today, to accept incoming leads on the case, nothing has occurred to change the official conclusion reached during the first months of the investigation: Ray killed King and acted alone.

III. COORDINATION BETWEEN THE DEPARTMENT OF JUSTICE AND THE FEDERAL BUREAU OF INVESTIGATION

(71) Because the Federal Bureau of Investigation was, and remains, only one of several component agencies within the Department of Justice, the conduct of the MURKIN investigation was ultimately the responsibility of the Attorney General of the United States, as head of the Department of Justice, and of the attorneys that the Attorney General assigned to supervise the investigation.

A. The lawyers

(72) By April 1968, Ramsey Clark had held the office of Attorney General, either acting or confirmed, for approximately 18 months; he had spent an additional 18 months as Deputy Attorney General under Nicholas deB. Katzenbach.

(73) During the administration of the assassination investigation, Clark's two primary assistants were Stephen Pollak and Fred Vinson, Jr., Assistant Attorneys General for the Civil Rights Division and the Criminal Division, respectively. Because Federal investigatory and prosecutorial jurisdiction was premised on a possible violation of 18 U.S.C. 241 (conspiracy to interfere with the constitutional rights of another), (131), Pollak's Civil Rights Division was formally responsible for the conduct of the investigation, and for any Federal prosecutions that might develop. From the beginning, however, Clark decided to deviate somewhat from the customary Justice Department practice of maintaining responsibility for an investigation exclusively within the confines of the appropriate division; instead he chose to involve the Criminal Division equally in the investigation, feeling that it had a better working relationship with the FBI. (132) Thus, it soon developed that both Pollak and his counterpart, Fred Vinson, Jr., of the Criminal Division, were reporting on the King investigation directly to Clark; moreover, it was Vinson's recollection that both he and Pollak were kept equally informed on this case and shared the burden of responsibility for its progress. (133)

(74) Outside of Washington, the Department of Justice is represented by local U.S. attorneys, one for each Federal district in the country. Normally, the actual prosecution of a Federal criminal case will be the responsibility of the local office, subject only to the supervision of the appropriate division of the Department; in 1968, however, this was not the practice in the area of civil rights prosecutions. Because of political considerations, together with the need to maintain working relations with local law enforcement agencies, the resident U.S. attorney often found it awkward to bring cases against the local authorities under the various Federal civil rights statutes. Thus, by 1968, Federal civil rights investigations and prosecutions had, with very few exceptions, become the responsibility of the Civil Rights Division in Washington; the local U.S. attorney remained on the sidelines, uninvolved in the prosecution except perhaps to provide information on local courtroom practices, or to assist during the voir dire of the jury panel. (134)

(75) In the King investigation, this practice did not change. While the FBI's investigation was carried out by offices throughout the country, local U.S. attorneys in important cities such as Atlanta, Memphis, New Orleans, Los Angeles, Chicago, and St. Louis were excluded from the information flow and therefore from the decisionmaking process.

B. The information flow and the role of the attorneys

(76) The ability of the Justice Department to provide meaningful input into the daily course of the FBI's investigation depended primarily on their ability to remain fully informed concerning developments in the case. Ultimately, however, the amount and quality of investigative information transmitted to the Justice Department depended almost exclusively on the Bureau's willingness to provide the data.

(77) During his executive session testimony, Ramsey Clark recalled that he "caused a quite different relationship between the Office of the Attorney General and the Bureau in this (King) assassination * * * I became personally and directly involved in the investigation, and received information directly about it in a way and to an extent that exceeded all others during my term as Attorney General." (135) Prior to Ray's arrest, Clark's information came in the form of frequent briefings, either telephonically or in person, from Assistant to the Director Cartha DeLoach, as well as from written Bureau memorandums. (136) It was Mr. Clark's recollection that AAG's Vinson and Pollak backed him up on examining the documents that came through. (137) Despite Mr. Clark's efforts, however, it is clear that the written information received by the Attorney General and, in many ways more importantly, by the rest of the Justice Department, was often both superficial and untimely.

(78) During the course of the FBI's MURKIN investigation, the paperwork produced in Washington and the field was voluminous. The various forms of reporting included airtels and teletypes to, from, and among field offices; internal field office and headquarters memorandums; interview reports; and the more formal letterhead memorandums. In addition, major field offices produced monthly reports summarizing the previous 30 days of investigation which were in turn transmitted to Memphis, the office of origin, as well as Washington.

Finally, a prosecutive summary report was prepared by S. A. Hester, case agent in the Memphis field office, shortly after Ray's arrest. (79) Information transmitted to the Department of Justice always arrived from, or at least with the approval of, FBI headquarters in Washington. Moreover, it was transmitted, almost without exception, in sanitized and digested form. During the first days of the investigation following Dr. King's assassination, FBI memorandums to the Department contained only the most basic and fundamental facts; (138) some, such as the April 11, 1968, FBI memorandum to the Department quoted below, contained no facts at all, but were merely assurances that an investigation was being pursued.

The investigation of the murder of Martin Luther King, Jr., on April 4, 1968, has assumed gigantic proportions.

All field divisions of the FBI are participating in an around-the-clock operation designed to identify and apprehend the person or persons responsible for the killing.

Suspects are being developed and processed on a daily basis as additional information is developed. Every aspect of the investigation is being vigorously pursued and the complete facilities of this Bureau will remain fully committed until this matter has been fully resolved. (139)

(80) The superficial nature of these initial memorandums was acknowledged during committee interviews with FBI agents who worked in Washington during the MURKIN investigation; the situation was explained in terms of the need to take security precautions. (140) or to prevent leaks concerning an ongoing fugitive investigation. (141) Moreover, it was the clearly stated opinion of these FBI headquarters personnel that the Bureau had sole responsibility for the ongoing efforts to identify and to locate the assassin, (142) and would have resented any efforts by Justice Department personnel to get more deeply involved in the daily investigative process. (143)

(81) It is important to note that early involvement by Department of Justice attorneys in criminal investigations was not common throughout the Department in 1968; (144) thus, none of the Justice Department officials interviewed by the committee expressed any dissatisfaction with the nature of information received from the FBI. Assistant Attorney General Vinson of the Criminal Division expressed his confidence in the ability of the FBI to determine what, if any, information should be distributed to the Department, (145) and AAG Pollak characterized the information received as more than normal, and consistent with the traditional FBI practice to send digested material to the Department. (146)

(82) In addition to the daily memorandums described above, the Department of Justice also received, starting on May 2, 1968, field office summary reports submitted by the major offices: Memphis, Birmingham, Los Angeles, and Atlanta. (147) These reports were also distributed to the office of the Birmingham U.S. attorney, in light of the fact that a Federal complaint against Eric S. Galt was filed in that city on April 17, 1968. Those reports were distributed with specific instructions that they were not to be disseminated to any other U.S. attorney in the country, thus insuring, from an early point, that

the local U.S. attorney would play no meaningful note in the investigation. (148) The exclusion of the U.S. attorneys was, of course, consistent with normal practice on civil rights investigations. (149) Moreover, Attorney General Clark, when asked about the Bureau's instructions to exclude the local U.S. attorneys from the information flow, expressed total agreement with the policy:

The need for all those U.S. attorneys to have all the information is not at all clear to me, and you might as well print it in the newspapers * * * I don't know why it would have enhanced the investigation to have U.S. attorneys all over the country pry to all the information. (150)

(83) The background role (151) which had been assumed by the Department of Justice during the 2 months following Dr. King's assassination changed somewhat with Ray's arrest in London. In a meeting in the Attorney General Office the day of the arrest, Clark directed AAG Pollak to put aside other commitments and concentrate exclusively on the King case; Cartha DeLoach was instructed simultaneously to keep Pollak advised of "any communication, airtel, or cablegram that might come in connection with this case." (152) At the same meeting, Clark decided that Vinson would coordinate the prisoner's extradition and return to the United States. Vinson left for London shortly thereafter, and Justice Department attorneys from the Civil Rights Division were sent to Memphis and Birmingham to prepare affidavits for use in the upcoming British legal proceedings. (153)

(84) Despite this flurry of activity, however, the files reflected no discernible change in the depth of involvement of the Justice Department in the investigatory process itself. AG Clark's request that Pollak immediately receive all communications concerning the case was, on Hoover's personal instructions, ignored. (154) As an interim measure, Pollak received a more detailed daily memorandum. However, even this practice stopped on June 19, after only seven memos had been sent. (155) Finally, as was noted earlier, both Pollak and Clark indicated a general interest, following the assassination, in the extent to which the FBI was exploring the possibility of conspiracy. Beyond these general inquiries, however, the course and direction of the investigation remained exclusively in the hands of the FBI, with results conveyed to the Justice Department—after the fact—either in the form of monthly field office reports, or in LHM's concerning the resolution of specific areas of inquiry. Active and contemporaneous participation by Justice Department attorneys, for example through the use of a grand jury, the identification of possible witnesses, the use of immunity grants, and the consideration of electronic surveillance, lawful after June 19, 1968, was virtually nonexistent. While further analysis of the grand jury and other investigative tools available to the Justice Department will be included in a later portion of this report, it would be appropriate at this point to include the following excerpt of Mr. Clark's executive session testimony:

Q. Specifically referring to the people in the Department of Justice, Mr. Vinson and Mr. Pollak, how did you perceive their relative roles in this investigation?

A. Well, I guess I didn't see them as having any real role in the investigation. I saw them as backing me up on examining the documents that came through, on thinking about what could and should be done. They were given some special assignments. Fred Vinson went over to London to represent the United States when the arrest was made over there. But I don't recall thinking that they were or should be involved in the actual investigation. (156)

C. Personal relations between the Department and the Bureau

(85) Much has been written of the independence of the FBI under Director Hoover, and the inability of the Department of Justice, and specific Attorneys General, to control, or even be familiar with, the scope and nature of the Bureau's operations. The FBI's COINTEL PRO (counterintelligence program) against Dr. King is one example. The MURKIN investigation, at least to the extent that it reflects the arrogance and independence of various agency personnel, is another.

(86) Throughout the committee's analysis of the FBI's assassination investigation, evidence was disclosed—both in the files during the extensive interviews with FBI and DOJ personnel which followed—instances reflecting a poor and often counterproductive relationship between the investigators of the Bureau and the lawyers at the Justice Department. Examples range from the inevitable, and normally healthy, policy disagreements which may be expected during any lengthy and dynamic criminal investigation, to situations of mutual distrust between members of the two organizations that seriously undermined the possibility of a productive working relationship.

(87) Perhaps the most significant source of friction between the two organizations, beyond the Bureau's apparent inbred fear of departmental intrusion into and control of their activities, was the poor relationship that existed between Attorney General Clark and the FBI Director J. Edgar Hoover. Much of the friction stemmed from basic philosophical differences, characterized by Mr. Clark as "diametrically opposing views of the role of law in a free society." (157) For example, Clark's opposition to the death penalty and general support of the Warren Court defendant-oriented decisions, were strictly at odds with Hoover's more conservative law and order beliefs. (158)

In the same vein, Clark and Hoover differed fundamentally over the use of electronic surveillance in FBI investigations and the AG's unwillingness to authorize requests was a constant source of contention. (159) Finally, and probably of equal overall significance, there was a significant difference in age and experience between the two men. DeLoach, Assistant to the Director in 1968, recalled that while Hoover had great respect from Tom C. Clark (Ramsey Clark's father and a former Attorney General under President Truman before becoming a Supreme Court Justice), he was disturbed by the idea of having to deal with his son some 20 years later. (160) As was so often the case, Hoover's views quickly became those of the FBI rank and file. In interviews with members of the FBI headquarters chain-of-command, it was readily apparent that the Director's basic philosophical disagreements with, and lack of respect for, Attorney General Clark, became prevalent opinions within the Agency. (161)

(88) With this situation as a background, this report now turned to specific instances of difficulty that arose in the DOJ/FBI relationship during the MURKIN investigation:

(89) 1. On April 17, a Federal complaint was filed in Birmingham, Ala., charging Eric S. Galt with conspiracy to interfere with the civil rights of Dr. King (18 U.S.C. 241). Because the assassination and a large portion of the initial investigative activity occurred in Memphis, that city would seem the obvious initial choice for a conspiracy complaint relating to the crime; however, in a memo from Rosen to DeLoach recommending Birmingham, rather than Memphis, as the location for filing, the supporting argument for this choice focused on security considerations and included the statement that "we cannot rely on the U.S. attorney at Memphis. If we tried to file there, we would immediately lose control of the situation and the complaint would become public knowledge." (162) Thus the complaint was filed in Birmingham, city of the rifle purchase.

(90) While Attorney General Clark apparently authorized the filing itself on April 16, 1968, there is no indication in FBI files that the selection of a filing location was discussed either with the AG or with members of the Civil Rights Division in Washington until after the fact. In fact, the memorandum itself clearly envisioned informing AG Clark of the selection of Birmingham and of the circumstances surrounding that decision, only after the filing had occurred. (163)

(91) FBI Headquarters personnel have assured the committee first that normal procedure required the Justice Department to authorize the complaint and the location of its filing, and second that proper procedure was followed in this case. (164) Nevertheless, in interviews with Mr. Clark, Mr. Pollak, and Mr. Pollak's Deputy Assistant Attorney General, Mr. D. Robert Owen, none had any specific recollection of discussing the Birmingham filing, and Mr. Pollak had a "dim recollection" (165) of being surprised when the decision to file in Birmingham was announced, a reaction which would be consistent with the apparent Bureau plans reflected in the April 17, 1968 memo—to inform the AG of the selection after the filing in Birmingham. (165a).

(92) 2. Throughout the period prior to Ray's arrest, FBI files reflect Hoover's irritation over Attorney General Clark's comment to the press concerning the progress of the Bureau's investigation. In response to a report that Clark promised a progress report "soon" on the FBI search for the assassin, Hoover noted: "We are not going to make any progress reports. Our sole objective is to apprehend the assassin not to give blow-by-blow accounts just to appease a selfish press and get cheap headlines." (166) After reading a copy of an April 28, 1968, news article quoting Clark as indicating that there was "no significant evidence that the assassination * * * 'goes beyond the single actor.'" Hoover penned the following notes: "I do wish the AG would stop talking about this case until it is solved."; (167) and on a copy of an article written 2 weeks later citing Clark's "optimism over Ray's imminent capture, Hoover noted: "Still talking!" (168)

(93) Hoover's overall dissatisfaction over Clark's public statements is found in his reaction to an April 24, 1968, Washington Post article, written by Robert Evans and Robert Novak and reporting Hoover's "deep-seated unhappiness" with the AG, "aggravated by Clark's misleading public optimism about a quick solution to the murder of the

Rev. Martin Luther King." Hoover's terse note scribbled on a copy of the article: "Well written." (169)

(94) 3. On June 8, 1968, the day of Ray's arrest in London, relations between the Department and the Bureau appear to have reached their nadir, at least in terms of the MURKIN investigation. FBI files reflect a series of telephone calls and meetings between Attorney General Clark, Cartha DeLoach, and other officials from both Justice and the FBI. Based on a review of FBI files detailing the incidents, the encounters can fairly be characterized as hostile and riddled with mutual distrust. Attorney General Clark's decision to send AAG Vinson to London to coordinate extradition proceedings was immediately resented, and Clark was advised that "this was completely unnecessary if the representative would be going for the purpose of attempting to look into FBI activities;" (170) London Legal Attaché Minnich (171) was then instructed that "while he should confer with Assistant Attorney General Vinson, he should not be 'bossed around' by Vinson or allow Vinson to upset any delicate relations that we have with law enforcement authorities in England." (172)

(95) In addition to the Bureau's resentment of Vinson's role, June 8, 1968, marked a major breach in the relations of Mr. Clark and Cartha DeLoach (until that time Clark's primary liaison with the Bureau on the King investigation). FBI memos reflect the Attorney General's displeasure over the Bureau's failure to keep him fully informed on the recent developments in the case, a disagreement which ultimately caused DeLoach to hang up on Clark during a telephone conversation. Summoned to a meeting in Clark's office immediately after the telephone incident, DeLoach wrote that he brought Assistant Director Rosen "as a witness"—a clear reflection of the erosion of any trust which might have existed between the two men. When interviewed concerning the June 8 difficulties, Mr. Clark and Mr. DeLoach differ in their recollection of the overriding cause of the confrontation. (173) Both confirm its occurrence, however, and Mr. Clark recalled directing Hoover to replace DeLoach immediately with another agent for liaison purposes. The former Attorney General recalled no further contact with DeLoach on the King investigation. (174)

(96) 4. Not surprisingly, evidence of a poor Justice Department/FBI relationship continued to appear after the June 8, 1968, incidents. As was indicated previously, the Attorney General's request of that day that his Assistant Attorney General for the Civil Rights Division, Stephen Pollak, receive all communications (i.e. teletypes, airtels, cablegrams, etc.) relating to the case was ignored 4 days later on the personal direction of Hoover. (175) In addition, internal FBI memos reflect criticism of the Department of Justice for making direct contact with FBI field offices, and thereby failing to remain in the proper channels of communications, (176) and for issuing conflicting instructions to the FBI on the question of dismissing the Birmingham conspiracy complaint against Galt. The latter instance is referred to in one memorandum as a "typical example in the Department of the left hand not knowing what the right hand is doing." (177).

(97) The committee reviewed these incidents in some detail not because the issues raised were of inherent importance, but rather because they, and other incidents not described herein, were one indication of

the nature of the overall relationship which existed between the Justice Department and the FBI in 1968. It is of more than passing significance, for example, that relations between Mr. Clark and Mr. DeLoach were so strained as to require a curtailment of the latter's liaison functions. It is perhaps equally significant that FBI headquarters personnel often viewed the Department as both unnecessarily intrusive and internally mismanaged. These and other incidents are helpful in gaining an overall understanding of the quality of the King investigation, and the respective roles played therein by the Bureau and the Department.

IV. COORDINATION BETWEEN THE BUREAU AND OTHERS

(98) During the course of its assassination investigation, the FBI made contact with, or was contacted by, countless individuals, organizations, and State, Federal, and local authorities throughout the United States and abroad. Often the contacts were simply routine stops in a widespread fugitive investigation; on other occasions, specific leads were being pursued. In addition, random citizen inquiries were received almost daily, the White House expected regular briefings, and the media was constantly seeking information, either through direct requests or investigative reporters.

(99) The Bureau's relationship with these outside individuals and organizations during the MURKIN investigation reflected a variety of elements. On the one hand, the FBI took great satisfaction in their successes—past and present—and relished their reputation as the country's leading investigative agency. Laudatory remarks from public officials were filed and circulated, (178) and cooperative authors were assisted in preparing articles expected to comment favorably on various aspects of the King investigation. (179)

(100) On the other hand, however, FBI files reflected a constant fear of potentially compromising situations which could tarnish the Bureau's public image, a fear which resulted at times in a type of "we-they," or siege mentality. The outside world was divided into friends and foes: reporters were either for the Bureau (and thereby members of a "special correspondent list") or against, often becoming themselves the targets of FBI investigative efforts. A curious conflict arose in situations where a person possessed potentially valuable information, but at the same time carried a "questionable," or anti-Bureau, reputation that was perceived as a threat to the agency's public image. Through an analysis of these "outside" contacts (which were normally not unique to the Bureau's MURKIN investigation), a clearer picture of the strengths and weaknesses of the agency itself may be gained.

A. Local law enforcement agencies

(101) The term "one-way" street is often used to characterize the FBI's relationship with local authorities during official investigations. The import of the phrase is that while the Bureau is willing to receive, and often solicits information from local authorities during an ongoing investigation, it traditionally has refused to release anything in return. Two explanations for this conduct have been offered. First it reflects a legitimate concern for security, especially in fugitive investigations, which dictates that information be released only on a

need-to-know basis. Second, the practice manifests the FBI's strong sense of professional rivalry, resulting during important criminal investigations in a desire not to assist local police departments, investigative reporters (180) or any other interested parties.

(102) During the assassination investigation, the FBI received editorial criticism concerning the lone role it had assumed vis-a-vis major metropolitan police departments. (181) In fact, the Bureau did not totally exclude local authorities from the case. Their assistance was solicited on a number of matters, including comparison of Ray's description to those of suspects in local offenses. (182) use of local latent fingerprint files. (183) display of Ray's photos to witnesses in unsolved crimes (184) and use of local police department investigative files and photographs. (185)

(103) Nevertheless, the contacts with local police departments were made at arms length, and at no time do the files reflect consideration of the potential for employing a task force approach that might have been beneficial in areas peculiarly within the expertise of local authorities. The situation was one in which gains were weighed against potential losses. To the extent that the FBI chose to conceal the nature of its investigation even from local police departments, it insured that no leak would result that could compromise its fugitive investigation. At the same time, however, the one-way streets established by the FBI throughout the country precluded the possibility of a close-knit working relationship with local authorities on matters peculiarly within their expertise.

B. Assistance in the Tennessee murder prosecution

(104) Perhaps the best example of the caution with which the FBI approached local authorities is found in its relationship with the Shelby County officials responsible for investigating and prosecuting James Earl Ray. Federal jurisdiction to investigate Dr. King's assassination was premised on the possible existence of a conspiracy to violate, or interfere with, his civil rights. (18 U.S.C. 241). Simultaneously, local authorities in Tennessee were proceeding with a murder investigation carried out by the Memphis Police Department and scheduled for prosecution by the office of Mr. Phil Canale, district attorney general for Shelby County, Tenn. Because of the limited geographical jurisdiction of the Memphis authorities, and the relative simplicity of their facilities, the FBI's nationwide investigatory apparatus and sophisticated scientific laboratories were of enormous potential value to Shelby County authorities. It is, therefore not surprising that relations between the two offices were harmonious.

(105) Within hours of the assassination, Inspector Zachery, chief of the homicide bureau at the Memphis Police Department, released all available physical evidence to the FBI for analysis in Washington. The evidence remained in the custody of the FBI, either in Washington or Memphis, for almost exactly 1 month. (186) and was used during much of this time for comparison purposes to further the FBI's ongoing, fugitive investigation.

(106) However, despite the apparent harmony in relations between Federal and Tennessee authorities, and the initial cooperation of the Memphis Police Department in supplying the FBI with all physical evidence, it is nevertheless apparent that the FBI approached its

relationship with this local police department with pronounced caution. When the FBI's Memphis field office was approached by local authorities on April 18, 1968, with a request for assistance during Canale's upcoming grand jury proceedings to indict Eric Galt for murder, FBI Headquarters, concerned perhaps over leaks in the fugitive investigation, informed its field office to limit information released to the local police department and prosecutors to that which had already appeared in a public press release. Two weeks later, SAC Jensen received Bureau authorization to testify in the local grand jury proceedings; however, he also received detailed instructions limiting the permissible areas of testimony to various laboratory tests used to identify the fugitive as James Earl Ray.

(107) After the May 7th grand jury proceedings, no additional information was released to the Shelby County authorities, on a formal basis, until after Ray's arrest over 1 month later; then, after the case was solved and the fugitive located, a copy of the "prosecution summary report" (187) prepared by the Memphis field office was released to the local authorities in preparing for trial.

(108) Ultimately, prosecutors in Memphis had access to most of the investigative files in the case. (188) Nevertheless, the limited distribution that had occurred during the ongoing investigation remains an excellent example of the extent to which the FBI has traditionally guarded the substance of its ongoing cases.

V. PROTECTING THE BUREAU'S IMAGE

(109) As was noted previously, FBI files reflect a constant preoccupation with situations which threatened to embarrass the Bureau, or otherwise jeopardize the agency's public image. This tendency is perhaps nowhere more apparent than in the FBI's reluctance, even during an ongoing and challenging criminal investigation, to pursue leads which might associate the Bureau with anti-FBI or otherwise controversial individuals. Some examples follow:

A. Kent Courtney

(110) Shortly after Ray's guilty plea in Memphis, Tenn., on March 10, 1969, Kent Courtney, a New Orleans conservative spokesman and editor of the *Conservative Journal*, was contacted by Jerry Ray, brother of the convicted assassin. Jerry Ray asked Courtney to meet with him in New Orleans to discuss a new attorney to handle his brother's appeal. Jerry also told Courtney that a conspiracy existed, and that James did not act alone. (189)

(111) Courtney immediately contacted the local office of the FBI, seeking "advice as to whether he should meet with Ray or not". (190) He was told to refer his inquiries to Phil Canale, the State prosecutor. Informed of these events, FBI headquarters checked their indices, found information indicating Courtney had opposed the nomination of Abe Fortas to the Supreme Court and was "a rabble rouser and hate monger", and concluded—consistent with the action already taken by its field office—that "the Bureau should in no way, either by implication or direct action, be associated with this individual." New Orleans was accordingly instructed "not (to) have any contact with Courtney". (191)

(112) Instructions were sent to Memphis to conduct a field interview with Jerry Ray. Nevertheless, because of Courtney's character, as reflected in the Bureau's files, the possibility of exploring Jerry Ray's claimed knowledge of the existence of a conspiracy through the publisher, or with his cooperation, was foreclosed. This was, of course, at a time when the FBI's conspiracy investigation was still open. (192)

(113) The FBI's investigation of members of Ray's family will be explored in greater detail later in this report; however, it should be noted here that the Bureau was unsuccessful in its attempt to interview Jerry Ray on this new information. On the advice of J. B. Stoner, his brother's attorney, Jerry Ray refused to talk. (193)

B. Louis Lomax

(114) A situation similar in many respects to that of Courtney developed much earlier in the investigation in the Bureau's relationship with investigative reporter Louis Lomax.

(115) Lomax was an investigative reporter operating out of Los Angeles and writing for the North American News Alliance at the time of the assassination. Within weeks after the assassination, Lomax developed a relationship with Charles Stein, Jr., Ray's driving partner during a mysterious trip to New Orleans in December 1967. (194) Lomax began writing stories containing references to Ray's receipt of a payoff from a New Orleans industrialist and other intriguing conspiracy possibilities. Lomax and Stein also drove to Houston, Tex., in an effort to recreate the first portion of the New Orleans trip, and to locate a telephone booth used by Ray.

(116) FBI files reflected a substantial and time-consuming effort by Bureau field offices to monitor Lomax's investigative activities, and to keep abreast of the results of his efforts, through interviews with Charles Stein, Stein's California relatives, and confidential Bureau sources in a variety of locations including a radio station, (195) a newspaper, (196) a telephone company, (197) a hotel in Los Angeles, (198) and a nightclub in Los Angeles. (199) In addition, extensive memos were written by headquarters personnel. Two such memos, authored on April 30 (200) and May 7 (201) analyzed Lomax's news articles and defended the product of the Bureau's official investigation against Lomax's criticism. A third memo written on May 2, 1968, and including as an attachment Lomax's rap sheet deals with Lomax himself and his past, anti-Bureau activities, and concludes that Lomax is "no good, * * * has repeatedly proven his antagonism toward the FBI, * * * (and is using) his articles regarding the King case as a vehicle to get back in 'big time' television". (202) These memos, written by the FBI Headquarters personnel during the busiest weeks of the MURKIN investigation, are revealing examples of the Bureau's preoccupation with its image and its enemies. In addition, the files reflect, from the beginning, a conscious decision to avoid contact with Lomax. (203) with no apparent consideration given to a field interview, or a grand jury subpoena, to obtain information he claimed to have developed on the King investigation.

C. Jim Garrison

(117) Any number of theories can be proposed to explain the Lomax memos discussed above; one explanation is the apparent concern within

the Bureau that a private investigative reporter would break the case before the Nation's largest domestic investigative agency. This fear was also visible in the Bureau's relationship with Jim Garrison, New Orleans District Attorney and critic of the Bureau's lone assassin theory in the Kennedy assassination, during the MURKIN investigation. (118) On April 12, 1968, headquarters received notice that "a representative of the district attorney, New Orleans, La.," had requested an interview with Walter Bailey, owner of the Lorraine Motel in Memphis, Tenn. No reason for the interview request was given, and it was noted that "based on the information available, it is not known whether District Attorney Garrison is making an attempt to tie the killing of King in with his investigation into the assassination of President Kennedy or whether some ulterior motive exists." (204) Nevertheless, 2 days following the indication of interest by Garrison's office, Alex Rosen, Assistant Director of the General Investigative Division, contacted the New Orleans FBI field office telephonically, instructing the agents to be "most circumspect in its investigation in view of the interest of DA Garrison in this case," and directing that there be "no wholesale showing of photographs in New Orleans." (205) Three days later, in one example of compliance with these instructions, a decision was made, with the approval of Clem McGowan, head of the Civil Rights Section, not to interview one Orlena Miller in the MURKIN case "as Miller was a very close friend of Jim Garrison." (206)

(119) Another, more prolonged example of the Bureau's reluctance to pursue leads associated in any manner with Garrison occurred in May 1968 in a series of communications between Washington and Denver, Oklahoma City, Little Rock, Ark., and Los Angeles, concerning the appropriate manner to pursue a lead on Ray's location involving one Edgar Eugene Bradley. (207) Bradley, who was then involved in fighting extradition to New Orleans in connection with Garrison's Kennedy assassination prosecution, was alleged to have been in recent contact with Ray in Tulsa, Okla. On May 28, 1968, after several earlier memos pertaining to the matter, headquarters directed Los Angeles not to interview Bradley. (207a) Reasons given included the mental condition of the original source of the Bradley lead and Bradley's involvement in the "extradition matter by New Orleans District Attorney James Garrison." Rather, despite the pressing fugitive investigation, the less direct and more time-consuming investigative approach of accounting for Bradley's whereabouts on dates he is alleged to have talked to the source was chosen. Two days later, Bradley learned of the Bureau's field investigation into his past whereabouts and contacted the Los Angeles FBI office, offering his assistance. This in turn prompted a thorough analysis by Los Angeles of the potential embarrassment to the Bureau threatened by different investigative approaches, (208) and a request on June 7, 1968, for headquarters authority to accept Bradley's offer of assistance; the request was withdrawn 3 days later after Ray had been arrested in London.

(120) In retrospect, the committee is in possession of no information that would indicate that curtailment of the MURKIN investigation to avoid association with Garrison jeopardized the ultimate results of the investigation; however, it is also noted that the perspective of hindsight was unavailable to agents during the investigation itself.

D. In search of favorable press

(121) Just as the FBI avoided individuals who posed a threat to their public image, so they courted members of the press and authors who could be counted on to provide favorable coverage of the Bureau's activities. Files were maintained on the writings and editorial positions of correspondents and newspapers, and letters of appreciation under Hoover's signature were sent to acknowledge specific favorable articles. (209) In addition, press officials with whom the Bureau maintained particularly cordial relations were placed on a "special correspondent list."

(122) Also demonstrated during the MURKIN investigation was the FBI's practice of assisting friendly authors in preparing articles or books covering the FBI investigation. One article scheduled for the August 1968 edition of Reader's Digest, which described the FBI's successful fugitive investigation in highly flattering terms, was submitted to the Bureau's Crime Records Division (210) for "review and any changes (the FBI) desired made" prior to publication. The manuscript was reviewed in its entirety, and small changes, including the insertion of two additional references to the participation of Director Hoover and Associate Director Tolson, were made.

(123) The day following Ray's guilty plea, Assistant to the Director Cartha DeLoach proposed a second cooperative effort, with a friendly, capable author, to produce a carefully written, factual book on the investigation. DeLoach noted that "while it will not dispel or put down future rumors, it would certainly help to have a book of this nature on college and high school library shelves so that the future would be protected." (211) In response to an inquiry by Associate Director Clyde Tolson, DeLoach suggested either the Reader's Digest or author Gerold Frank, noting "Frank is already working on a book on the Ray case and has asked the Bureau's cooperation in the preparation of the book on a number of occasions." DeLoach added, "we have nothing derogatory on him in our files, and our relationship with him has been excellent." (212)

(124) On March 12, 1969, Hoover approached DeLoach's two-part recommendation. Nevertheless, 1 week later, in response to a second memorandum directed to Thomas Bishop, Assistant Director of the Crime Records Division, by a member of his Division, and recommending "cooperation with the Reader's Digest and (author) Jim Bishop on his book, Hoover apparently reverses his position, noting "I think we should wait and see what move Ray makes to reopen his case." (213)

(125) In an interview with the committee, Assistant Director Bishop stated that the Bureau ultimately did not cooperate with any author on the King case, offering as a reason Hoover's concern that the resulting publicity would jeopardize the Government's ability to uphold Ray's conviction on appeal. (214) In addition, no further evidence of evidence of active cooperation with any author was found in FBI files. On the other hand, it is also clear that portions of Frank's 1971 book, "An American Death," bear striking similarities to the FBI reports covering the same subject matter. It seems quite likely, therefore, that the author had access to FBI documents through some source prior to the preparation of his book. Possible sources include, in addition to the various offices of the FBI, both the Department of Justice and the

Shelby County prosecutors in Memphis, Tenn. Frank refused to disclose his sources during an interview with the committee.(215)

VI. INVESTIGATIVE METHODOLOGY

(126) A variety of investigative techniques were available to the Department of Justice and its investigative arm—the Federal Bureau of Investigation—during the assassination investigation. Some, such as field interviews, record checks, informant coverage, laboratory analysis of physical evidence, and undercover surveillance—all capable of being implemented by the FBI and its agents acting on their own—were used extensively during the investigation.

(127) To this extent, the investigation presents an excellent case study in traditional FBI police work. Other investigative methods, specifically those which would have required active coordination with, and participation of, Department of Justice attorneys, such as search warrants, electronic surveillance, immunity grants and the grand jury are conspicuously absent. In the following pages, an attempt will be made to understand this situation, and to determine whether it reflects a deficiency in the investigation.

A. Grand jury

(128) In 1968, the early involvement of Department of Justice attorneys in the FBI's criminal investigations was comparatively rare.(216) Traditional roles of the two bodies were clearly defined, with the Bureau responsible for the "investigation" of the case and the attorneys, once presented with a complete investigative package, responsible for the prosecution. In part, this practice reflected FBI resistance in any departmental efforts to oversee or intrude upon the investigative process. In part, it reflected the reluctance of attorneys to become involved in work outside of the court room.

(129) Perhaps the best example generally of cooperation between attorneys and agents in the investigative process is in the use of a grand jury. Reluctant or adverse witnesses are summoned before a group of lay jurors and, in a confidential proceedings, asked to provide evidence on a specified matter. Grand jury subpoenas can be issued for records, as well as for testimony, and witnesses refusing to answer questions on fifth amendment grounds can be compelled to testify through the employment of a grant of immunity. The grand jury has been particularly effective historically in official corruption, organized crime and major criminal conspiracy cases, crimes in which the evidence, either because of the reluctance and fear of the witnesses, or the inherent secrecy of the criminal act, are difficult to crack through ordinary field interviews, laboratory analysis and a search for the crucial eye witness.

(130) A review of the FBI and Justice Department files reflected only one instance prior to Ray's plea in which the Bureau and the Department considered, as an investigative alternative, empaneling a Federal grand jury to secure the testimony of a witness.(217) In late August 1968, William Bradford Huie, an author who wrote both magazine articles and a book, "He Slew the Dreamer", about the assassination, interviewed Harvey and Clara Klingeman, former employers of James Earl Ray, while doing research for his writings.

During the interview, Huie indicated that he had entered into a contract with James Earl Ray and Arthur Hanes, Sr., Ray's attorney, to fund the defense through his writing. Huie showed the Klingemans pieces of paper with Ray's handwriting on it, and gave the Klingeman's details of a vague conspiracy to kill King in which Ray was only an unwitting dupe.(218) On August 24, the FBI began internal consideration of means to secure Huie's evidence, including seizure of the author's notes, through use of a search warrant or a grand jury subpoena, or the taking of Huie's testimony in a grand jury. Three days later the matter was raised with D. Robert Owen, Deputy Assistant Attorney General of the Civil Rights Division,(219) and Federal prosecutors initiated what turned out to be a lengthy and ultimately inconclusive consideration of the Bureau's alternative proposals.(220) Meanwhile, the Birmingham field office was contacted, apparently coincidentally, by Huie himself, and receive a rather extraordinary offer from the author. Huie stated that he was in "constant contact" with Ray through the defendant's attorney, although he had been denied personal access to the prisoner by the trial judge, W. Preston Battle. The author offered to turn over to the FBI on a confidential basis all information received from the defendant both in the past and in the future (including names of cities, States, places, maps and individuals contacted by Ray, as well as activities from the date of his escape from prison to his apprehension in England), if he could be given current, nonpublicized photographs of Ray of character type and was afforded personal access to the prisoner. Huie then requested that the interview be kept confidential.(220)

(132) FBI officials conveyed this new information to the Justice Department on September 10, 1968, along with a request for permission to inform Mr. Phil M. Canale, Jr., State Attorney General, of Huie's evidence, and a request that the Department give consideration to the urgency of making a determination as to the course of action it desires to follow in this matter, in light of the upcoming November 12, 1968, trial date in Memphis.(221) The Birmingham field office was advised not to bargain with Huie, and to keep headquarters informed of any further approaches by the author.

(133) Within the Department's Civil Rights Division, which was ultimately responsible for any Federal conspiracy prosecution, and therefore most keenly interested in the evidence possibly in Huie's possession, a lengthy memorandum of law was drawn up exploring practical and legal problems inherent in the use of the search warrant or the grand jury subpoena. Despite the Bureau's request that the Department also consider taking oral testimony from Huie before a grand jury, the memo reflected no consideration of this alternative. Clearly—and justifiably—concerned over possible damage to the State and potential Federal prosecutions that would result from an invalid search warrant,(222) Pollak ultimately recommended cautious use of a search warrant under tight, specifically defined procedures including requesting Huie's unconditioned cooperation prior to use of the warrant. Pollak's memorandum was transmitted to the Attorney General(223), and the FBI was asked to postpone any disclosure of information to the local prosecutors until a decision was reached by the Department.(223a)

(134) On October 4, 1968, 5 weeks after the matter was first submitted to the Department, the Bureau sent another memorandum to AAG Pollak, reminding him that Canale had not yet been informed of Huie's evidence and asking for a decision concerning the possible employment of the search warrant or grand jury subpoena. No response of any type was given, however, until November 7, 1968, when, after circulation of Huie's first Look magazine article, (224) the Department asked the Bureau to investigate certain leads suggested by the article. (225) The same procedure was followed 1 week later, (226) following release of Huie's second, Look magazine article. (227)

(135) Then, on November 27, 1968, 3 months to the day after the initial FBI request, a short memo is sent to the FBI:

This responds to an inquiry from your Bureau. We have no present plans to obtain a search warrant or issue a subpoena in order to obtain the notes and letters in the possession of William Bradford Huie, allegedly received by him from James Earl Ray through Attorney Arthur Hanes. (228)

No mention was made of the possibility of securing Mr. Huie's oral testimony before a grand jury, and no steps were taken by Federal prosecutors then, or at any later time, to secure that testimony. (229) In February 1969, prior to Ray's plea, Huie was called before a local grand jury in Shelby County conducted by District Attorney General Canale to secure testimony concerning a variety of matters, including the possibility of co-conspirators in the Tennessee murder case.

(136) Beyond this one instance, the FBI never formally proposed the use of a grand jury during their assassination investigation. Different explanations for this situation were given by various members of the FBI's headquarters staff during their interviews with the committee. Alex Rosen, Assistant Director of the General Investigative Division, noted that the Bureau traditionally resorted to the grand jury only after all other investigative methods had failed. Since active leads existed until Ray's arrest, the grand jury was unnecessary. In addition, Rosen raised the possibility that an active field investigation and a simultaneous grand jury investigation could wind up on different tangents, and expressed some concern over the premature publicity of confidential information which might result from involvement of a local U.S. attorney in a grand jury proceedings. (230)

(137) Additional reasons given by FBI headquarters personnel for the absence of a grand jury investigation included a general feeling that people were cooperating during field interviews, neither withholding information, nor giving false information; (231) the Bureau's customary practice of not bringing the prosecutor into the case until the matter was ripe for indictment; (232) a concern about the tenuous jurisdiction supporting the FBI's investigation; (233) a skepticism about the value of this investigative approach, considering the probability that a prospective target would either perjure himself or assert the fifth amendment; (234) a fear over loss of control of the investigation that would result from the participation of Department attorneys; (235) and a feeling that the FBI's field investigation had solved the case, making a grand jury unnecessary. (236)

(138) Department of Justice officials interviewed by the committee were, in many cases, no more impressed with the potential value of the grand jury in the assassination investigation than were their FBI counterparts. Assistant Attorney General Vinson of the Criminal Division noted that the grand jury is, comparatively, an inefficient and laborious means of investigation, and stated that every effort should be made to run out the "leg investigation" before resorting to this approach. (237) Steven Pollak, Assistant Attorney General of the Civil Rights Division, stated that the grand jury was not used in investigations where individuals were cooperating, and described the use of grand jury in civil rights investigations as relatively rare. To the best of Mr. Pollak's recollection, the use of a grand jury in the assassination investigation never became an issue.

(139) Attorney General Clark similarly had no recollection of consideration of a grand jury in the investigation; (238) in addition, he was emphatic in his belief that it could not have furthered the investigation:

A grand jury would have no conceivable utility in the investigation of this case and one in Birmingham (referring to the Federal complaint filed on April 17, 1968, in Birmingham, charging Eric S. Galt with conspiracy to interfere with Dr. King's civil rights.) It would be hard put to add to our ability to solve the matter. (239)

(140) In part, Mr. Clark's skepticism concerning the productivity of a grand jury investigation, is explained by a strong philosophical and practical opposition to the use of a grant of immunity to compel the testimony of witnesses asserting their privilege against self-incrimination under the fifth amendment:

I have, you know, very strong feelings that the fifth amendment relates fundamentally to the integrity of the individual. I think that—this would nowadays offend some people but this is what Christ was talking about when Pilate asked him whether he was the king of the Jews, and he said "Thou sayest it." I am not going to bend my knee. You can't compel me. I am a human being; I have my rights * * *. I think it is coercive, it is distortive, the abuses that you see under it far exceed the benefits that you derive from it, but finally, in a society devoted to freedom and dignity, it is not the way to determine facts. (240)

(141) Using his own words, Mr. Clark saw the grand jury generally speaking "as a shield, not a sword", (241) in existence to protect the individual from unwarranted charges of criminal conduct, and not as a means of supplementing the criminal investigative process.

(142) Against this background, and considering the general tension that existed between the FBI and the Department, the desire of the Bureau to control the investigation, and the general concern for security during Ray's fugitive period, it is perhaps not surprising to observe the absence of consideration of grand jury work reflected by the files during the first crucial months of the assassination investigation. Numerous situations arose, however, of uncooperative witnesses.

such as Charles Stein in Los Angeles, who refused to provide the Bureau with the names of several of Ray's associates he and investigative reporter Louis Lomax claimed to have located during their private investigation; (242) several of Ray's inmate associates, (243) all potentially capable of providing information on the mysterious "Cooley Organization" at Missouri State Prison; or the individual considered by the FBI as the "most likely suspect" in a search for the person responsible for the transmission of a false CB broadcast in Memphis 30 minutes after King's assassination, and who denied making the broadcast in his FBI interview. (244).

(143) Similarly, a grand jury might have been used to some advantage in tracing the possible involvement of Ray's brothers, John and Jerry Ray; (245) or in resolving blatant conflicts of testimony between the source of a conspiratorial allegation, and the parties implicated by that allegation; (246) or in the investigation of leads pertaining to members of extremist organizations, such as the National States Rights Party, the White Knights of the Ku Klux Klan, or the Minutemen, individuals who could normally not be relied upon to be totally candid or cooperative in interviews with agents of the FBI.

B. Electronic Surveillance

(144) At the time of Dr. King's assassination, the FBI was required to submit all proposed "non-consensual" electronic surveillance—either by "wiretap" (that is, electrical connection attached to telephone wires), or "bug" (a concealed listening device used to pick up conversations in the immediate vicinity), to the Attorney General for his approval prior to installation. "Consensual" electronic surveillance (for example through a transmitter worn on the body of an undercover agent during a conversation with the suspect), although clearly legal under decided case law, was monitored by the Justice Department and approved, prior to use, by the appropriate Assistant Attorney General. (247) Because of these authorization procedures, electronic surveillance was another tool requiring coordination between Justice Department attorneys and FBI investigators during the investigative process.

(145) After assuming the position of Acting Attorney General in 1966, Ramsey Clark devoted much of his time to procedures for monitoring and minimizing the FBI's use of electronic surveillance. A quarterly reporting system was established requiring the FBI to submit to the Attorney General a "list of all taps installed, all taps taken off, all taps pending at the beginning of the period and in place at the end of the period." (248) In addition, Mr. Clark made it clear in personal discussions with Mr. Hoover that he did not approve of wiretapping except in the national security area, (249) and that their use would be limited very severely even in that area. (250).

(146) The committee's file review reflects only very limited consideration, and no actual use, of non-consensual electronic surveillance (that is wiretap or bug), during the FBI's assassination investigation. It seems reasonable to assume that this dearth of activity resulted in large part from Mr. Clark's known opposition to non-consensual electronic surveillance as an investigative tool except in the area of national security. In addition, it also undoubtedly reflected the limits placed on the use of electronic surveillance by the

Supreme Court in the decisions of *Berger v. State of New York*, 388 U.S. 41 (1967), and *Katz v. United States*, 389 U.S. 347 (1967).

(147) Despite those obstacles, on May 9, 1968, the FBI, clearly concerned about their inability to locate the illusive Ray, initiated internal consideration of technical surveillance (that is wiretap) and "microphone" surveillance (that is bug) against John Larry Ray, Carol Pepper (Ray's sister) and the Grapevine Tavern, a business jointly owned and operated by the two relatives. (251) Apparently trying to fit the request into Attorney General Clark's national security preference, the justification used on the May 13, 1968, authorization request transmitted to the Justice Department reads as follows:

These installations could assist in the early apprehension of the subject, which could possibly be instrumental in reducing the stresses and tension placed on our *national security* subsequent to the death of Martin Luther King, Jr. (Italic added.) (252)

(148) There are several, significant aspects to this electronic surveillance request. First, while Dr. King's assassination triggered immediate, nationwide rioting in April 1968, it is clear that these disturbances had widely subsided by the second week in May, the time period of the FBI's request for electronic surveillance; thus, it seems fair to characterize the national security justification as insubstantial.

(149) In addition, however, it is clear that the requested electronic surveillance, if installed, would almost certainly have been judged illegal under 1968 constitutional standards. The purpose, stated explicitly in FBI memoranda discussing the proposal, was to surveil the family in hopes of catching the fugitive, and not to gather evidence of the commission of a crime by Carol Pepper or John Larry Ray. Moreover, as to Carol Pepper at least, there was no significant evidence in FBI files to indicate her involvement in any criminal activity—even harboring. Absent a clear threat to national security, or probable cause as to the commission of a crime that might have justified an effort to secure a judicial warrant, no basis existed for the implementation of this surveillance. Moreover, it is clear that the FBI recognized their difficulties, for in an internal memorandum analyzing the legality of the proposed surveillance, the conclusion was reached that the proposed installation is unconstitutional as to the Peppers and that they have at least a theoretical cause of action for damages against those who have installed the devices by trespass. (253) The willingness of the FBI to proceed with this investigative approach in the face of their own recognition of its unconstitutional nature, reflects an absence of concern for the rights of the surveillance targets.

(150) Finally, the FBI's proposal was a clear indication either of the Bureau's failure to seriously consider the possibility of conspiratorial involvement by members of Ray's family, or of its reckless disregard for the damage that this investigative approach could have done to any later prosecution of Ray's brothers. Assuming, as the Bureau apparently did, the illegality of the proposed electronic surveillance, any evidence of conspiracy intercepted by the tap would have been inadmissible against individuals with standing to contest that illegality; in addition, the installation of an illegal tap or bug would have raised significant taint problems, and seriously jeopardized the ability to use

any subsequent developed evidence in a later conspiracy prosecution. (254)

(151) The problems that could have been created by the FBI's proposal never materialized. While Attorney General Clark has no recollection of receiving or acting on the request it seems clear from the files, and from various interviews, that the proposal, although sent, was neither authorized nor implemented. (255) Harold F. Dodson, MURKIN case agent in the St. Louis field office (responsible for the areas of proposed electronic surveillance), authorized no electronic surveillance in the MURKIN investigation, and stated specifically that there were no surreptitious entries into the Ray family residences or the grapevine. (256) In addition, a review of the St. Louis field office files, and of the headquarters MURKIN files, produced no evidence of the implementation of the proposed electronic surveillance. In a June 11, 1968 memorandum (257) to Attorney General Clark, Director Hoover withdrew the May 13 request for electronic surveillance in light of Ray's apprehension in London.

(152) Earlier in this section, it was noted that 1967 Supreme Court decisions severely limited the use of electronic surveillance in criminal investigations. This situation changed on June 19, 1968, with the passage of title III of the Omnibus Crime Control and Safe Streets Acts of 1968, an act that permitted the use of court-authorized electronic surveillance by law enforcement officers in the investigation of certain enumerated crimes, including murder. Despite the potential for imaginative investigative efforts offered by the act, President Johnson publicly announced, in signing title III into law, that the administration's established policy of confining wiretapping to national security cases would continue in force, and instructions were sent to Attorney General Clark to continue to limit electronic surveillance accordingly. (257a) Not surprisingly, therefore, FBI files reflect no further attempts to implement electronic surveillance as part of the assassination investigation.

VII. JAMES EARL RAY—THE ULTIMATE SOURCE OF INFORMATION

(153) The evidence against James Earl Ray at the time of his arrest on June 8, 1968, constituted a strong, albeit circumstantial case. A confession would have strengthened the Government's position; however, it was certainly not essential to the prosecution.

(154) On the other hand, information which Ray might possess on the separate question of conspiracy would have been (and remains), potentially invaluable. It is therefore important to determine both the adequacy, and the legality, of the steps taken by the Department of Justice and the FBI in pursuing this source of information.

A. Post-arrest interview

(155) At the time of his arrest, Ray was placed in the custody of Scotland Yard, and was unavailable for interview until after his arraignment on June 10, 1968. (258) A formal FBI request to interview Ray was lodged with the British Attorney General, who decided as of June 24, 1968, that the request would not be conveyed to the Governor of Prisons until after Ray's extradition. (259) Wilbur Martin-dale, a unit chief in the Civil Rights Section who was in London at this point because of his knowledge of the case and his potential value

in interviewing Ray, was sent back to the United States (260) and the Bureau, along with the Department of Justice, began to consider the feasibility of interviewing Ray during his trip back from London to the United States. (261)

(156) On July 11, 1968, the possibility of such an interview diminished somewhat when Arthur Hanes, Sr., wrote Attorney General Clark requesting that his client not be interviewed, or interrogated by any member of the Justice Department, unless done in (his) presence. In addition, Hanes asked that he be able to accompany his client on the trip to the United States, if extradited. (262) Concerned that the presence of an attorney during transportation of a witness would provide a bad precedent, (263) in addition to posing other potential problems, Attorney General Clark and Director Hoover decided to deny Hanes' request to accompany his client, (264) and on the following date Assistant Attorney General Vinson, who had been appointed by Clark to oversee the London extradition proceedings, formally recommended to the Director that no effort be made to interrogate Ray on his return trip to the United States. The recommendation was based on Vinson's grave doubts that the prosecution could demonstrate a knowing and intelligent waiver of Miranda rights by Ray—regardless of the actual facts—considering Hanes' earlier request and the added factor that, on his trip back, Ray will be in restraining devices on a military aircraft. (265) Vinson did note, however, that this did not mean that statements volunteered by Ray may not be used under some circumstances. (266) Following up on this possibility, Wilbur Martindale was assigned as one of four FBI agents who would accompany Ray on the return trip. Ray did not speak, eat or drink, during the flight home, however, and was even reluctant to take aspirin provided by an accompanying military physician after he complained of not feeling well. (267) Thus, no inculpatory or otherwise valuable information was received from Ray during the trip.

B. The FBI and Ray prior to the guilty plea: attorney/client privilege problems

(157) Efforts to interview Ray ceased with his return to Tennessee, and it was not until after the guilty plea in March 1969 that renewed consideration was given to a direct approach of the defendant. (268) Nevertheless, FBI files reflect, almost from the moment of Ray's arrival, a strong interest in the prisoner's activities, visitors, thoughts and communications. At times, this curiosity was harmless. At times, however, it reflected a disregard for the prisoner's attorney/client relationship and for his right to privacy during the preparation of his defense.

(158) Prior to his return to the United States, Ray retained Arthur Hanes, Sr., to represent him in the Tennessee murder trial. Hanes was Ray's primary attorney until November 10, 1968, when Ray fired him and brought in Percy Foreman.

(159) On September 18, 1968, Hanes filed a motion before trial Judge Preston Battle seeking to modify various aspects of his client's conditions of confinement. During the evidentiary hearing held on September 30, 1968, to determine the facts underlying the motion, testimony was taken on various subjects, including the methods used to

monitor Ray's mail; Capt. Billie J. Smith of the Shelby County Sheriff's Department stated that Ray's general mail was read and censored, but then assured the Court that written material passing between Ray and his attorney was perused for security purposes only, and was not read to determine the contents. (269). Following the hearing, Judge Battle memorialized this procedure in the form of a judicial order, and in a teletype sent from the FBI's Memphis field office to Washington, the essence of the court's ruling was conveyed as follows:

Judge Battle ruled that written notes exchanged between Ray and his attorney are privileged. However, the Shelby County Sheriff or his designated agent has the authority to peruse these notes to determine if there is any attempt to breach security of the jail. *These notes should not be perused for the purpose of ascertaining the full contents of the message.* (Emphasis added.) (270)

(160) Despite this indication of clear understanding of Judge Battle's order, however, the need of the Memphis FBI Office to monitor Ray's activities apparently proved overpowering. Within the month following the order, no less than three letters from Ray to his attorney, Arthur Hanes, were intercepted at the prison, photocopied, passed to the FBI's Memphis field office and transmitted to FBI Headquarters in Washington. (271) In addition, on one occasion, the covering memorandum sent to Washington directed the reader's attention to particularly interesting parts of the letter:

Of significance, Ray in his letter to Hanes requests that Mr. Huie not go to any of the addresses in Miami until after the trial. In this connection, Ray also states "that part of the story just covers a few days anyhow and is not too important." (272)

(161) Robert Jensen, SAC of the Memphis office, conceded in interviews and executive session testimony that his signature or initials were on memos transmitting two of the three memos, (273) and speculated (although he could not recall definitely), that the source of the letters was the Shelby County Sheriff. (274) Jensen felt that the letters were volunteered to him, rather than being solicited by the Bureau; (275) he had no recollections of informing the State prosecutor or defense counsel of his receipt of the letters. (276) He did not consider the possibility that receipt of privileged information might taint the prosecution, and (277) explained the situation as follows:

Where the U.S. Government or the FBI or the Justice Department has an interest in a matter and I am volunteered information relative the matter, I am afraid that I would accept it, and I think this is what happened in this case. (278)

(162) This was not, it should be noted, the only example of mail interception found in the FBI files, which also contained correspondence between Ray and J. B. Stoner. (279) Trial Judge W. Preston Battle, (280) Jerry Ray, (281) William Bradford Huie, (282) and Mrs. Carol

Pepper. (283) Moreover, it was not the only time in which the conduct of the Memphis office intruded upon the privacy of the defense camp. On at least one occasion, the office received information concerning the planned defense strategy of Arthur Hanes, Sr., during the upcoming trial. In conveying the information to Washington, Memphis added the following caveat: "Above for Bureau's information only and is not being disseminated to local authorities lest we be accused of interfering with client/attorney relationship." (284) And on August 26, 1968, after receiving copies of a map drawn by Ray of his Missouri State Prison escape and of questions sent to Ray by author William Bradford Huie, the Memphis field office noted that "since there is some question that this information may be privileged, it is not being disseminated and will not be put in a report." (285)

(163) In view of the inherent confidentiality which attaches to communications between a defendant and his attorney, a privilege which was not created, but only reinforced, by Judge Battle's order of September 30, 1968, the knowing involvement of FBI's Memphis office in the receipt and transmission of Ray's letters to Hanes stands out as both illegal and potentially injurious to subsequent prosecutions.

(164) On October 31, 1 month after Judge Battle's order, FBI Headquarters, using a carefully worded directive initialed by Clyde Tolson, Cartha DeLoach, Alex Rosen, and others, instructed the Memphis office as follows:

In view of the above order of W. Preston Battle (referring to Sept. 30, 1968, order), you should not accept any written communication from the sheriff regarding correspondence between Ray and other individuals. If it is not in violation of the court order you may accept information from the sheriff if he volunteers this information and it is on an oral basis only. (286)

(165) With the receipt of this directive the Bureau's practice of receiving photocopies of Ray's correspondence apparently ceased. There is no evidence in files reviewed by the committee that knowledge of the operation, or of information found in the intercepted mail, spread beyond the Memphis field office and FBI Headquarters in Washington. (287)

C. Post-guilty plea interview: Miranda problems

(166) Immediately following Ray's guilty plea on March 10, 1969, at the initiative of Assistant Attorney General Jerris Leonard of the Civil Rights Division (who had replaced Stephen Pollak with the change in Presidential administrations in January 1969), consideration of various approaches to Ray began. Alternatives considered included an immediate interview, (288) an interview at some later date, and testimony under oath before a Federal grand jury. The action was being taken in light of President Nixon's reported plan "to take the position in a future press conference that the Federal Government was continuing to give intensive interest to the possibility of existence of a conspiracy." (289)

(167) An immediate decision was made, following a discussion between Leonard, Rosen, and Martindale, to clear an interview of Ray with the appropriate people (290) and by March 12, the Memphis field

office had contacted Canale, Ray's attorney-of-record Percy Foreman, (291) and Harry Avery, Commissioner of the Tennessee Department of Corrections. Foreman, after an informative discussion with the Houston FBI office concerning his relationship with his client and various statements Ray had made about the case, approved the interview of his client in his absence. (292) Neither Canale nor Avery interposed any objections.

(168) The interview itself was conducted by Robert Jensen, SAC of the Memphis office. Authority for the FBI to conduct the interview on their own was given by D. Robert Owen, (293) Deputy Assistant Attorney General of the Civil Rights Division, and in an interview with the committee Owen recalled no consideration of the possibility of having a Department attorney present during the interview. Director Hoover gave specific instructions that results of the interview be given first to him prior to dissemination to the Department. (294)

(169) Jensen's interview with Ray lasted 50 minutes, and covered a variety of topics—including Ray's dissatisfaction with his attorneys, his plans to reopen his case, Charles Stephens, Charles Stein, the FBI (a TV show), fingerprints on the rifle and Inspector Butler of Scotland Yard. Ray provided no evidence supporting the possibility of a conspiracy. (295)

(170) Ray was not accompanied by an attorney during the interview; nor was he informed specifically of his right to have a lawyer present; his right to terminate the interview at will; his right to remain silent; or the Government's ability to use his statements against him at a later date (i.e., *Miranda* rights). In an interview with the committee, SAC Jensen confirmed that he did not advise Ray formally of his *Miranda* rights, explaining that surrounding circumstances, including Ray's extensive criminal record, indicated that he was aware of his rights without formal notification. Moreover, Jensen stated that the interview was not a hostile one, that he had called the guard to terminate the interview when Ray stated he wished to leave, and that he changed the subject matter of the interview when Ray refused to continue along a specific line. (296) Accepting, for the moment, the accuracy of Mr. Jensen's recollections, the fact remains that this interview of Ray was the first official effort to gain information on the possibility of conspiracy from the self-confessed triggerman. The ability to use any statements Ray may have given, in a subsequent trial of the prisoner on conspiracy charges, would depend on being able to survive a motion to suppress the statements that would automatically be filed by any defense counsel, certainly a foregone conclusion in light of the failure of this experienced FBI agent to observe routine interview procedures through the administration of *Miranda* rights prior to questioning.

(171) A second effort was made to interview Ray the following day and Ray refused. With the interview approach comparatively unproductive, consideration turned to the possibility of compelling Ray's testimony before a grand jury. Assistant Attorney General Leonard recalled extensive consideration of this possibility within his division, and felt that his proposal met fairly stiff internal opposition; (297) he did not recall whether any of this opposition emanated from the FBI, and was not certain which specific attorneys objected to this course. Neither former Attorney General John Mitchell (298) nor D. Robert Owen, Leonard's Deputy Assistant Attorney General, (299)

recalled active consideration of the grand jury alternative immediately following Ray's plea.

D. Official approaches of James Earl Ray in 1970 and 1976

(172) In September 1970, Assistant Attorney General Leonard asked Mr. K. William O'Connor, Chief of the Criminal Section of the Civil Rights Division, to review the file on the assassination case, and bring him up to date. (300) Shortly thereafter, a meeting was held between O'Connor and Bernard Fensterwald, Ray's attorney, and Ray was offered an opportunity to appear voluntarily before a Federal grand jury to provide whatever evidence he possessed on the conspiracy issue. Fensterwald recalled at least the intimation that the Department would make efforts to get the sentence against Ray reversed and to secure a new identity for him through the witness protection program, (301) if his client cooperated and provided useful information. O'Connor did not recall the specifics of the offer he conveyed, but was certain Fensterwald received the impression that the Department would attempt to better Ray's situation if he provided valuable information. (302) Ray rejected the offer, explaining to Fensterwald that he did not believe he could say enough to satisfy the Department and stating that in testifying he would be signing his death warrant.

(173) After Ray's decision not to cooperate in 1970, no further efforts were made either by the FBI or the Department of Justice to talk to Ray until 1976, when the Department, as part of an internal review of the FBI's MURKIN investigation and Security and COIN TELPRO operations against King, attempted to conduct an interview. Ray refused to meet with members of the review force. (303)

VIII. THE CONSPIRACY INVESTIGATION

A. The official findings

(174) The ultimate conclusion of the Federal assassination investigation performed by the Justice Department and the Federal Bureau of Investigation was that James Earl Ray, acting alone, killed Martin Luther King, Jr. Moreover, during the extensive interviews conducted by the committee on the subject of the MURKIN investigation, no dissent from this conclusion was voiced.

(175) Director Hoover's views on the issue of conspiracy are clearly stated in a memorandum which he wrote on June 20, 1968, summarizing a discussion with Attorney General Clark. At one point during this conversation, Hoover told the Attorney General that "in Ray's case, we have not found a single angle that would indicate a conspiracy." Later in the discussion, he added his personal opinion that "he (Ray) acted entirely alone," but then assured the Attorney General that "we are not closing our minds that others might be associated with him and we have to run down every lead." (304)

(176) In a recent interview with the committee, Attorney General Clark indicated his agreement with these investigative findings, and added that the Bureau was probably more inclined to view the assassination in conspiratorial terms than he was. (305) It was Mr. Clark's instinctive feeling that Dr. King's death resulted from the act of an eccentric racist loner, and that Ray's reference to a "broth-

er" during the rifle exchange in Birmingham the week before the assassination—the remark which was to provide the factual basis for a Federal conspiracy complaint filed in that city approximately 2 weeks after the assassination—was merely an excuse created by the assassin on the spur of the moment, rather than sound evidence of conspiracy.

(177) Additional evidence of the Department's agreement with the results of the FBI's investigation is found in an August 20, 1968, memorandum from AAG Fred Vinson, Jr., of the Criminal Division, to the Deputy Chief of the Organized Crime and Racketeering Section, (306) in which he wrote that:

While we weren't prepared to announce publicly that we had proved a negative, I was personally satisfied that a thorough job had been done of running out all leads with respect to any connection Ray might have with any sort of conspiracy and that we had come up with nothing. I told him that, to the contrary, our information indicated that Ray was a loner, a shy, reticent person who didn't even have many acquaintances, and that we were pretty well satisfied that he had no independent source of finances.

(178) Moreover, the opinions of Mr. Clark, Mr. Vinson, and Mr. Hoover described above represent the consensus of opinion of those FBI supervisory personnel and Justice Department officials who participated in the assassination investigation and who were interviewed on the subject by the staff of the committee.

B. The investigation

(179) It would not be correct to conclude, based on the ultimate finding of "no conspiracy" reached by the investigators, and the lawyers who supervised the original investigation, that a conspiracy investigation was not conducted. In fact, FBI investigative files reflect, almost from the moment of the assassination, a consciousness within the Bureau of the possibility of conspiracy surrounding the crime. During the first 2 weeks of the investigation, the primary focus was clearly directed toward ascertaining the true identity of the individual who dropped the bundle of evidence and the 30.06 rifle while fleeing the crime scene. However, even during this initial period, directives from Washington were phrased in terms of identifying the "person *or persons* responsible for the assassination of Martin Luther King, Jr." (307) (emphasis added), and it is apparent that investigators were, even at this early date, sensitive to circumstances which suggested the possibility of conspiracy.

(180) Perhaps the best example of the FBI's general awareness of, and willingness to consider, a conspiracy angle in the assassination investigation is found in an "All-Sac" teletype issued on April 26, 1968, 3 weeks after Dr. King's assassination. (308) Two days earlier, headquarters had completed a review of the main Bureau file on Martin Luther King (ironically created during the security investigation of the civil rights leader), and had identified and documented approximately 50 prior threats on Dr. King's life. (309) These threats were set out in investigative leads and transmitted to

the appropriate field office for resolution. Accompanying the leads, in the April 26 teletype noted above, were the following instructions:

The main file on King has been reviewed at the Bureau and leads are being sent out concerning persons involved in prior threats against King. These leads as well as leads concerning any other suspects developed from any source must be given immediate and thorough handling on a top priority basis. Process has been obtained against James Earl Ray and extensive investigation is continuing to locate Ray and to establish motive of crime. *You have been and will be furnished information relating to other possible conspirators. These must all be thoroughly resolved no matter how remote.* (Emphasis added.) (310)

(181) The truest indication of the FBI's overall sensitivity to the conspiracy possibility, however, occurred after Ray's arrest on June 8. While cost data indicated a significant overall reduction in Bureau expenditures at approximately the time of Ray's arrest, FBI files still reflected a limited number of additional, conspiracy-oriented investigative leads. The major, post-arrest focus, an attempt to determine the source of Ray's funds through an intensive reinvestigation of the July 1967 Alton Bank robbery, certainly stemmed almost entirely from the Bureau's awareness that Ray's extensive expenditures during 14 months of freedom strongly suggested the possibility of association with as-yet-unidentified individuals.

(182) In addition to the funding concern, files reflected efforts over the months following Ray's arrest to (1) identify possible criminal associates through a recheck of the New Rebel Motel in Memphis; and of motels, hotels, and roominghouses in Birmingham for the time period of the rifle purchase; (311) (2) to investigate the possibility that a Louisiana State Policeman was, in fact, the mysterious "Raoul"; (312) (3) and to interview Ray himself on the issue of conspiracy. Thus, while officials in both the Justice Department and the FBI were rapidly reaching a unanimous no-conspiracy conclusion, this did not prevent at least a limited amount of conspiracy-oriented field investigation even following Ray's arrest.

(183) Despite these efforts, however, the committee's review of both the evidence within the FBI files indicating specific conspiratorial possibilities, and of the investigative techniques employed by the Bureau and the Department of Justice in resolving these leads, did not disclose a basis for confidence in the official conclusion that responsibility for Dr. King's death did not extend beyond the triggerman. In fact, the committee's review revealed serious defects in both the focus, and the method, of the overall conspiracy investigation.

(184) First, conspiracy leads were, at times, resolved solely through establishing a potential coconspirator's alibi during the period of March 29, 1968 to April 4, 1968, designated as the pertinent period for purposes of the assassination investigation. (313) The inadequacy of this method was demonstrated by the FBI's own investigation, which had, almost immediately, produced substantial evidence that Ray's plan to kill Dr. King began to take form while he was still a resident of California; that is prior to March 17, 1968. Moreover, the general notion that a conspiracy suspect can be eliminated by establishing his

absence from the scenes of the crime and of one major overt act (the rifle purchase), reflected a simplistic view of the law of conspiracy. In 1968, as now, a conspiracy prosecution required only an agreement and one subsequent overt act by any of the parties in furtherance of that agreement. Proximity to the scene of the crime, while clearly a relevant and significant investigative concern, was not, in a conspiracy investigation, the ultimate issue.

(185) Second, FBI files reflected only limited efforts, independent of specific, positive leads, to investigate the possible involvement of those extremist organizations (such as the White Knights of the Ku Klux Klan or the Minutemen) which had demonstrated both a propensity for violence, and a clear antagonism toward Dr. King. A general canvassing of all racial, criminal, and security informants occurred at various stages during the investigation. (314) Beyond this general directive, however, and a series of alibi checks on known hate-group activists during the initial stage of the investigation, the Bureau's investigation of possible extremist involvement was both limited and unimaginative.

(186) For example, even after the Bureau had received evidence of a possible link between the United Klans of America and Ray in the form of Ray's immediate selection of Arthur Hanes, Sr. (an attorney who had done extensive legal work for the Klan), and in later informant information indicating the possibility that the United Klans of America might become involved in the funding of Ray's defense, (315) no concerted effort was made to pursue the conspiratorial implications of this information. Additional steps which might have been considered include a check of Bureau hate-group indices against Ray's known and potential associates, and the compulsion of sworn testimony of appropriate Klan officials through the use of a grand jury subpoena and the judicious use of immunity grants.

(187) Third, FBI and Department of Justice files reflected almost total reliance on the field interview as a means of resolving issues clearly relevant to the overall conspiracy investigation. At no time was a grand jury utilized to supplement the FBI's field investigation of the numerous conspiracy allegations, despite situations where it would clearly have been appropriate. The circumstances surrounding Ray's escape from Missouri State Prison, for example considered by some to be the first step in an elaborate, year-long conspiracy to assassinate Dr. King, was never investigated through the grand jury. Similarly, a possible association between Ray and a Missouri State Prison inmate association named the "Cooley Organization" was left essentially unresolved after extensive field interviews with MSP inmates and former inmate-associates of Ray confirmed the existence of the group, but (failed) to ascertain information concerning its principles or membership or the extent of its network: (316) the use of a grand jury to explore this issue—a logical step following the unsuccessful interview process—was apparently never considered.

(188) Additional examples of conspiratorial allegations or issues appropriate for grand jury treatment included the false CB broadcast in Memphis one-half hour after the assassination, seen by some as an effort to divert police attention from the flight of the true assassin (317) and allegations received by one John McFerren that the owners of a Memphis produce company had been involved in directing and

funding the assassination. (318). In both situations, however, the Bureau and the Justice Department were satisfied to resolve the issues solely through field investigation.

(189) Of far greater potential significance than any of the defects noted to this point, however, was the almost inexplicable failure of the FBI and the Justice Department to focus a concerted effort on Ray's family, and specifically his brothers, during the conspiracy investigation. Absent any extrinsic evidence, family members of the suspected triggerman deserved at least some investigative attention. Given the significant amount of direct and circumstantial evidence received by the FBI during the months following the assassination that strongly suggested a great deal more contact among the three brothers than any was willing to admit—the failure to pursue this area more aggressively constituted a serious defect in the overall investigative effort.

(190) The single most significant piece of evidence raising the possibility of participation by a brother in the assassination came during early interviews by the FBI of clerks at the Aeromarine Supply Co., in Birmingham. During such an interview, Donald Wood told agents that Ray, while exchanging rifles on March 30, 1968, 5 days before the assassination, explained that he had decided to return the initial rifle, and replace it with a more powerful weapon, after a conversation with his brother. (319). This statement was, of course, later used as the factual basis for a Federal conspiracy complaint charging Ray (then known as Eric Galt) and "an individual whom he alleged to be his brother" with a violation of 18 U.S.C. 241. (320). In addition to this incident, however, the FBI received additional evidence which over the weeks and months to follow created an ever stronger possibility of family knowledge of, and involvement in, circumstances surrounding the assassination of Dr. King. Examples follow:

(191) On August 4, 1967, Ray told a female acquaintance in Canada that he had been in Grey Rocks (a resort north of Montreal) for about 1 week (321) and that he would be leaving within the next few days to meet his brother in Montreal. Three weeks later, Ray told the same acquaintance that he was currently working with a brother in real estate, and that he had no problem with money and could always get some.

(192) In December 1967, immediately before his departure on an abrupt and never adequately explained trip to New Orleans (322), Ray told Dr. Mark O. Freeman, a psychologist, that his brother had found a job for him in the merchant marine based in that city. (323) In early January 1968, shortly after his return from this trip, Ray made a \$364 payment for dance lessons and told a Los Angeles dance instructor that he had recently met his brother in Louisiana. (324)

(193) On March 2, 1968, 15 days before his departure from California and approximately 1 month before the assassination, Ray stated during a discussion at graduation ceremonies at a Los Angeles bartending school that he would be visiting his brother in Birmingham for about 2 weeks. (325)

(194) On March 9, 1968, Ray turned down an offer of employment from the president of the same bartending school, explaining that he was leaving town within 2 weeks to visit his brother. (326) Approximately 3 weeks later, of course, Ray mentioned a conversation with his

brother while exchanging his rifle at the Aeromarine Supply Co. in Birmingham.

(195) In and of itself, the coincidence of numerous references by Ray to a brother during the time period surrounding three important pre-assassination transactions—the New Orleans trip; Ray's departure from California to take up residence in Atlanta, Dr. King's hometown; and the Birmingham rifle purchase—presented a strong basis for directing a major investigative effort toward the family. Moreover, this was not the full extent of the evidence available to the Bureau and the Justice Department.

(196) In his first interview with FBI agents, John Larry Ray, a younger brother, exhibited strong signs of racism when he belittled the crime with which Ray was charged, "all he has done is 'kill a nigger' ". (327) and stated that there would be no interest in Ray if King had been white. (328) Moreover, the strong likelihood of John Larry Ray's involvement in Ray's escape from Missouri State Prison had been established by the end of April when a review of prison records indicated a visit to the prison by the brother on April 22, 1967, the day before the escape. (329)

(197) Similar indications of racism were manifested by Ray's second brother, Jerry Ray, particularly in his close association with J. B. Stoner, head of the virulently anti-Black National States Rights Party, following Ray's London arrest. In addition, information received by the FBI around the time of Ray's arrest reflected statements by Jerry that his brother was to receive at least \$100,000 for killing Martin Luther King, and that the purchase of the Mustang and use of the safe deposit box in Birmingham were linked to a conspiracy. (330)

(198) Moreover, it was clear almost from the beginning of the Bureau's investigation of Ray that both brothers were lying to the interviewing agents concerning contact with James Earl during the recent past. John Ray's claim during his initial interview that he had not seen his brother in 3 years was undermined by MSP records indicating his visit to the prison the day before Ray's 1967 escape. And Jerry's similar denial of contact with his brother was contradicted by information received by the Bureau shortly before Ray's arrest, (331) as well as by admissions of James himself to author William Bradford Huie, that he had given a red Plymouth automobile to Jerry in Chicago in August 1967, and had called Jerry while enroute to New Orleans in December 1967. (332)

(199) In addition to undermining Jerry's official denials of contact with James during the preassassination period, Ray's story to Huie also provided a final, major piece of evidence in the growing case against the brothers. In two Look magazine articles published in November 1968, 4 months before the guilty plea, large portions of Ray's story to William Bradford Huie, including the first detailed version of his early association with "Raoul", appeared for the public to examine. Following the plea, the entire "Raoul" story, from the first meeting in Canada to the alleged gun-running operation in Memphis on the day of King's assassination, was published in Huie's book, "He Slew the Dreamer". (333) A comparison of the "brother allusions" by Ray in Canada, California, and Birmingham, with Ray's own Raoul story revealed remarkable coincidences.

(200) For example, Ray's known reference to a planned meeting with a brother in Montreal coincided with his alleged meetings with Raoul in that city; Ray's known references to a brother both before and after the December New Orleans trip coincided with his claim that he met Raoul in New Orleans to receive money and discuss future criminal activities. And Ray's known references to his brother immediately prior to his move to Atlanta, and during the rifle purchase, coincided with his claimed receipt of instructions from Raoul to come East and to purchase a display weapon for the gun-running negotiations.

(201) Thus, within a relatively short period after Dr. King's assassination the FBI had collected evidence of numerous references by Ray to a brother during crucial moments in his preassassination activities, of strong signs of racism in both John and Jerry Ray, of probable involvement by John in the Missouri State Prison escape, of claimed knowledge by Jerry of an assassination conspiracy and a prospective \$100,000 payoff, and of striking coincidences between Ray's own story of Raoul, and the independent evidence of association with his brother. Clearly, this evidence warranted a major and concerted effort by both the FBI and the Civil Rights Division of the Justice Department to determine both the extent and the nature of Ray's actual preassassination contact with his brothers. In fact, however, no such concerted effort was made.

(202) This is not meant to indicate that the Bureau ignored the family, or the brothers, during their investigation. As has been indicated previously, an intense effort was made to secure assistance and information from the various family members during the prearrest fugitive investigation, (334) and during this period the brothers were interviewed on numerous occasions (334a) concerning knowledge of the suspect's location. In fact, at one point the Bureau's preoccupation with the fugitive investigation became so great that a recommendation was made for the use of patently illegal electronic surveillance of John Larry Ray and Carol Pepper in an effort to locate the subject. (335) Had such a tactic been implemented, any subsequent conspiracy case against family members could have been seriously jeopardized. Nevertheless, with the exception of comparisons of the fingerprints and palm prints of the two brothers with unidentified latents in the case; (336) an effort to verify Jerry Ray's alibi for April 4, 1968; (337) and the posing of some questions during the above-noted field interviews arguably connected to a conspiracy investigation; investigative files reflect no significant efforts to determine the extent of their criminal involvement with James.

(203) No effort was made, for example, to determine whether the 1967-68 travels of either brother coincided with those of Ray's companion, Raoul. Such an effort might have included motel and airline canvasses under Ray brother aliases and employment verification for appropriate periods.

(204) Similarly, no effort was made, other than through direct questioning of the brothers, themselves, to establish the alibis of either Jerry or John during the time of the rifle purchase, and John's alibi went unchecked even for the day of Dr. King's assassination. Ironically, the Bureau covered this ground routinely with other conspiracy suspects.

(205) Further, Jerry Ray's statements concerning a conspiracy in June 1968, and again in March 1969 during a discussion with Kent Courtney, a conservative spokesman in New Orleans, were never adequately pursued. Despite a strong indication by Jerry in the latter situation that he would discuss the conspiracy with Courtney during a meeting on March 20, 1969, (338) and Courtney's apparent willingness to cooperate with the Bureau, (339) no consideration was given to the use of consensual electronic surveillance to record Jerry's discussion with Courtney. Rather, a decision was made—based on Courtney's suspect reputation and a fear of Bureau embarrassment—to pursue a field interview with Jerry Ray instead. (340) When Jerry was ultimately located, however, he refused the interview, and thereafter, Bureau efforts ceased. (341)

(206) In addition, the files reveal no efforts to investigate the brothers through interviews with their associates. Given the criminal nature of many of John's associates, this might well have required the use of a grand jury, and immunity grants, investigative tools which might have been useful in the additional areas of John's probable involvement in the MSP escape, and his possible participation in the Alton Bank robbery in July 1967. Some of this grand jury and immunity work could have been accomplished, it is noted, without violating a Justice Department policy against compelling testimony of a family member, or facing the issue of immunity with either of the brothers. As at all other times during the investigation, however, the grand jury and immunity approach was not used.

(207) Finally, the files reveal no efforts to investigate the associates of Ray's brothers, either through direct, saturation interviews or through the development of an informant apparatus. Thus, the possibility that Ray's connection with an active conspiracy with one of his brothers was never adequately pursued.

IX. HOOVER, COINTELPRO, AND THE ASSASSINATION INVESTIGATION

(208) Not surprisingly, the adversary relationship which had existed for so long between the FBI and Martin Luther King, Jr., did not terminate with the assassination of the civil rights leader. To cite only one example * * * FBI files reflect Bureau plans in March 1969 to brief Congressmen in an effort to defeat the proposed creation of a national holiday in recognition of Dr. King's birthday. The counter-intelligence operation was approved by Hoover, who noted at the same time that it must be handled very cautiously. (342)

(209) Despite this continued animosity, however, the general feeling of the Justice Department and FBI officials interviewed on the subject was that Hoover's hatred of King, and the Bureau's extended involvement in security investigations and COINTELPRO activities against the man and his organization, had the ironic effect (although perhaps predictable, in light of the Bureau's noted preoccupation with public image) of increasing the intensity of the investigative effort after the assassination. The following is an excerpt of testimony given by Ramsey Clark:

Q. Mr. Clark, given the dislike which Mr. Hoover felt toward Dr. King and communicated to you in lunches and other occasions, and given the * * * FBI * * * electronic

surveillance and taps in the early sixties, and the continued interest in Dr. King in the form of requests to you for additional electronic surveillance as recently as April 2, only 2 days prior to this assassination, did it ever occur to you that the FBI * * * would not be in a position to objectively carry out the responsibilities of the investigation itself?

A. I don't believe it did * * * I had the strongest, clearest conviction that the FBI would do everything in its power to investigate this case quickly, effectively and successfully, and it wasn't just logic. It was, I mean, my total being told me that the thing Mr. Hoover really loved most, the Bureau, was on the line here, and that if they couldn't produce here where many would suspect their concern, that their failure would do more damage to them in the minds of the people than any other case they had worked on. (343)

Similar sentiments were expressed by FBI unit Chief Wilbur Martindale, (344) Assistant Attorney General Vinson of the Criminal Division, (345) and Assistant Attorney General Pollak of the Civil Rights Division. (346)

(210) In an attempt to determine how great the potential problem was, the committee, early in its investigation, identified FBI personnel who were involved in some significant manner in either the preassassination COINTELPRO and security investigations against Dr. King, or the postassassination MURKIN investigation. Not surprisingly, a comparison of the two lists revealed some overlap in personnel both at headquarters and in the field. Beneath Hoover and Tolson, Assistant to the Director Cartha DeLoach had overall supervisory responsibility for the operations of both the Domestic Intelligence Division (Security and COINTELPRO cases) and the General Investigative Division (MURKIN investigation), and was therefore equally involved in both. In the field, the most significant overlap was in the Atlanta office, where the case agent for the King security case (May 21-June 5, 1968), and the SCLC security case (Apr. 26, 1966-Mar. 12, 1971), was also assigned initially as case agent for the MURKIN investigation in that city.

(211) In light of this Atlanta assignment, it is clear that no official effort was made either by the Bureau, or the Department of Justice, to formally preclude the involvement in the assassination investigation of agents with backgrounds in the King security or COINTELPRO operations. (The absence of such an effort was also confirmed in the committee interviews.) However, a number of factors indicated that this use in Atlanta of an agent with extensive King security work in his background as "case agent" during the MURKIN investigation did not create significant problems. First, his assignment as Atlanta MURKIN case agent lasted only for the month of April; thereafter, the responsibilities of the position were assumed by another agent in the office. Moreover, during much of the period prior to Ray's positive identification on April 19, 1968, the operations in Atlanta's office were directed by an inspector from Washington with extensive experience in major civil rights cases. In addition, the position of case agent—while central because of its function in coordinating, monitoring, and reporting on the investigation, did not carry command responsibilities. Thus, while the evidence showed the use of an agent with an extensive

background in King COINTELPRO and security work as case agent in Atlanta's MURKIN investigation, there was no additional evidence that the field office investigation was curtailed or restricted as a result of the assignment.

(212) Attorney General Clark recalled no concern about a widespread or debilitating prejudice against King within the ranks of the FBI that would have affected the day-to-day investigation:

I guess I assumed that the agents who were doing any work that related to Dr. King were just acting in the ordinary course of their employment * * * My sense of the distortion, if there was one or was to be one, was that it came from the top, which was often the case because Mr. Hoover had been so dominant so long, and that the prejudice in individual agents would have been less than the prejudice of the Director toward Dr. King, but that once they saw, as I believed, him making this his first priority investigativewise, they would, too. (347)

(213) At headquarters the effect that Hoover's hatred for King had on his personal involvement in the investigation is difficult to gage from files alone. Nevertheless, certain patterns are clear. Hoover received information on the progress of the case primarily through daily internal FBI memos and briefings with Rosen, DeLoach, and Tolson. His scribbled comments on various investigative memoranda indicated closest attention to those details of the investigation that reflected on the conduct of his (348) agents or an image of the Bureau. (349) A deep-seated distrust of the press, and his displeasure with agents who broke the no comment rule, also appear on numerous occasions:

April 18, 1968.—I want "no comment" *strictly* adhered to. We have plenty to still do in this case and no time to engage in chatter with the irresponsible press which is already printing a lot of "hog-wash". (350) (Emphasis in original.)

April 27, 1968.—Tell Jensen to *stop* talking. (Emphasis in original.) (351)

April 29, 1968.—We must adhere to "no comment". The avid press will be concocting all kinds of wild stories and if we start answering them we are "sunk". The press release is all we have to say at this time. (352)

May 4, 1968.—I *must insist* that we stop giving off the cuff comments re Ray case (Emphasis in original.) (353)

(214) On at least one occasion, Hoover rejected an investigative proposal, apparently because the source of the information to be pursued had, in 1947, called Hoover an "SOB." (354) Nevertheless, as a general rule the files reflect neither positive additions (355) nor restrictions by Hoover on the scope of the investigation. He maintained, apparently, relatively close contact with investigative developments (Assistant Director Alex Rosen described his primary function in the assassination investigation as keeping the Director informed), (356) and clearly developed his own personal theory on the evidence of the case, specifically that Ray was a "racist and detested negroes and Martin Luther King," (357) but that he was not

a fanatic in the sense of Sirhan Sirhan. Moreover, while Hoover believed that "Ray acted entirely alone," he assured Ramsey Clark on June 20, 1968, that "we are not closing our minds that others might be associated with him, and we have to run down every lead." (358) These assurances were then passed on to his chief lieutenants in the MURKIN investigations in the form of a written memorandum to Tolson, DeLoach, and Rosen, among others.

(215) Thus, while there were serious problems with the FBI's assassination investigation both in its failure to pursue significant conspiracy possibilities and in a disregard for the constitutional rights of both citizens and the defendant, James Earl Ray, there was no current evidence that these specific deficiencies, or any others were directly or indirectly caused by Director Hoover's well-documented hatred for Dr. King and his movement.

Submitted by:

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- (1) FBI Functional Organizational Chart (MLK Document 200072).
- (2) Staff interview with Robert Jensen, June 20, 1978, House Select Committee on Assassinations (MLK Document 190108).
- (3) Staff interview with Clem McGowan, June 13, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 220469).
- (4) Staff interview with Ed McDonough, June 14, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 220368).
- (5) The Civil Rights Act of 1964 Unit concentrated primarily on complaints of discrimination in housing, education, and employment; the Civil Rights Unit on the other hand, investigated alleged violations of 18 U.S.C. 241 (conspiracy to interfere with constitutional rights of an individual—the statute used as a basis for the FBI's investigation of Dr. King's assassination) as well as election law violations and involuntary servitude and white slavery cases.
- (6) Staff interview with Wilbur Martindale, June 15, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 220471).
- (7) Ibid. at p. 5.
- (8) Interview with James R. Malley, June 14, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 220470).
- (9) Staff interview with Clem McGowan, June 13, 1978, House Select Committee on Assassinations (MLK Document 220469).
- (10) Ibid.
- (11) FBI Functional Organization Chart (MLK Document 200072).
- (12) Staff interview with Alex Rosen, June 28, 1978, House Select Committee on Assassinations, p. 1 (MLK Document 210237).
- (13) Ibid. at p. 2.
- (14) Ibid. at p. 1.
- (15) Ibid. at p. 2, Mr. Rosen's current recollection is somewhat inconsistent with the substance of FBI investigations files, which reflect substantial Headquarters involvement in the investigation from the beginning.
- (16) Staff interview with James R. Malley, June 14, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 220470).
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- (19) Executive session testimony of Robert Jensen, July 12, 1978. Hearings before the House Select Committee on Assassinations, p. 14.
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- (22) Staff interview with Ramsey Clark, June 21, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 220473).
- (23) Staff interview with Stephen Pollak, June 29, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 250279).
- (24) Memorandum from Pollak to Director, FBI; Apr. 4, 1968; FBI Headquarters Murkin file, serial 44-38861-109.
- (25) Memorandum, McGowan to Rosen, Apr. 4, 1968, FBI Headquarters Murkin file, serial 44-38861-327.
- (26) See, for example, FBI letterhead memorandum, Apr. 5, 1968, captioned "Murder Martin Luther King, Jr." (MLK Document 220330).
- (27) Memorandum, McGowan to Rosen, Apr. 4, 1968, FBI Headquarters Murkin file, serial 44-38861-327.
- (28) Department of Justice press release, Apr. 5, 1968, FBI Headquarters Murkin file, serial 44-38861-1699.
- (29) Staff interview with Ramsey Clark, June 21, 1978, House Select Committee on Assassinations (MLK Document 220473).
- (30) Ibid.

a fanatic in the sense of Sirhan Sirhan. Moreover, while Hoover believed that "Ray acted entirely alone," he assured Ramsey Clark on June 20, 1968, that "we are not closing our minds that others might be associated with him, and we have to run down every lead." (358) These assurances were then passed on to his chief lieutenants in the MURKIN investigations in the form of a written memorandum to Tolson, DeLoach, and Rosen, among others.

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- (16) Staff interview with James R. Malley, June 14, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 220470).
- (17) Ibid. at p. 2.
- (18) Staff interview with Cartha DeLoach, June 26, 1978, House Select Committee on Assassinations, p. 1 (MLK Document 230174).
- (19) Executive session testimony of Robert Jensen, July 12, 1978. Hearings before the House Select Committee on Assassinations, p. 14.
- (20) Ibid. at pp. 14–15.
- (21) Staff interview with Cartha DeLoach, June 26, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 230174).
- (22) Staff interview with Ramsey Clark, June 21, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 220473).
- (23) Staff interview with Stephen Pollak, June 29, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 250279).
- (24) Memorandum from Pollak to Director, FBI; Apr. 4, 1968; FBI Headquarters Murkin file, serial 44–38861–109.
- (25) Memorandum, McGowan to Rosen, Apr. 4, 1968, FBI Headquarters Murkin file, serial 44–38861–327.
- (26) See, for example, FBI letterhead memorandum, Apr. 5, 1968, captioned "Murder Martin Luther King, Jr." (MLK Document 220330).
- (27) Memorandum, McGowan to Rosen, Apr. 4, 1968, FBI Headquarters Murkin file, serial 44–38861–327.
- (28) Department of Justice press release, Apr. 5, 1968, FBI Headquarters Murkin file, serial 44–38861–1699.
- (29) Staff interview with Ramsey Clark, June 21, 1978, House Select Committee on Assassinations (MLK Document 220473).
- (30) Ibid.

- (31) Staff interview with Robert Jensen, June 20, 1978, House Select Committee on Assassinations (MLK Document 190108).
- (32) Staff interview with Cartha DeLoach, June 26, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 230174).
- (33) Staff interview with Ramsey Clark, June 21, 1978, House Select Committee on Assassinations (MLK Document 220473).
- (34) Memorandum, Rosen to DeLoach, Apr. 6, 1968, FBI Headquarters Murkin file, serial 44-38861-329.
- (35) Memorandum, Rosen to DeLoach, Apr. 5, 1968, FBI Headquarters Murkin file, serial 44-38861-177.
- (36) Memorandum, Rosen to DeLoach, *supra* at ref. 34.
- (37) Teletype, Director to all continental offices, Apr. 8, 1968, FBI Headquarters Murkin file, serial 44-38861-158.
- (38) Teletype, Director to all continental offices, Apr. 8, 1968, FBI Headquarters Murkin file, serial 44-38861-224.
- (39) Memorandum, Rosen to DeLoach, Apr. 12, 1968, FBI Headquarters Murkin file, serial 44-38861-1113.
- (40) Memorandum, Rosen to DeLoach, Apr. 9, 1968, FBI Headquarters Murkin file, serial 44-38861-1174.
- (41) Staff interview of Robert Jensen, *supra* at ref. 2, p. 3.
- (42) Staff interview with Richard E. Long, June 2, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 260327).
- (43) Memorandum, McGowan to Rosen, *supra* at ref. 25.
- (44) Staff interview with Clem McGowan, *supra* at ref. 3, pp. 3, 4.
- (45) *Ibid.* at p. 3.
- (46) Staff interview with Ed McDonough, June 14, 1978, House Select Committee on Assassinations (MLK Document 220368).
- (47) *Ibid.* at p. 2; see, for example, staff interview with James R. Malley, *supra* at ref. 16.
- (48) Memorandum, Rosen to DeLoach, Apr. 10, 1968, FBI Headquarters Murkin file, serial 44-38861-1180.
- (49) *Ibid.*
- (50) Teletype, director to all continental offices, Apr. 10, 1968, FBI Headquarters Murkin file, serial 44-38861-191; see for example, FBI teletype at ref. 37 for similar record check of the "Willard" name.
- (51) Memorandum, Daunt to Bishop, Apr. 18, 1968, FBI Headquarters Murkin file, serial 44-38861-2034.
- (52) Memorandum, Rosen to DeLoach, Apr. 13, 1968, FBI Headquarters Murkin file, serial 44-38861-1348.
- (53) Memorandum, Rosen to DeLoach, *supra* at ref. 39.
- (54) Memorandum, Rosen to DeLoach, *supra* at ref. 52.
- (55) *Ibid.*
- (56) Memorandum, Rosen to DeLoach, Apr. 16, 1978, FBI Headquarters Murkin file, serial 44-38861-1704.
- (57) *Ibid.*
- (58) *Ibid.*
- (59) Memorandum, Rosen to DeLoach, Apr. 17, 1968, FBI Headquarters Murkin file, serial 44-38861-1706.
- (60) Memorandum, Rosen to DeLoach, Apr. 18, 1968, FBI Headquarters Murkin file, serial 44-38861-1367.
- (61) Memorandum, T. E. Bishop to DeLoach, Apr. 17, 1968, FBI Headquarters Murkin file, serial 44-38861-1705.
- (62) Teletype, Director to All SAC's, Apr. 18, 1968, FBI Headquarters, Murkin file, serial 44-38861-1271.
- (63) Memorandum, C. L. Trotter to Mohr, Sept. 2, 1969, FBI Headquarters Murkin file, serial 44-38861-5818.
- (64) *Ibid.*
- (65) *Ibid.*; see, e.g., memorandum, Daunt to Bishop, *supra* at ref. 51. (placing the range of ridge counts searched at "9-15" and the number of potential suspects identified at 1740).
- (66) While some outside commentators have expressed concern over the amount of time necessary to identify Ray through his prints, the committee's investigation has revealed no problems in the Bureau's procedures.
- (67) Memorandum, Rosen to DeLoach, Apr. 19, 1968, FBI Headquarters Murkin file, serial 44-38861-4046.
- (68) Memorandum, Rosen to DeLoach, Apr. 19, 1968, FBI Headquarters Murkin file, serial 44-38861-1727.

- (69) See, e.g., Teletype, Director to All SAC's, Apr. 19, 1968, FBI Headquarters Murkin file, serial 44-38861-1396.
- (70) Memorandum, Jones to Bishop, Apr. 19, 1968, FBI Headquarters Murkin file, serial 44-38861-1938.
- (71) Memorandum, Jones to Bishop, Apr. 25, 1968, FBI Headquarters Murkin file, serial 44-38861-2584.
- (72) See e.g., Teletype, Director to All SAC's Apr. 27, 1968, FBI Miami field office, Murkin file, serial 44-1854-614.
- (73) Airtel, SAC Chicago to Director, Apr. 19, 1968, FBI Headquarters Murkin file, serial 44-38861-1316.
- (74) Memorandum, Rosen to DeLoach, Apr. 23, 1968, FBI Headquarters Murkin file, serial 44-38861-2406.
- (75) Memorandum, Rosen to DeLoach, May 10, 1968, FBI Headquarters Murkin file, serial 44-38861-3362.
- (76) Memorandum, Rosen to DeLoach, May 9, 1968, FBI Headquarters Murkin file, serial 44-38861-3435.
- (77) Teletype, Director to SAC, Kansas City, May 13, 1968, FBI Headquarters Murkin file, serial 44-38861-3369.
- (78) See, e.g., memorandum, Branigan to Sullivan, June 14, 1968, FBI Headquarters Murkin file, serial 44-38861-4682; Airtel, Director to SAC Kansas City, June 20, 1968, FBI Headquarters Murkin file, serial 44-38861-4653.
- (79) A summary of the committee investigation of the Casa Susana racial incident can be found in the section of the Final Report of the House Select Committee on Assassinations pertaining to the assassination of Dr. King.
- (80) Memorandum, Rosen to DeLoach, Apr. 26, 1968, FBI Headquarters Murkin file, serial 44-38861-2207.
- (81) See e.g., Teletype, Los Angeles to Director, Apr. 25, 1968, FBI Headquarters Murkin file, serial 44-38861-2190; memo, Rosen to DeLoach, Apr. 30, 1968, FBI Headquarters Murkin file, serial 44-38861-2598.
- (82) Teletype, Director to All SAC's, Apr. 22, 1968, FBI Headquarters Murkin file, serial 44-38861-1658.
- (83) Teletype, Director to all SAC's, Apr. 23, 1968, FBI Miami field office Murkin file, serial 44-1854-206.
- (84) Teletype, Director to All SAC's, Apr. 29, 1968, FBI Headquarters Murkin file, serial 44-38861-2443.
- (85) Memorandum, Rosen to DeLoach, May 3, 1968, FBI Headquarters Murkin file, serial 44-38861-3123.
- (86) Airtel, Director to SAC's Atlanta, Birmingham, and Memphis, May 6, 1968, FBI Headquarters Murkin file, serial 44-38861-2969.
- (87) Teletype, Director to All SAC's, May 14, 1968, FBI Headquarters Murkin file, serial 44-38861-3495.
- (88) Airtel, Director to SAC's Atlanta, Birmingham, Los Angeles, Memphis, New Orleans, May 21, 1968, FBI Headquarters Murkin file, serial 44-38861-3806.
- (89) Memorandum, Rosen to DeLoach, May 25, 1968, FBI Headquarters Murkin file, serial 44-38861-4353; see, e.g., Teletype, Director to SAC Springfield, June 7, 1968, FBI Headquarters Murkin file, serial 44-38861-432 (direction to "completely exhaust" every avenue of investigation on Alton, Ill., bank robbery); Memorandum, Rosen to DeLoach, July 29, 1968, FBI Headquarters Murkin file, serial 44-38861-5079.
- (90) See Teletype, Director to All SAC's, *supra* at ref. 82.
- (91) See, e.g., FBI Headquarters Murkin file, serial 44-38861-2324, summarizing investigation of Atlanta field office.
- (92) See, e.g., Teletype, Director to All SAC's, Apr. 24, 1968, FBI Miami Murkin file, serial 44-1854-273.
- (93) Teletype, Detroit to Director, Apr. 25, 1968, FBI Headquarters Murkin file, serial 44-38861-2350.
- (94) Teletype, Director to SAC St. Louis, Apr. 30, 1968, FBI Headquarters Murkin file, serial 44-38861-2498.
- (95) Teletype, Director to SAC's Chicago, Kansas City, St. Louis, Springfield, May 1, 1968, FBI Headquarters Murkin file, serial 44-38861-2622.
- (96) Teletype, SAC St. Louis to Director, May 7, 1968, FBI Headquarters Murkin file, serial 44-38861-3146.
- (97) Memorandum, Director, FBI to Attorney General, May 13, 1968, FBI Headquarters Murkin file, serial 44-38861-3509.
- (98) Memorandum, Director to Attorney General, June 11, 1968, captioned "Electronic Surveillance", FBI Headquarters Murkin file, serial 44-38861 non-recorded serial.

(99) FBI interview with John Larry Ray, May 9, 1968, by State Attorney Patrick W. Fradley, St. Louis field office Murkin file, serial 44-775.

(100) See, e.g., Memorandum Rosen to DeLoach, May 10, 1968, FBI Headquarters Murkin file, serial 44-38861-3510.

(101) Ibid.

(102) Correspondence, Director to Ottawa Legat, May 11, 1968, FBI Memphis field office Murkin file, serial 44-1987 Sub L-75.

(103) Ibid.

(104) Memorandum, Rosen to DeLoach, May 21, 1968, FBI Headquarters Murkin file, serial 44-38861-3832.

(105) Teletype, Director to SAC Boston, May 14, 1968, FBI Headquarters Murkin file, serial 44-38861-3514.

(106) Correspondence, Director to all SAC's May 21, 1968, FBI Miami field office Murkin file, serial 44-1854-604.

(107) Memorandum, Rosen to DeLoach, May 22, 1968, FBI Headquarters Murkin file, serial 44-38861-4552.

(108) Teletype, Director to SAC's Birmingham, Chicago, Kansas City, Los Angeles, Newark, May 22, 1968, FBI Headquarters Murkin file, serial 44-38861-3872.

(109) Teletype, Director to SAC's Memphis, Buffalo, and Legat Ottawa, June 5, 1968, FBI Headquarters Murkin file, serial 44-38861-4262.

(110) Airtel. Legate. Paris to Director, June 13, 1968; FBI Headquarters Murkin file, serial 44-38861-4725.

(111) See, e.g., memorandum, Callahan to Mohr, captioned "Murkin-Cost Data." June 4, 1968, July 23, 1968, Nov. 20, 1968, FBI Headquarters Murkin file, serials 44-38861-4444, 44-38861-4933, 44-38861-5471.

(112) Memorandum, DeLoach to Tolson, June 8, 1968, FBI Headquarters Murkin file, serial 44-38861-4447.

(113) Memorandum, Rosen to McGowan, June 10, 1968, FBI Headquarters Murkin file, serial 44-38861-4379.

(114) See memorandum, DeLoach to Tolson, supra at ref. 112.

(115) Transportation of Federal prisoners is normally the responsibility of the U.S. Marshall Service. The use of FBI agents to transport Ray resulted in bad feelings within the USMS, and a feeling that the FBI had infringed on another agency's jurisdiction. See, e.g., memorandum DeLoach to Tolson, July 26, 1968, FBI Headquarters Murkin file, serial 44-38861-4970.

(116) Memorandum, Director to Tolson, DeLoach, Rosen, Bishop, Sullivan, June 20, 1968 FBI Headquarters Murkin file, serial 44-38861-4660.

(117) See, e.g., memorandum, Rosen to DeLoach, July 29, 1968, FBI Headquarters Murkin file, serial 44-38861-5079.

(118) Airtel, Director to SAC, Kansas City, June 20, 1968, supra at ref. 75.

(119) Memorandum, Rosen to DeLoach, June 24, 1968, FBI Headquarters Murkin file, serial 44-38861-4779.

(120) Memorandum, Rosen to DeLoach, June 11, 1968, FBI Headquarters Murkin file, serial 44-38861-4408.

(121) Memorandum, Director to Pollak, June 13, 1968, FBI Headquarters Murkin file, serial 44-38861-4419.

(122) Memorandum, Attorney General to Director, June 18, 1968, FBI Headquarters Murkin file, serial 44-38861-4671.

(123) Memorandum, Director to Attorney General, July 23, 1968, FBI Headquarters Murkin file, serial 44-38861-5003.

(124) Memorandum, Fred M. Vinson, Jr., to Stephen Pollak, July 29, 1968, FBI Headquarters Murkin file, serial 44-38861-5003.

(125) Memorandum, Stephen Pollak to Director, July 30, 1968, FBI Headquarters Murkin file, serial 44-38861-5004.

(126) Order granting defendant's motion for dismissal of complaint, U.S. District Court, Northern District of Alabama, Dec. 2, 1971.

(127) Memorandum, Rosen to DeLoach, Oct. 1, 1968, FBI Headquarters Murkin file, serial 44-38861-5225.

(128) Memorandum, Pollak to Director, Nov. 27, 1968, FBI Headquarters Murkin file, serial 44-38861-5462.

(129) William Bradford Huie "I Had Been in Trouble Most of My Life. in Jail Most of It" Look, Nov. 12, 1968, and article, Look magazine, Nov. 26, 1968, "I Got Involved Gradually, and I Didn't know Anybody was to be Murdered."

(130) Teletype, Memphis to Director, Mar. 13, 1969, FBI Headquarters Murkin file, serial 44-38861-5622.

(131) The FBI's complaint filed pursuant to title 18, U.S.C. 241 alleged a violation of Dr. King's constitutional right to travel.

(132) See staff interview with Ramsey Clark, *supra* at ref. 22; see, e.g., staff interview with Fred Vinson, Jr., June 30, 1978, House Select Committee on Assassinations, p. 2 (MLK Document 230173).

(133) *Ibid.*

(134) Staff interview with Stephen Pollak, *supra* at ref. 23.

(135) Executive session testimony of Ramsey Clark, July 19, 1978, p. 63.

(136) Staff interview with Ramsey Clark, *supra* at ref. 22.

(137) Executive session testimony of Ramsey Clark, *supra* at ref. 135.

(138) See, e.g., letterhead memoranda, FBI to DOJ, Apr. 6, 1968, Apr. 8, 1968, Apr. 9, 1968, FBI Headquarters Murkin file, serials 44-38861-329/44-38861-982, 44-38861-224, 44-38861-1174/44-38861-139.

(139) Letterhead memorandum, FBI to Attorney General and others, Apr. 11, 1968, FBI Headquarters Murkin file, serial 44-38861-859; see, e.g., LHM Apr. 12, 1968, FBI Headquarters Murkin file, serial 44-38861-538, 44-38861-1113.

(140) Staff interview with Wilbur Martindale, *supra* at ref. 6, p. 4.

(141) Staff interview with Clem McGowan, *supra* at ref. 3, p. 4.

(142) Staff interview with James R. Malley, *supra* at ref. 16, p. 4.

(143) Staff interview with Ed McDonough, *supra* at ref. 4; see, e.g., staff interview with Wilbur Martindale, *supra* at ref. 6.

(144) Staff interview with Fred Vinson, Jr., *supra* at ref. 132.

(145) *Ibid.*

(146) Staff interview with Stephen Pollak, *supra* at ref. 23, p. 3.

(147) Memorandum, Rosen to DeLoach, May 2, 1968, FBI Headquarters Murkin file, serial 44-38861-2946; teletype, Director to SAC's Birmingham and Memphis, May 2, 1968, FBI Headquarters Murkin file, serial 44-38861-2851.

(148) *Ibid.*

(149) Executive session testimony of Ramsey Clark, *supra* at ref. 135, p. 76.

(150) *Ibid.* at p. 74.

(151) In response to a question concerning the appropriate role of DOJ attorneys during the prearrest investigation, Mr. Clark responded as follows:

Q. In addition to keeping abreast of the steps in the investigation effort, did you perceive an active role during the actual fugitive investigation following the assassination until the time of Mr. Ray's apprehension on the part of Department of Justice attorneys, or was their responsibility up until that time to receive and digest information from the field in preparation for possible prosecution * * *

A. Well, you know, there really wasn't a whole lot we could do as lawyers * * *

(152) Memorandum, DeLoach to Tolson, *supra* at ref. 112.

(153) Memorandum, Pollak to Director, June 10, 1968, FBI Headquarters Murkin file, serial 44-38861-4505.

(154) See, e.g., memorandum, Rosen to DeLoach, June 12, 1968, FBI Headquarters Murkin file, serial 44-38861-4528.

(155) Memorandum, Pollak to Director, Aug. 16, 1968, FBI Headquarters Murkin file, serial 44-38861-5114; see, e.g., individual memos can be found in FBI Headquarters Murkin file, serials 44-38861-4419, 44-38861-4515, 44-38861-4426, 44-38861-4503, 44-38861-4549 44-38861-4585.

(156) Executive session testimony of Ramsey Clark, *supra*, at ref. 135, ref. 66.

(157) Staff interview with Ramsey Clark, *supra* at ref. 22.

(158) *Ibid.*

(159) *Ibid.*

(160) Staff interview with Cartha DeLoach, *supra* at ref. 18.

(161) See, e.g., staff interviews of Ed McDonough, James R. Malley, Alex Rosen, *supra* at ref. 4, ref. 8, ref. 12. See also staff interview with Thomas Bishop, June 20, 1978, p. 3 (MLK Document 230012).

(162) Memorandum, Rosen to DeLoach, Apr. 17, 1968, FBI Headquarters Murkin file, serial 44-38861-1555.

(163) *Ibid.* at p. 2 ("Action" section of memo, step 4).

(164) See, e.g., staff interviews with Alex Rosen, Wilbur Martindale, James Malley, *supra* at ref. 12; ref. 6; ref. 16 respectively.

(165) Staff interviews with Stephen Pollak, *supra* at ref. 23.

(165a) It should be noted that at least one serial in the FBI files suggests Attorney General Clark's willingness to leave the decision on the filing location to the FBI. Mr. Clark is reported to have told Macon Weaver, U.S. attorney in

Birmingham, that he did authorize prosecution of Galt but was unaware where process would be filed since this was a decision for the FBI. (Memo, SAC Birmingham to file, Apr. 18, 1968, Birmingham Field Office file 44-1740-1005). This is, of course, inconsistent with the authorization procedure described by Assistant Director Rosen during a committee interview.

(166) FBI Headquarters Murkin file, serial 44-38861-1061.

(167) Article, Washington Star, Apr. 28, 1968, p. A16, FBI Headquarters Murkin file, serial 44-38861-2633.

(168) Article, New York Times, May 13, 1968, p. 38, FBI Headquarters Murkin file, serial 44-38861-3556.

(169) Article, Washington Post, Apr. 24, 1968, p. 37, FBI Headquarters Murkin file, serial 44-38861-2638.

(170) Memorandum, DeLoach to Tolson, supra at ref. 112 (page 3 of addendum to memorandum).

(171) A legal attache (legate) is an FBI overseas representative. Legates are attached to the U.S. Embassy and are found in a limited number of major cities throughout the world.

(172) Memorandum, DeLoach to Tolson, supra at ref. 112 (page 5 of addendum to memorandum).

(173) Staff interviews with Ramsey Clark, Cartha DeLoach, supra at refs. 22 and 18.

(174) Staff interview with Ramsey Clark, supra at ref. 22.

(175) In rejecting Clark's request, the Director instructed his staff to disseminate only the information usually disseminated to the Department.

(176) Memo DeLoach to Tolson, July 2, 1968, FBI Headquarters Murkin, random file serial 44-38861-4761.

(177) Memorandum, Rosen to DeLoach, Aug. 21, 1968, FBI Headquarters Murkin file, serial 44-38861-5115.

(178) See, e.g., memorandum Director to Attorney General, June 12, 1968, FBI Headquarters Murkin file, serial 44-38861-4355.

(179) See text, infra at ref. 209-215.

(180) See text, infra at ref. 194 et seq. concerning FBI's relationship with Louis Lomax, an investigative reporter on the King case.

(181) Editorial, Los Angeles Times, Apr. 30, 1968, FBI Headquarters Murkin file, serial 44-38861-3184.

(182) See, e.g., Teletype Memphis to Director, Apr. 22, 1968, FBI Headquarters Murkin file, serial 44-38861-1730.

(183) See, e.g., Teletype, Director to All SAC's, Apr. 29, 1968, FBI Headquarters Murkin file, serial 44-38861-2443.

(184) See, e.g., radiogram, director to All SAC's, May 14, 1968, FBI Headquarters Murkin file, serial 44-38861-3495.

(185) Ibid.

(186) Memorandum, Jensen to file, May 3, 1968, FBI Memphis Murkin file, serial 44-1987—sub 162B.

(187) See, e.g., memorandum, Rosen to DeLoach, June 18, 1968, FBI Headquarters Murkin file, serial 44-38861-4644.

(188) Memorandum, Vinson to Director, Aug. 1968, FBI Headquarters Murkin file, serial 44-38861-5059.

(189) Airtel, SAC New Orleans to Director, Mar. 18, 1969, FBI Headquarters Murkin file, serial 44-38861-5661.

(190) Ibid.

(191) Airtel, Director to SAC's New Orleans and Memphis, Mar. 26, 1969, FBI Headquarters Murkin file, serial 44-38862-5661.

(192) Ibid.

(193) See, e.g., Teletype, Memphis to Director, May 23, 1969, FBI St. Louis Murkin file, serial 44-775-1142.

(194) Ray's trip to New Orleans is discussed in the final Report of the House Select Committee on Assassinations pertaining to the assassination of Dr. King.

(195) Teletype, Houston to Director, Apr. 25, 1968, FBI Headquarters Murkin file, serial 44-38861-2013.

(196) Teletype, Houston to Director, Apr. 26, 1968, FBI Headquarters Murkin file, serial 44-38861-2241.

(197) See Teletype, Los Angeles to Director, Apr. 25, supra at ref. 81.

(198) Ibid.

(199) Ibid.

(200) See memorandum Rosen to DeLoach, Apr. 30, supra at ref. 81.

(201) Memorandum, Rosen to DeLoach, May 7, 1968, FBI Headquarters Murkin file, serial 44-38861-3145.

(202) Memorandum, Rosen to DeLoach, May 2, 1968, FBI Headquarters Murkin file, serial 44-38861-3196.

(203) The apparent concern was Lomax's ability to exploit the relationship with the FBI.

(204) Memo Rosen to DeLoach, Apr. 12, 1968, FBI Headquarters Murkin file, serial 44-38861-850.

(205) Memorandum, ASAC Sylvester to SAC, New Orleans, Apr. 15, 1968; FBI New Orleans Murkin file, 157-10673-186. When asked about these instructions, Mr. Rosen had no specific recollection of the situation but stated that Garrison's total unreliability may partially account for his desire that the New Orleans office disassociate themselves from Garrison's office.

(206) Memorandum, ASAC Sylvester to SAC, New Orleans, Apr. 17, 1968; FBI New Orleans Murkin file, serial 157-10673-258. In an interview with HSCA staff, Jim Garrison could not recall Orlena Miller. Staff interview with Jim Garrison, Dec. 28, 1977 (MLK Document 150160). Efforts by the committee to locate Orlena Miller in New Orleans with knowledge of the King case were not successful.

(207) See e.g., Teletype Denver to Director, May 23, 1968; FBI Headquarters Murkin file, serial 44-38861-3925. Teletype Oklahoma to Director, May 24, 1968; FBI Headquarters Murkin file, serial 44-38861-3956. Teletype, Little Rock to Director May 24, 1968; FBI Headquarters Murkin file, serial 44-38861-3973. Memorandum Rosen to DeLoach, May 27, 1968; FBI Headquarters Murkin file serial 44-38861-4306. Teletype Los Angeles to Director, May 27, 1968; FBI Headquarters Murkin file serial 44-38861-4067.

(207a) General Investigation Division internal memorandum unrecorded serial May 28, 1968.

(208) "Extensive investigation would be required to verify his whereabouts if he do not use his assistance. Note that Bradley promptly learned of recent investigation, as mentioned referenced Los Angeles Airtel. Since he has offered full assistance, then should investigation proceed without prior contact with him, he would undoubtedly feel his offer was ignored. Since allegations of New Orleans District Attorney Garrison are uppermost in Bradley's mind, embarrassment to Bureau could follow if he took his own inference that such investigation pertains to Garrison's allegations.

Embarrassment might also arise should Garrison learn of current investigation about Bradley, since Garrison might infer this supports his position in some way.

It is felt that most discreet verification of alibi could be undertaken on basis of information received directly from Bradley, since it would allow fewest possible contacts and minimize possible embarrassment. Los Angeles holding investigation in abeyance."

Airtel, SAC, Los Angeles to Director, June 7, 1968; FBI Headquarters Murkin file, serial 44-38861-4366.

(209) See e.g., letter, Director to Dick Thornburg, June 14, 1968; FBI Headquarters Murkin file, serial 44-38861-4599.

Adverse or hostile treatment of the Murkin investigation also received Bureau attention, although of a different variety. Offending editors were contacted, normally by the SAC of this local FBI office, and lengthy memos were sent to Washington detailing the specifics of the ensuing conversations. In one memo anticipating such a confrontation, Washington promised by the local SAC that "the next time I am in personal contact with ranking officials of the Los Angeles Times newspaper, I intend to point out to them in the appropriate manner their blatant disregard for the truth in this matter as well as their exceedingly poor taste in publishing such an editorial." (Airtel, SAC, Los Angeles to Director, Apr. 30, 1968, FBI Headquarters Murkin file, serial 44-38861-3184.)

See also, Airtel, SAC, Houston to Director, April 26, 1968; FBI Headquarters Murkin file, serial 44-38861-3182 (describing lengthy conversation with editor of Houston Chronicle concerning editorial entitled "FBI Loses Some of its Shine." According to the memo, the SAC successfully "straightened out" the offending editor, and received repeated assurance that "(the editor) had the greatest respect for Mr. Hoover and realized that no other investigative agency could have done such a thorough job of investigating."

(210) The Crime Records Division of the FBI in addition to responsibilities in the areas of crime statistics, Congressional liaison, and citizen correspondence, handled all press and media relations for the FBI.

(211) Letter, DeLoach to Tolson, Mar. 11, 1969; FBI Headquarters Murkin file, serial 44-38861-5654.

(212) Ibid.

(213) Letter, Jones to Bishop, Mar. 20, 1969; FBI Headquarters Murkin file, serial 44-38861-5655.

(214) Staff interview with Thomas R. Bishop, June 20, 1978 House Select Committee on Assassinations p. 3 (MLK Document 230012).

(215) Staff interview with Gerold Frank, Sept. 1, 1977 House Select Committee on Assassinations p. 4 (MLK Document 130100).

(216) See staff interview with Fred Vinson, Jr., supra at ref. 132.

(217) Use of a grand jury to secure the testimony of James Earl Ray had been considered by the Department of Justice on at least two occasions, to be discussed in a separate section of this report.

(218) Teletype, Chicago to Director, Aug. 23, 1968, FBI Headquarters Murkin file, serial 44-38861-5142.

(219) Memorandum, Director to Pollak, Sept. 10, 1968, FBI Headquarters Murkin file, serial 44-38861-5158.

(220) Airtel, SAC Birmingham to Director, Sept. 2, 1968, FBI Headquarters Murkin file, serial 44-38861-5160.

(221) See memorandum, Director to Pollak, supra at ref. 219.

(222) Memorandum, to Attorney General re James Earl Ray Possible Evidence of Conspiracy; DOJ King Assassination file, 144-72-662.

(223) Memorandum, Pollak to Director, Sept. 17, 1968, FBI Headquarters Murkin file, serial 44-38861-5174.

(223a) Ibid.

(224) See Look magazine, Nov. 12, 1968, supra at ref. 129.

(225) Memorandum, Pollak to Director, Nov. 7, 1968, FBI Headquarters Murkin file, serial 44-38861-5382.

(226) Memorandum, Pollak to Director, Nov. 16, 1968, FBI Headquarters Murkin file, serial 44-38861-5388.

(227) See Look magazine, Nov. 26, 1968, supra at ref. 129.

(228) See, memorandum, Pollak to Director, supra at n. 128.

(229) When interviewed by the committee AAG Pollak could not recall why the Department's decision took so long, and agreed that the reason for the ultimate decision not to pursue a warrant was based on an assumption that Huie's articles contained most of the information.

(230) See staff interview with Alex Rosen, supra at ref. 12.

(231) See staff interview with James R. Malley, supra at ref. 16.

(232) Ibid.

(233) See staff interview with Clem McGowan, supra at ref. 3.

(234) Ibid.

(235) See staff interview with Wilbur Martindale, supra at ref. 6.

(236) See staff interview with Ed McDonough, supra at ref. 4.

(237) See staff interview with Fred Vinson, supra at ref. 144.

(238) See executive session testimony of Ramsey Clark, supra at ref. 135, p. 78.

(239) Ibid. at p. 78.

(240) Ibid. at pp. 79-80.

(241) Ibid. at p. 82.

(242) FBI interview with Charles J. Stein, Apr. 24, 1968 by State attorneys Gardner and Slicks, dictated on Apr. 30, 1968. Los Angeles Murkin file 44-1547.

(243) See, e.g., FBI interview with George Jones (Kansas City, Apr. 22, 1968, 302 by State attorney Howe); Robert Burns and James Stidham (Kansas City June 14, 1968, 302 by State attorney Howe).

(244) Memorandum, Rosen to DeLoach, Aug. 19, 1968, FBI Headquarters Murkin file, serial 44-38861-5097.

(245) For further analysis of the investigation concerning Ray's family, see text, infra, at refs. 319-340.

(246) See, e.g., memorandum from Director to Pollak, Apr. 20, 1968 and Apr. 25, 1968, FBI Headquarters Murkin file, serial 44-38861-5631 (concerning the Bureau's resolution of allegations made by one John McFerren concerning Frank C. Liberto and James W. Latch of Memphis, Tenn.)

(247) Executive session testimony of Ramsey Clark, supra at ref. 135, p. 85.

(248) Ibid. at p. 26.

- (249) Ibid. at pp. 25-26.
 (250) Ibid. at p. 85.
 (251) Memorandum, Rosen to DeLoach, May 9, 1968, FBI Headquarters Murkin file, serial 44-38861-3764 (HSCA Document 260130).
 (252) See memorandum, Director to Attorney General, *supra* at ref. 97.
 (253) Memorandum, Casper to Mohr, May 10, 1968, FBI Headquarters Murkin file, serial 44-38861-3763.
 (254) It is unclear whether these problems were considered by Attorney General Clark or other attorneys in the Department of Justice (as is noted in the text which follows, Mr. Clark has no recollection of receiving the electronic surveillance request). However, it is interesting to note that in approving the proposal, Assistant to the Director DeLoach appended the following note: "It is doubtful that Attorney General will approve. These could be of great assistance."
 (255) Several FBI documents reflect strong dissatisfaction with the amount of time being taken by Attorney General Clark to act on pending electronic surveillance requests. See, e.g., memorandum, Brennan to Sullivan, June 10, 1968, caption: Electronic Surveillance Awaiting Approval of Attorney General (MLK Document 260130).
 (256) Staff interview with Harold F. Dobson, June 28, 1978, House Select Committee on Assassination (MLK Document 230396).
 (257) See memorandum, Director to Attorney General, *supra* at ref. 98.
 (257a) Article, New York Times, June 20, 1968, p. 23 (Incorporating text of President's statement in signing title III into law).
 (258) Telegram, Hoover to Phillip Canale, Jr., June 9, 1968, FBI Headquarters Murkin file, serial 44-38861-4346.
 (259) Teletype, Legate, London to Director, June 24, 1968, FBI Memphis Murkin file, serial 44-1987 sub M-110.
 (260) Memorandum, General Investigative Division, June 24, 1968, FBI Memphis Murkin file, serial 44-1987 sub M-111.
 (261) Teletype, Memphis to Director, June 26, 1968, FBI Headquarters Murkin file, serial 44-38861-4718. (Recommending consideration of interview of Ray prior to his delivery into custody of local authorities in Tennessee.)
 (262) Letter, Arthur Hanes to Attorney General Clark, July 11, 1968, FBI Headquarters Murkin file, serial 44-38861-4923.
 (263) Memorandum, Hoover to Tolson, DeLoach, Rosen, Bishop, July 16, 1968, FBI Headquarters Murkin file, serial 44-38861-4853.
 (264) See, letter, Vinson to Hanes, July 16, 1968; FBI Headquarters Murkin serial 44-38861-4923.
 (265) Memorandum, Vinson to Director, July 17, 1968; FBI Headquarters Murkin file, serial 44-38861-4923.
 (266) Ibid.
 (267) See staff interview with William Martindale, *supra* at ref. 6.
 (268) See staff interview with Robert Jensen, *supra* at ref. 2.
 (269) Testimony, Capt. Billie J. Smith, evidentiary hearing on defense motion to modify conditions of confinement, Aug. 30, 1968 (MLK Document 110337).
 (270) Teletype, Memphis to Director, Aug. 30, 1968, FBI Headquarters Murkin file, serial 44-38861-5209.
 (271) See, e.g., memorandum, SAC Memphis to Director, Oct. 11, 1968, and attached communications, FBI Headquarters Murkin file, serial 44-38861-5235; memorandum SAC, Memphis to Director, Oct. 14, 1968 and attached communications, FBI Headquarters Murkin file, serial 44-38861-5242. Airtel, SAC, Memphis to Director, Nov. 24, 1968, and attached communications, FBI Headquarters Murkin file, serial 44-38861-5327.
 (272) See Airtel, SAC, Memphis to Director, *supra* at ref. 271.
 (273) See executive session testimony of Robert Jensen, *supra* at ref. 19, p. 14.
 (274) Ibid. at pp. 50-51. When interviewed on the subject, William Morris, former sheriff of Shelby County, told members of the committee staff that he did not deny the mail photocopying had occurred, but stated that he had no recollection of any specific details surrounding the situation. (Staff interview with William Morris, Nov. 21, 1968, House Select Committee on Assassinations (MLK Document 270327).)
 (275) Ibid. at p. 51.
 (276) Ibid. at p. 55.
 (277) Ibid.
 (278) Ibid. at p. 54: Cartha DeLoach had no recollection of any activity in Memphis which might have intruded upon Ray's attorney/client privilege. (Staff

interview with C. DeLoach, June 26, 1978 (MLK Document 230174). Alex Rosen, Assistant Director of the General Investigative Division, did not recall seeing either the Sept. 30, 1968, Memphis airtel detailing Battle's order, or the three letters which followed in apparent contravention of the order. He recognized his initials on the Oct. 31, 1968 headquarters directive to Memphis, but had no independent recollection of the situation that had triggered the directive. (Staff interview with Alex Rosen, June 28, 1978 (MLK Document 210237)).

Finally, neither Attorney General Clark (executive session testimony of Ramsey Clark, July 19, 1978, at pp. 89-92) nor Shelby County District Attorney Canale knew of any activity constituting an infringement on Ray's attorney/client privilege.

(279) Memorandum SAC Memphis to Director, Aug. 14, 1968, FBI Memphis Murkin file, serial 44-1987 sub M-172. Stoner was subsequently hired by Ray to represent him in certain civil actions; however, a formal attorney/client relationship did not develop until after Ray's plea.

(280) See memorandum, SAC, Memphis to Director, 26, 1968, *supra* at n. 271.

(281) *Ibid.*

(282) Airtel, SAC, Memphis to Director, Aug. 26, 1968, FBI Headquarters Murkin file, serial 44-38861-5162.

(283) *Ibid.*

(284) Teletype, Memphis to Director, Aug. 6, 1968, FBI Memphis Murkin file, serial 44-1987 sub N-44.

(285) See Airtel, SAC, Memphis to Director, *supra* at ref. 282.

(286) Airtel, Director to SAC, Memphis, Oct. 31, 1968, FBI Headquarters Murkin file, serial 44-38861-5310.

(287) A search of Miami field office Murkin files, for example, shows no lead sent out from Washington or Memphis following Ray's mention of Miami in his letter to Hanes.

(288) Memorandum. Rosen to DeLoach, Mar. 11, 1969, FBI Headquarters Murkin file, serial 44-38861-5612.

(289) *Ibid.*

(290) *Ibid.*

(291) Ray was taking steps at this time to replace Foreman with court-appointed attorneys to handle an appeal from his guilty plea. However, none had yet been formally appointed.

(292) Airtel, SAC Houston to SAC, Memphis, Mar. 12, 1969, FBI Memphis Murkin file, serial 44-1987 sub M-447.

(293) Memorandum. Rosen to DeLoach, Mar. 12, 1969, FBI Headquarters Murkin file, serial 44-38861-5639.

(294) Memorandum. Rosen to DeLoach, Mar. 13, 1969, FBI Headquarters Murkin file, serial 44-38861-5615.

(295) See Teletype, Memphis to Director, *supra* at ref. 130.

(296) Staff interview with Robert Jensen, Aug. 8, 1978 (MLK Document 260328).

(297) Staff interview with Jerris Leonard June 30, 1978 House Select Committee on Assassinations. (MLK Document 230102). Leonard recalled staff attorneys arguing that an internal DOJ policy precluded taking an uncooperative individual before a grand jury subsequent to his guilty plea. The committee found no other evidence that such a policy existed.

(298) Staff interview with John Mitchell, July 5, 1978 House Select Committee on Assassination (MLK Document 230175).

(299) Staff interview with D. Robert Owen, Aug. 11, 1978 House Select Committee on Assassination (MLK Document 210383).

(300) Memorandum. Jerris Leonard to K. William O'Connor, Sept. 22, 1970, caption: "James Earl Ray."

(301) Staff interviews with Bernard Fensterwald, Mar. 21, 1978 House Select Committee on Assassination (MLK Document 190476). See, e.g., staff interview with Bernard Fensterwald, Aug. 7, 1978 House Select Committee on Assassination (MLK Document 240136).

(302) Staff interview with William O'Connor, Aug. 6, 1978, House Select Committee on Assassinations (MLK Document 270016).

(303) Report of the Department of Justice task force to review the FBI Martin Luther King, Jr., security and assassination investigations, Jan. 11, 1977, at n. 105.

(304) Memorandum. Hoover to Tolson, DeLoach, Rosen, Bishop, Sullivan, June 20, 1968; FBI Headquarters Murkin file, serial 44-38861-460.

(305) Staff interview with Ramsey Clark, *supra* at ref. 22, p. 3.

(306) Memorandum, Fred M. Vinson, Jr., to William S. Lynch, Aug. 20, 1968; DOJ Assassination file, 144-72-662.

(307) Teletype, Director to All-SAC's, Apr. 7, 1968; FBI Headquarters Murkin file, Serial 44-38861-153. (See, ref. 25.)

(308) Teletype, Director to All SAC's, Apr. 26, 1968; FBI Headquarters Murkin file, serial 44-38861-2288.

(309) Memorandum, McGowan to Rosen, Apr. 24, 1968; FBI Headquarters Murkin file, serial 44-38861-2649.

(310) See Teletype, Director to All SAC's, supra, at ref. 308.

(311) Memorandum McGowan to Rosen, June 18, 1968; FBI Headquarters Murkin file, serial 44-38861-4578.

(312) See, e.g. Airtel, SAC, Memphis to SAC, New Orleans, Mar. 5, 1969; FBI Memphis, Murkin file, serial 44-1987 sub M-423.

(313) See, e.g., Teletype, Charlotte to Director, Apr. 29, 1968; FBI Headquarters Murkin file, serial 44-38861-2747.

(314) See, e.g. Airtel, Memphis to Albany, Apr. 6, 1968 FBI Memphis field office Murkin file, serial 44-1987 sub. B-16. See also teletype, Director to All SAC's, Apr. 22, 1968; FBI Headquarters Murkin file, serial 44-38861-1658.

(315) Memorandum, Rosen to DeLoach, Aug. 26, 1968; FBI Headquarters Murkin file, serial 44-38861-5120.

(316) Memorandum, Branigan to Sullivan, June 14, 1968; FBI Headquarters Murkin file, serial 44-38861-4682.

(317) The FBI determined that, the available evidence pointed to one individual. However, he denied his involvement during an FBI interview, and added that there was no way for the FBI or the FCC to determine who sent the transmission, unless an admission were made. Despite his denial, no effort was made to take his testimony under oath before a grand jury see, e.g. FBI Headquarters Murkin serial 44-38861-5094.

(318) See, e.g. memorandum Director to Attorney General, Apr. 20, 1968; FBI Headquarters Murkin file, serial 44-38861-5631. See also memorandum Director to Attorney General, Apr. 25, 1968; FBI Headquarters Murkin file, serial 44-38861-5631.

(319) FBI interview with Donald F. Wood, Apr. 5, 1968; FBI Birmingham Murkin file, serial 44-1740, p. 23.

(320) Memorandum Rosen to DeLoach, Apr. 17, 1968; FBI Headquarters Murkin file, serial 44-38861-1555.

(321) Ray actually checked into the Gray Rocks resort on July 27, 1967.

(322) The committee did determine that Ray received money in New Orleans and that he probably met with his brother Jerry during the visit.

(323) FBI interview with Dr. Mark O. Freeman, Apr. 19, 1968; FBI Los Angeles Murkin file, 44-1574 (p. 132 of State Attorney A'Hearn's report.)

(324) FBI interview with Sharon Rhoads, Apr. 16, 1968; FBI Los Angeles Murkin file, serial 44-1574 (p. 118 of State attorney A'Hearn's report.)

(325) FBI interview with Richard Gonzales, Apr. 16, 1968; Los Angeles Murkin file, serial 44-1574.

(326) FBI interview with Thomas Lau, Apr. 15, 1968, Los Angeles Murkin file, serial 44-1574 (p. 132 of State Attorney Sheet's Report.)

(327) Memorandum Rosen to DeLoach, Apr. 23, 1968, p. 731. Headquarters Murkin file, serial 44-38861-2400.

(328) Ibid.

(329) Missouri State Penitentiary visitors log for James Earl Ray (MLK Document 240179).

(330) Teletype, Newark to Director, Chicago and Memphis, June 9, 1968; FBI Headquarters Murkin file, serial 44-38861-4390.

(331) FBI Headquarters Murkin file, serial 44-38861-4594.

(332) W. B. Huie. "He Slew the Dreamer" New York: Decorate Press; 1968, pp. 50, 78.

(333) Ibid.

(334) See text, supra, at ref. 94 et seq.

(334a) The committee was informed by the FBI that relatives of Ray were interviewed on approximately 102 occasions; Jerry Ray was interviewed 22 times and John Ray 18 times. The committee has no reason to dispute these statistics.

(335) See text, supra, at ref. 72 et seq.

(336) Airtel, Director to SAC, Memphis, Aug. 14, 1968; FBI Headquarters Murkin file, serial 44-38861-5073.

(337) FBI interview with Mrs. Marguerite Welch, Apr. 24, 1968; FBI Chicago Murkin file, serial 44-1114 (p. 48 of DuMaine's May 10, 1968, report.)

(338) Airtel, SAC, New Orleans to Director, FBI, Mar. 18, 1969; FBI Headquarters Murkin file serial 44-38861-5661.

(339) *Ibid.*

(340) Airtel, Director to SAC's, New Orleans and Memphis, Mar. 26, 1969; FBI Headquarters Murkin file, serial 44-38861-5661.

(341) See Teletype, Memphis to Director, *supra* at ref. 193.

(342) Memorandum, Jones to Bishop, Mar. 18, 1969, FBI Headquarters King security file, serial 100-106670-3586.

(343) See, executive session testimony of Ramsey Clark, *supra* at ref. 135, p. 63.

(344) See, staff interview with Wilbur Martindale, *supra* at ref. 6, p. 3.

(345) See staff interview with Fred Vinson, *supra* at ref. 132.

(346) See, staff interview with Steven Pollak, *supra* at ref. 23.

(347) See, executive session testimony of Ramsey Clark, *supra* at ref. 135, p. 66.

(348) See, e.g. memorandum Rosen to DeLoach, Oct. 24, 1968, FBI Headquarters Murkin file, serial 44-38861-5295. (Reflecting displeasure with Special Agent Bonebrake's alleged breach of court order against comment on case.)

(349) See, FBI Headquarters Murkin file, serials 44-38861-3184, 44-38861-3182 at ref. 209.

(350) UPI Wire Service Report, Apr. 18, 1968, FBI Headquarters Murkin file, serial 44-38861-1950.

(351) UPI Wire Service Report, Apr. 27, 1968, FBI Headquarters Murkin file, serial 44-38861-2101.

(352) UPI Wire Service Report, Apr. 29, 1968, FBI Headquarters Murkin file, serial 44-38861-2513.

(353) UPI Wire Service Report, May 4, 1968, FBI Headquarters Murkin file, serial 44-38861-3199.

(354) Memorandum Rosen to DeLoach, Jan. 29, 1969, FBI Headquarters Murkin file, serial 44-38861-5535.

(355) See, staff interview with Richard Long, *supra*, at ref. 42. In a committee interview with Richard Long, Murkin case agent at Headquarters, Long expressed his recollection that Hoover suggested the search through the fugitive prints which resulted in a positive identification of Ray. However, Hoover was not credited with this decision in either of the FBI memoranda written to describe the successful print identification of Ray. See e.g. FBI Headquarters Murkin file, serials 44-38861-2034, 44-5818.

(356) See staff interview with Alex Rosen, *supra*, at ref. 12.

(357) See memorandum, Director to Tolson, et al., *supra* at ref. 116.

(358) *Ibid.*

INVESTIGATION INTO THE ASSASSINATION OF
DR. MARTIN LUTHER KING, JR.
AN ANALYSIS OF THE GUILTY PLEA ENTERED BY
JAMES EARL RAY; CRIMINAL COURT OF SHELBY
COUNTY, TENN., ON MARCH 10, 1969

Supplementary Staff Report
of the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
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I. INTRODUCTION: THE ISSUES AND THE APPROACH

(1) As a result of James Earl Ray's almost immediate repudiation of his guilty plea, there has been considerable speculation that its entry was part of an elaborate plot to silence him and prevent the exposure of other conspirators. Those who subscribe to this theory hold that these "others" feared the disclosures that might come to light if Ray was afforded a full trial in open court.

(2) The committee endeavored to examine the guilty plea in depth. It attempted to determine if the trial court had before it sufficient evidence to warrant its conclusion that James Earl Ray was, in fact, responsible for the death of Dr. Martin Luther King, Jr. The record was reviewed to determine if the trial court should have had cause to believe that the plea was anything other than voluntarily and intelligently entered. The nature of the legal representation that Ray received prior to the entry of his guilty plea was examined and evaluated under the requisite standards for such representation, under the 1978 standard and the standard as it existed at the time of the plea in 1969. Additionally, the committee looked into all of the points that Ray has raised, or that have been raised on his behalf, in support of his contention that his guilty plea was the end result of a campaign of official harassment, carried out against both himself and his family, by local Memphis authorities and the Federal Bureau of Investigation.

II. CHRONOLOGICAL REVIEW

(3) On March 10, 1969 James Earl Ray appeared before the Honorable Judge W. Preston Battle of the criminal court of Shelby County, Tennessee and pleaded guilty to the murder of Dr. Martin Luther King, Jr. (1) The plea was the result of negotiations entered into by Ray's then chief attorney, Percy Foreman, and the Shelby County Attorney General Phil Canale. (2) Ray was also represented by the Shelby County Public Defenders' Office through Hugh Stanton, Sr., and Hugh Stanton, Jr., who Judge Battle had appointed to aid Foreman in the defense. (3)

(4) Technically, Ray pleaded guilty to the first degree murder indictment that had previously been returned against him. The maximum penalty for that crime, under Tennessee law in 1968, was death. (4) Nevertheless, under the terms of the prosecution's recommendation to the court, which had been the result of the State's negotiations with Ray through Attorney Foreman, Ray was spared the death penalty, and he was sentenced to a term of 99 years' confinement in the State penitentiary at Nashville. (5)

(5) During the course of the hearing before Judge Battle, Ray was extensively questioned by the court to determine the voluntariness of the tendered plea and if Ray understood the rights that his guilty plea waived. (6) In addition, as part of the plea, Ray was required to sign

a proposed stipulation of material facts. The stipulation contained the facts relating to Ray's travels and other actions that the State contended supported its case against him. (7) Thus, in entering a plea of guilty, Ray specifically (1) waived his rights, both at trial and on appeal and (2) admitted his role in Dr. King's slaying.

(6) Nevertheless, within 3 days of the guilty plea James Earl Ray, in a letter to Judge Battle dated March 13, 1968, repudiated the plea and its stipulation of facts and requested a new trial. (8) In the same letter, Ray indicated to the judge that Percy Foreman no longer represented him. This letter was followed by another, dated March 26, 1969, which was also directed to Judge Battle and which repeated most of the statements contained in the letter of March 13, (9) and clarified that his purpose was to obtain a new trial. (10) By this time, Ray was also in contact with attorneys Richard J. Ryan, J. B. Stoner, and Robert W. Hill, Jr., whose services he secured to challenge the guilty plea. Judge Battle died on March 31, 1969, without taking any action on any of the requests contained in Ray's letter.

(7) Following Judge Battle's death, Ray filed a formal petition for a new trial on April 7, 1968. (11) At the conclusion of the hearing on the formal petition, the court issued a memorandum finding of facts and conclusions of law, (12) which held that: (1) The guilty plea was properly entered; (2) the guilty plea precluded Ray from filing a motion for a new trial; (3) Ray knowingly, intelligently and voluntarily expressly waived any rights he had to a motion for a new trial or appeal. (13)

(8) After exhausting his appeals in the State courts of Tennessee, Ray sought review of the trial courts' decision in Federal court by filing a writ of habeas corpus. (14) The writ addressed itself to a variety of issues, but was fundamentally two-pronged. First, Ray alleged that his plea had not been voluntarily and intelligently made. Second, he contended that he had not received effective assistance from his counsel prior to the entry of the guilty plea. The U.S. District Court for the Western District of Tennessee, Western Division, initially denied the writ on March 30, 1973, without holding an evidentiary hearing. (15) This decision was appealed to the U.S. Sixth Circuit Court of Appeals, which reversed the District Court on January 29, 1974, holding that the lower court should have held an evidentiary hearing before it ruled on Ray's request for relief. (16) The State of Tennessee sought review of the Sixth Circuit's decision in the United States Supreme Court, which denied the request for a writ of certiorari on June 3, 1974. (17) The case, therefore, was returned to the District Court for further proceedings. Upon remand, an evidentiary hearing was held before the District Court, and on February 27, 1975, Federal District Court Judge Robert M. McRae ruled that Ray's constitutional rights had not been violated: consequently, his petition for a writ of habeas corpus was denied. (18) Review of the matter was subsequently taken up by the U.S. Court of Appeals for the Sixth Circuit. (19) On May 10, 1976, the Court of Appeals handed down a decision that affirmed the lower court's judgment. The court's opinion made the following points:

(1) The evidence sustained a finding that Ray had voluntarily and knowingly pleaded guilty to murder in State court.

(2) The evidence supported findings that Ray's attorney (Percy Foreman) had not made many of the statements attributed to him by Ray in urging him to plead guilty and that Ray had not reasonably believed that he had no alternative to a guilty plea.

(3) Ray did not sustain the necessary burden to show that he had been prejudiced by contracts with a writer who agreed to sell Ray's story to finance his defense or by events which occurred because of the existence of such contracts.

(4) Ray failed to show that the investigation of his case by his attorneys had been inadequate or below the standards usually required of a criminal lawyer of ordinary skill.

(5) Ray failed to show that the advice, given to him by his attorney (Percy Foreman) to plead guilty was not within the range of professional competence demanded of attorneys in criminal cases.

(6) Ray failed to show that he had been denied effective assistance of counsel because of surveillance, interception of mail and delivery of attorney-client communication to the prosecution by law enforcement officials. This failure resulted from Ray's inability to show that the complained-of conduct had affected the preparation of his defense, prejudiced him or contributed to Ray's decision to enter a guilty plea.

Ray sought review on this decision to the U.S. Supreme Court. On December 13, 1976, the Supreme Court denied Ray's request for a writ of certiorari. (20)

III. THE LEGAL STANDARD

(9) The committee requested the American Law Division of the Congressional Research Service of the Library of Congress to determine the legal standard to be used in evaluating the voluntariness of the guilty plea. (21) This project was undertaken, not to second guess the district court, but to determine, independently, whether the factual circumstances of Ray's plea, when measured against the applicable legal standard, lent any substance to Ray's claims that the plea was entered involuntarily or unintelligently. In Federal court, guilty pleas are measured against rule 11 of the Federal Rules of Criminal Procedure, which, in pertinent part, provides:

(A) Insuring That the Plea is Voluntary.

The court shall not accept a plea of guilty or nolo contendere without first, by addressing the defendant personally in open court, determining that the plea is voluntary and not the result of force or threats or promises apart from a plea agreement. The court shall also inquire as to whether the defendant's willingness to plead guilty or nolo contendere results from prior discussions between the attorney for the government and the defendant or his attorney. (22)

The State of Tennessee is currently considering the adoption of a procedural rule that is substantially identical to the Federal Rule of Criminal Procedure 11. (23)

(10) Additionally, both the Federal and Tennessee courts have

handed down decisions relating to the voluntariness of a guilty plea entered by a defendant in a criminal case. The U.S. Supreme Court has held that the voluntariness of a guilty plea can be determined only by considering all of the relevant circumstances surrounding it, and it is reversible error for a Federal court to accept a tendered guilty plea unless the record shows that the defendant voluntarily and understandingly entered it. (24) In addition, the Supreme Court has determined that the plea must be free of coercion, (25) threats, or intimidation, (26) and tricks or deception. (27) The Court has also ruled that a guilty plea must be intelligently made; that the defendant must be competent to enter the plea; and that the defendant must understand the nature of the charges and consequences of the plea. (28) (11) At the time James Earl Ray entered his plea in 1968, as well as in 1978, the Tennessee Courts have relied heavily on decisions by the Federal courts. Tennessee's courts have held, for example, that the plea must be made voluntarily and with full understanding of its consequences. (29) Further, they have held that a plea of guilty, understandingly and voluntarily entered on the advice of counsel, constitutes an admission of all facts alleged and a waiver of all non-jurisdictional and procedural defects and constitutional infirmities, if any, in any prior stage of the proceedings. (30) Tennessee law provides that a guilty plea is not rendered involuntarily when no more is shown than that the accused is faced with an election between a possible death sentence on a plea of not guilty and a lesser sentence on a guilty plea. (31) Under Tennessee law, State action that would raise a 14th amendment due process grievance is not involved when the ineffectiveness of a retained attorney is questioned, because a retained attorney does not act as an officer of the State. Additionally, mere inappropriate advice to plead guilty is not of constitutional dimensions. (32)

IV. APPLICATION OF THE STANDARD

(12) The committee used these standards to assess Ray's claim that the guilty plea that he entered to Dr. King's murder was involuntary. Ray based his claims primarily upon the following points: (1) Irreconcilable conflicts of interest involving Ray's attorneys and author William Bradford Huie; (2) failure of defense counsel to adequately investigate the case; (3) round-the-clock surveillance of Ray in the Shelby County jail; (4) threats made to the Ray family designed to cause them to influence James Earl Ray to plead guilty; and (5) threats made by Foreman to Ray concerning the type of courtroom representation Ray could expect if he refused to plead guilty and forced Foreman to go to trial. (33)

(13) The committee examined each of the points Ray raised about the nature of his guilty plea. The results of that examination follow:

A. Conflicts of interest involving Ray's attorneys

(14) James Earl Ray, first in conjunction with Arthur Hanes, Sr., his original attorney, and then with Percy Foreman, Hanes' successor, entered into contracts with author William Bradford Huie for the literary rights to Ray's version of the events preceding, during, and succeeding the assassination of Dr. Martin Luther King, Jr. Subsequently, Ray maintained that he entered these contracts only at the

insistence of his attorneys. (34) The committee conducted interviews with all of the parties to the contracts. Additional information, helpful in determining from what perspective the contracts should be viewed, was found in the pleadings, depositions and other papers filed in Federal court in *Ray v. Foreman* and *Ray v. Rose*. (35) *Ray v. Foreman*, a civil suit brought by James Earl Ray against Foreman, Hanes, and Huie, raised the issue of whether the interests of Foreman, Hanes, and Huie so conflicted with Ray's interests as to seriously hamper or jeopardize Ray's preparation of an adequate defense of the murder charge brought against him in relation to Dr. King's death. *Ray v. Rose* was the habeas corpus action brought by Ray in district court after his efforts to secure his freedom through the Tennessee judicial system failed.

(15) The committee's examination revealed that, prior to his first trip to England to meet with Ray after being retained, Hanes was approached by Huie, who expressed an interest in writing Ray's story.

(36) As a consequence, on Hanes' second trip to England, he carried with him written agreement that Huie had provided for Ray's signature. One of these was a broad power of attorney, authorizing Hanes to act for Ray. (37) A fee and agency agreement purported to assign to Hanes 40 percent of any money which James Earl Ray might realize as a result of his prospective agreement with Huie. It also appointed Hanes as Ray's exclusive agent and attorney in handling his affairs, contracts, negotiations, as well as the sale of the rights for any type of publication. (38)

(16) Subsequently, Ray was brought a third document to sign. It was a three-party agreement that had previously been executed by both Hanes and Huie. By its terms, the three-party agreement provided that Ray give Huie exclusive literary rights to his story, specifically his version of the circumstances of Dr. King's assassination and Ray's alleged participation in it, and the story of his trial; the ultimate objective of the agreement was stated to be the establishment of the truth of what occurred. (39)

(17) In September 1968, the attorney fee agreement between Ray and Hanes was amended at Ray's request. The provision that Hanes was to receive 40 percent of the money Ray received from Huie was changed so that the total amount that Hanes would receive was limited to \$20,000 plus expenses. (40)

(18) After Percy Foreman was substituted for Hanes as counsel for Ray on November 12, 1968, Ray and Hanes, on one hand, and Huie, on the other, granted to each other on January 29, 1969, and February 3, 1969, the appropriate releases to extinguish the obligations under the original three-party contract. Hanes then transferred all of his rights to royalties under the agreements to Ray. (41) Then Ray transferred, through a new contract, all of his rights to proceeds from the sale of any of Huie's writings to Foreman. (42) Finally, Foreman reassigned to Ray, conditionally, all of the royalties due from Huie in excess of \$165,000, a sum which Foreman continued to be entitled to as an attorney's fee. (43) These documents and transactions, therefore, were the agreements that Ray maintained placed both Hanes and Foreman irreconcilably in conflict with his interest. (44)

(19) A review of the statements given during depositions in *Ray v. Rose* and *Ray v. Foreman* showed that Ray was a willing party to the literary contracts that he and his attorneys entered into with William Bradford Huie. Ray repeatedly denied that he was ever interested in the money that he would realize as a result of his assent to the contractual arrangements with Huie. (45) Hanes and Ray basically agree, moreover that the original and primary reason for entering into the contract was to assure enough money to finance Ray's defense. (46) Nevertheless, their opinions then diverge. In the deposition he gave in *Ray v. Foreman*, Ray maintained that Hanes was in the case solely for the money and that he passed information to Huie, even though he knew that Huie was, in turn, passing the information on to the FBI. (47) Hanes, while never denying his desire to be paid for the work he did, just as steadfastly maintained that, without the literary contract, Ray would have been unable to retain counsel, or fund the type of investigation that a case of this magnitude required. (48) Ray claimed that prior to being retained, Foreman was shown copies of the agreements that Ray had entered into with William Bradford Huie and Arthur J. Hanes, Sr. Ray further stated that Foreman told him that the literary agreements were not in his best interest and could be instrumental in putting him in the electric chair. (49) Ray also claimed in his deposition that Foreman promised that he would not enter into any contracts until after Ray had gone to trial, but that he subsequently broke his word by contracting with Huie. (50) In his deposition in *Ray v. Foreman*, Foreman said that he initially had no intention of engaging in any sort of literary arrangement, and it was only after Ray suggested the literary contract as a means of raising the money necessary for his defense, that Foreman sought to have his name substituted for that of Arthur Hanes on the Huie contract. (51) Foreman also asserted in his deposition, and in his public testimony before the committee, that the fee arrangement that he and Ray entered, in which Ray assigned all of the literary royalties to Foreman, was a "trust" arrangement employed by Ray to protect his potential earnings from the threat of attachment should Dr. King's widow bring a civil suit against him for Dr. King's wrongful death. (52) During the committee's public hearing Foreman was questioned by Congressman Harold Sawyer about this assignment:

* * * * *

Mr. SAWYER. The assignment is very specific. It is an outright assignment. It makes no reference to any trust agreement or understanding.

Mr. FOREMAN. Well, if it had done so it could have been set aside by the same suit that might have been filed against Ray in accordance with his responsibilities. At least I would so hold. It would be that way in my home State.

Mr. SAWYER. Weren't you then entering into a fraudulent concealment of assets knowingly?

Mr. FOREMAN. You can call it that if you want to. I accepted it and I accepted it to protect, at Ray's request. I was the only person that could accept it for a valuable consideration. I don't consider it was professionally improper.

Mr. SAWYER. Aside from a characterization or label, how could it be anything else but a fraudulent concealment?

Mr. FOREMAN. Well, if it came down to the lawsuit in testimony, I would have testified then, as I am now, that I was holding it in trust for Ray and that would not have been a fraudulent concealment.

Mr. SAWYER. But the purpose of the instrument was to create a fraudulent concealment. Whether it was later penetrated by a lawsuit or testimony, the plan itself was a clear fraudulent concealment. You as a lawyer certainly were aware of that.

Mr. FOREMAN. Let's admit it now and can we get on to another question.

Mr. SAWYER. I would like to get an answer to that one.

Mr. FOREMAN. You understood it. You had to answer it beforehand. You didn't want an answer. You wanted to make a speech. Now I am ready for another question.

Mr. SAWYER. You don't care to?

Mr. FOREMAN. I have answered your question. He asked me to do it, Ray. I did it and I am not sorry for it. I reconveyed it to him as soon as I finished the case and that was my idea.
(53)

* * * * *

At first Foreman acknowledged the impropriety of the assignment, but, within minutes recanted, saying he saw nothing professionally improper in accepting the assignment from Ray. (54)

(20) Review of the court documents also showed that any argument in support of the theory that the financial interest of Huie and Foreman in the literary contract was in conflict with Ray's interests is undercut by Ray's guilty plea. In *Ray v. Foreman*, the contractual obligations were subjected to judicial scrutiny. These obligations included not only the agreements between Hanes, Foreman, Huie, and Ray, but also the agreements between Huie and the publishing houses who paid him to write Ray's story. An examination of these contracts shows vividly that the value of Ray's story depreciated tremendously once the guilty plea had been entered, (55) lending support to Foreman's contention that his only concern in pleading Ray guilty was saving his life and that the money that might have resulted from the existence of the literary contracts did not color his professional judgment regarding the wisdom of a guilty plea. (56)

(21) Nothing in the committee's examination of the Hanes-Huie-Ray and Foreman-Huie-Ray literary agreements has led it to reject the findings made by Judge Robert M. McRae, Jr., in *Ray v. Rose*. (57) There, the court determined that the contract that Hanes negotiated was an apparent violation of one of the disciplinary rules of the American Bar Association's Code of Professional Responsibility (58) and Foreman's fee, had it been collectable, would have been unreasonable. Nevertheless, as Judge McRae found, there was no evidence to support James Earl Ray's allegation that the conflicts of interest existing between himself and his attorneys in any way caused him to plead guilty involuntarily. To the contrary, it appeared that, in both instances, Ray had an opportunity to, and in fact did, exercise an informed choice in

engaging in the literary contracts. Hanes appears to have fully disclosed to Ray "the contents of all contractual provisions into which he caused an agreement to be executed on his advice whereby his financial interest might be in conflict with Ray's best interest in his defenses in the criminal trial." (59) Further, according to Foreman, the contract to which he was party was pursued only after Ray's specific request. (60).

(22) Since Ray was fully informed of the provisions of Hanes' contract with Huie, and since Hanes was dismissed by Ray months before Ray entered the guilty plea, it is hard to assess exactly what detriment Ray suffered as a result of Hanes' "irreconcilable conflict of interest." That Huie was brought before a grand jury on February 7, 1969, (61) and compelled to give testimony concerning what he had learned as a result of his correspondence with Ray, would, at first blush, appear to lend credence to Ray's conflict-of-interest concerns. A closer examination, however, dispels that impression. Hanes indicated in his deposition in *Ray v. Foreman* that he did not discuss the defense with Huie, nor did he give Huie any information that he thought would aid the defense. (62) Huie claimed, for his part, that, at the time the grand jury subpoena was served, he had turned over all of his correspondence with Ray to Foreman. (63) These two facts served to insulate Ray from any harm resulting from the Hanes-Huie agreements. In addition Ray's distrust of Huie caused him to provide the author with factually erroneous data. (64) As far as Foreman's contract with Huie, it can be said that the same violation of the ABA disciplinary rule applies. Nevertheless, Foreman's decision to plead Ray guilty did not appear to turn on his expectation that it would increase the value of the interest that he held in the literary contract. Since it is undisputed that Foreman warned Ray about the dangers inherent in such agreements, (65) it seems entirely plausible that Ray sent Foreman to reinstitute the Huie contracts. Both men have continually maintained that their only purpose for entering the contracts was to provide money for the defense effort. (66) What may be implausible was Foreman's contention that Ray's assignment of all literary rights to him was in the nature of a trust agreement. (67) The document itself revealed no such intention and, in fact, was a complete relinquishment of all rights which Ray had to the proceeds of the literary contracts. (68)

(23) Finding nothing in the interviews, documents, or other investigation to support Ray's claim of prejudice, it would seem that while a definite conflict of interest did exist, it did not materially affect the quality of representation received by Ray.

B. The quality of Ray's legal representation

(24) Since the U.S. Supreme Court has not yet definitively defined effective assistance, of course, the lower Federal courts have been left to develop the standards by which to measure the performance of practicing attorneys in providing the assistance contemplated by the sixth amendment. As a result, some circuits use reasonable competency as the standard against which to gage effectiveness. Others require that a defendant have the assistance of a competent attorney "acting as a diligent and conscientious advocate." (69) Still others continue to use the traditional test requiring only a level of representa-

tion that prevents the proceedings from becoming a "farce and mockery of justice." (70)

(25) The sixth circuit, which encompasses Memphis, Tenn., has abandoned the "farce or mockery" standard in favor of "reasonably likely to render and rendering reasonably effective assistance." The court has rejected the "farce or mockery" test, except as it might be considered a conclusory description of the objective standard of reasonably effective assistance. (71)

(26) In *Beasley v. United States*, decided in 1974, 5 years after James Earl Ray's guilty plea, the sixth circuit held that it is ineffective assistance of counsel for a defense attorney to deprive a defendant of a substantial defense by his own ineffectiveness or incompetence and that defense counsel must perform at least as well as a lawyer with ordinary training and skill in the field of criminal law. In addition, the court held that the attorney must conscientiously protect his clients' interests without regard to conflicting considerations; must investigate all apparently substantial defenses available to the defendant and must assert them in a proper and timely manner; and must not advise his or her client erroneously on a clear point of law if this advice leads to the deprivation of the clients rights to a fair trial. The court noted that the use of defense strategy and tactics that lawyers of ordinary skill and training in criminal law would not consider competent would deny a defendant the effective assistance of counsel if some other action would have better protected the defendant and was reasonably foreseeable before trial. (72)

(27) The right to effective assistance of counsel required by the sixth amendment has long been recognized to apply to a criminal case in which the defendant pleads guilty as well as to a case in which a trial is conducted (73). Additionally, since the Supreme Court's decision in *Gideon v. Wainwright* (74), a defendant pleading guilty to a felony charge in State court has had a right to the assistance of counsel guaranteed and protected by the sixth amendment. (75)

(28) James Earl Ray became dissatisfied with the representation that Arthur Hanes, Sr., was affording him. This dissatisfaction sprang primarily from the relationship that Hanes had established with Huie. (76). As a result of this dissatisfaction, and through the efforts of James' brothers, Jerry and John, Percy Foreman was contacted. On November 10, 1968, Foreman replaced Hanes as Ray's attorney.

(77) Two days later, on November 12, 1968, Foreman appeared in court and succeeded in having the case continued until March 3, 1969, so that he would have sufficient time to prepare a defense. (78) Foreman had, therefore, approximately 4 months from the time he entered the case until the time the guilty plea was entered to investigate the factual allegations and the evidence against Ray.

(29) Ray has alleged that Foreman's investigation was so deficient as to deprive him of the effective assistance of counsel. (79) The committee has examined the merits of this allegation.

(30) As with the previous issue, the committee was aided in its inquiry by the deposition, pleadings, and other documents filed in both *Ray v. Rose* and *Ray v. Foreman*. In addition, wherever possible, the committee interviewed the people who were principally responsible for the defense investigation of Dr. King's death. The investigation was matched against the minimum legal standard required of counsel

conducting a criminal defense to determine if Foreman was ready, willing, and able to take the case to trial.

(31) Foreman has claimed that, from the time he entered the case until the time of Ray's guilty plea, he spent between 80 and 90 percent of his time working on Ray's case. (80) In the deposition that Foreman gave in *Ray v. Foreman*, Foreman estimated that he spent from 30 to 75 hours in interviews with Ray (81). He also related that he used approximately eight senior law students from Memphis State University as investigators. (82) Foreman was vague about what the students did for him, and could produce none of their work products. (83) Foreman was also vague about other aspects of his investigation of the facts. Apparently, he did speak to Huie regarding his investigation (84) and to Hanes concerning the investigation carried out by himself, his son, and the investigator they hired, Renfro Hayes (85). It also appears that Foreman did speak to some of the potential witnesses. (86)

(32) After reviewing the depositions of Foreman, Hanes, Hugh Stanton, Jr., and James Earl Ray, as well as committee interviews, it may be concluded that the independent investigation of Dr. King's death performed by Percy Foreman left much to be desired. Numerous witnesses were never contacted by Foreman or any of his representatives. Foreman has refused to give the numbers or identities of all the witnesses that he claimed to have interviewed. (87) Hugh Stanton, Jr., stated that the public defender's canvass of witnesses was incomplete at the time that the guilty plea was decided upon. (88) Additionally, Thomas Emerson Smith, one of Foreman's student investigators, has told the committee that neither he nor any of the other students who were chosen to work with Foreman ever conducted a single interview. In fact, according to Smith, the group was never asked by Foreman to carry out any type of investigation whatsoever. (89) It appears that Foreman spent a relatively small amount of time interviewing Ray; he also failed to avail himself fully of the knowledge of the case possessed by his predecessor, Arthur Hanes, Sr. The committee reviewed the hourly activity logs that were kept during James Earl Ray's stay in the Shelby County Jail. They reflected that Foreman spent somewhat less than 20 hours with Ray during the approximately 4 months that he represented him. (90) This figure is at variance with Foreman's own recollection that he spent between 35 and 70 hours interviewing Ray. (91) Ray's recollection of the time Foreman spent with him comports almost to the hour with the figure developed by the committee's review. (92) An explanation for the discrepancy between the committee's figure and Foreman's recollection might be found in the public hearing testimony of Dr. McCarthy DeMere. Dr. DeMere testified that at some point after Ray was brought to the Shelby County Jail security was relaxed somewhat. (93) As a result, Dr. DeMere stopped signing into the jail when he came to visit Ray. It is unclear from his testimony whether this sign-in procedure was separate and apart from the detailed log kept by Ray's guards, even though those logs did not bear any signature. If the two logs are, in fact, one-in-the-same then it is conceivable that some of Foreman's visits with Ray did not appear.

(33) In an interview with the committee, Hanes maintained that he made every effort to make his files available to Foreman, but Foreman

only used a small portion of them and he never used Hanes' personal knowledge of the case, although Hanes offered to assist. (94) (34) Even though Foreman may be faulted for not conducting a more thorough or independent inquiry, he did have at his disposal the fruits of the investigations conducted by William Bradford Huie, Arthur Hanes, Sr., and Renfro Hayes, as well as the investigation conducted by the Shelby County, Tenn., Public Defender's Office (95) before he advised Ray to plead guilty. While Foreman's independent investigation might be considered minimal, the scope of the combined investigations carried out on behalf of the defense was substantial. (96) The investigation conducted by the public defender's office was the most comprehensive. Two full-time and one part-time investigators for the defender's office interviewed numerous witnesses and followed up investigative leads. (97) In addition, these investigators double-checked the investigation that had been done previously for Arthur Hanes, Sr., by Renfro Hayes, much of which was found to be unreliable. (98) Photographs taken by Attorney Russell X. Thompson as well as the results of an investigation he had conducted were obtained. (99) The public defender's work product in Ray's defense filled between 10 and 12 files. (100) Weaknesses in the State's case were uncovered and considered. (101) Foreman and cocounsels Hugh Stanton, Sr., and Jr., discussed these weaknesses and decided that they were not glaring enough to discredit the totality of the case that had been assembled against Ray. (102) Despite Ray's protestations to the contrary, it may be concluded that his decision to plead guilty was based more upon Foreman's recitation of the State's case against him than any other consideration. (103) While questions may be raised about the quality of the defense, there is insufficient evidence to conclude that the level of representation which Ray received from the Hanes, the Stantons, and Foreman, fell below the applicable standard.

C. James Earl Ray's stated reasons for pleading guilty

(35) Ray has continuously maintained that the guilty plea he entered in the King case was involuntary. (104) The reasons given are:

- (1) That Percy Foreman forced Ray to plead guilty against his will. (105)
- (2) That the conditions of Ray's incarceration in the Shelby County Jail and his health were so poor that he was unable to resist the pressure placed on him by Foreman to enter the plea. (106)
- (3) That Foreman and the FBI harassed Ray's family in order to force the guilty plea. (107)
- (4) That Ray believed he would automatically be entitled to a new trial if he appealed the guilty plea. (108)

(36) The committee examined each of Ray's reasons to determine if there was any validity to them. Once again, the committee's assessment was aided by a review of the relevant court documents in the *Ray v. Rose* and *Ray v. Foreman* cases. (109) Additionally, whenever it was appropriate, individuals who figured centrally in Ray's claim were interviewed by the committee. Treated below are findings about each of Ray's stated reasons for pleading guilty.

(a) Percy Foreman forced Ray to plead guilty against his will.

(37) Ray's allegations here deal with factual inaccuracies, misrepresentations, threats and bad advice that he imputes to Foreman. The U.S. Court of Appeals for the Sixth Circuit reviewed the findings of the U.S. District Court for the Western District of Tennessee on this issue. (110) The court of appeals summarized the basis for the district court's decision:

The court found that most of Ray's allegations regarding Foreman's inducement of the guilty plea were not supported by the proof. Specifically, the court found that Foreman did not advise Ray, even if innocent, to plead guilty; that Foreman suggested to Ray that Ray would be better off financially with a guilty plea, but that this statement did not influence Ray in his decision; that Foreman did not advise Ray to plead guilty because he would be pardoned by John J. Hooker, Jr., who would be the next governor of Tennessee; and that Foreman did not attempt to persuade Ray to plead guilty by telling him that the prosecution was prepared to bribe a key witness against Ray; by saying that Foreman would exercise less than his best efforts if Ray insisted on a trial; or by telling Ray that Judge Battle would not allow him to change attorneys and that Foreman would not withdraw.

(38) The allegations that Ray made on this point arose out of conversations where the only persons present were James Earl Ray and Percy Foreman. Under the best of circumstances, Ray would be hard put to prove what he claimed occurred during those conversations, particularly since Foreman categorically denied all of Ray's claims against him. (111) Foreman's assertions were, at times, equally self-serving. During the committee's public hearings, for example, Foreman testified that he never recommended to Ray that he enter a guilty plea. (112) That statement is unacceptable when it is measured against the February 13, 1969, letter that Foreman sent to Ray and that is incapable of any interpretation other than a strong recommendation that Ray plead guilty. (113) Nevertheless the seriousness of Ray's charges, the ease with which they can be made, and Ray's vested interest in gaining the substantial benefit of a new trial all work to resolve the issues against Ray, unless he could corroborate or independently establish them.

(39) James Earl Ray was a career criminal in 1968, who had had extensive exposure to the criminal justice system both by way of trials and guilty pleas. Arthur Hanes, Sr., indicated that Ray was cooperative only up to a certain point. (114) In Foreman, however, Ray met an equally experienced individual. (115) Ray's answers to the questions posed by Judge Battle at the time of the guilty plea reveal a man who was convinced of his guilt, and not simply cowed. (116) That he challenged his plea so quickly (within 3 days after it was entered) is consistent with a pattern of behavior that he established years before. In 1959, Ray was arrested for the robbery of a supermarket. Shortly after his arrest he gave a complete statement to the police in which he admitted his complicity in the crime. By the time of the trial, Ray had reversed his position, not only maintaining his

innocence, but also contending that his earlier confession had been the result of police brutality.(117) On the basis of the evidence, it may be concluded, that Foreman's recommendation that his client plead guilty did not overwhelm Ray's will to resist.

- (b) The conditions of Ray's incarceration in the Shelby County Jail and the state of his health were so poor that he was unable to resist the pressure placed on him by Foreman to enter the guilty plea.

(40) According to James Earl Ray, his will to resist Percy Foreman's demands that he plead guilty was seriously diminished by the "macabre" conditions that were instituted in the Shelby County Jail specifically for his incarceration. He further claimed that his health was adversely affected by those conditions.(118)

(41) Because of the notoriety of the case and the strong emotions that had been evoked by the murder of Dr. King, extraordinary measures were taken by Shelby County sheriff, William Morris, to safeguard Ray's life and prevent his escape.

(42) In testimony given during the course of the Federal court hearing on Ray's motion for a writ of habeas corpus, Billy J. Smith, the officer in charge of the special detail that handled Ray's security, described the conditions that Ray lived under during his stay in the Shelby County Jail. According to Smith, all of the windows in the cell block where Ray was housed by himself were covered with steel plating. The doors leading to the cell block were made of steel. Two officers were assigned to guard Ray at all times, necessitating the deployment of six officers to cover three 8-hour shifts. The interior of the cell was surveilled at all times by two closed circuit TV cameras. A log was kept, by Ray's guards, of his every move. Ray's food was selected by the supervisors of his security detail, at random, from the food that was prepared for the other prisoners and the employees of the jail. Once selected, it was placed in a locked stainless steel box to prevent anyone from tampering with it before it was given to Ray. A microphone was placed in the cell and the entire cell block, which consisted of several cells, was continually illuminated.(119)

(43) The legal memorandum was filed on Ray's behalf in *Ray v. Rose*, added this graphic comment: "For 8 months Ray saw no sunlight; in fact, he was not able to tell night from day."(120)

(44) The person most able to comment on the state of Ray's health during his stay in Shelby County Jail and the possible effect that the special precautions that were taken might have had upon his health, is Dr. McCarthy DeMere, who served as Ray's physician from the time he was returned to Memphis from England until he was taken to the Tennessee State Penitentiary at Nashville. Dr. DeMere was interviewed by the committee about the points which Ray raised.(121) In addition, the committee reviewed Dr. DeMere's testimony in *Ray v. Rose* and in its public hearings as it related to these same charges.(122) Based upon the interview and the review it may be concluded that:

- (1) James Earl Ray was in good health when he arrived in Memphis from England.(123)
- (2) Dr. DeMere saw Ray at intervals throughout Ray's stay in the Shelby County Jail.(124)

- (3) Ray's condition remained excellent during the time he was in the Shelby County Jail. (125)
- (4) Dr. DeMere arranged Ray's diet with the jail's dietician and it was nutritious. (126)
- (5) Ray gained weight while he was in the Shelby County Jail. (127)
- (6) Ray complained to Dr. DeMere about the lights in his cell at first, but never complained about losing sleep. (128)
- (7) The only medical complaints that Ray made during his stay in Shelby County Jail concerned occasional headaches and nosebleeds. (129)
- (8) The headaches were treated with aspirin and Dr. DeMere determined that the nosebleeds might have been an after-effect of the plastic surgery which had been performed on Ray's nose in California, or perhaps just from picking his nose. (130)
- (9) The facilities that Ray occupied were comparable to a good motel suite and compared favorably to a first grade suite room in an ordinary hospital. (131)

Additionally, Dr. DeMere stated that he and Ray enjoyed a good personal relationship and were on a friendly basis throughout Ray's stay in the Shelby County Jail. (132) He added that he never saw Ray depressed, and Ray never exhibited any tension or nervousness during these visits. (133) Finally, Dr. DeMere said that in his opinion, Ray was in better health when he left the Shelby County Jail than when he arrived. (134) It may be concluded, therefore, that neither the conditions under which Ray was incarcerated in Shelby County nor the state of his health in any way influenced him to enter the guilty plea.

(c) Foreman and the FBI harassed Ray's family in order to force the guilty plea.

(45) Ray claimed in the pleadings filed in the habeas corpus proceedings that his family was harassed and pressured, by both the FBI and Percy Foreman, prior to the guilty plea. The ultimate aim of these actions, according to Ray, was to force him to plead guilty rather than going to trial. Concerning the FBI, Ray maintained that:

- (1) The FBI threatened to arrest and rejoin his father at Fort Madison, Iowa, where he had escaped 40 years earlier. (135)
- (2) The FBI burglarized the home of his sister, Carol Pepper. (136)
- (3) His brother, John Larry Ray, was sentenced to 18 years in prison for his role in a bank robbery—an excessive sentence in comparison to his codefendants. (137)

Concerning Foreman, Ray maintained that:

- (1) Foreman claimed that Ray's brother, Jerry, would be arrested and charged with conspiracy to murder Dr. King if Ray did not plead guilty. (138)
- (2) Foreman tried to convince Ray's family to sell him on the plea. (139)

(46) The committee attempted to explore Ray's allegations as they related to both Foreman and the FBI. Here too, however, the sole support for many of the allegations is Ray's word or that of various members of his family. Given their bias, the committee was reluctant to accept their contentions as true without corroboration or independent substantiation.

(47) The committee's investigation uncovered no corroboration for Ray's claims that the FBI had a role in burglarizing his sister's house, (140) or caused his brother to receive a longer jail sentence. As a matter of fact, John Ray was not arrested on the charge that brought the 18-year sentence until almost 1½ years after James Earl Ray entered his guilty plea, (141) so it must be concluded that John's sentence was too remote in time to effect James Earl's decision to enter the guilty plea.

(48) The charge that the FBI threatened Ray's father originated with James' brother, John Ray. It was impossible to determine, through independent evidence, whether or not such a threat was ever made. Further, James Earl Ray was unclear about the impact, if any, the knowledge of this threat had on his decision to plead.

(49) Ray's claim that Foreman attempted to coerce him into pleading guilty by raising the threat of his brother's incarceration for conspiracy in King's death was also examined. Ray said that Foreman tried to impress upon him that a guilty plea was necessary to prevent the FBI from involving Jerry in the case. (142) Nevertheless, when he was pressed on the subject by the committee in an interview at Brushy Mountain Penitentiary, Ray indicated that Foreman at no time claimed that the FBI had informed him of Jerry's imminent arrest, but he had alluded to the possibility that Jerry might be picked up. (143)

(50) On February 19, 1969, Percy Foreman met with members of the Ray family at the home of Ray's sister, Carol Pepper, in Maplewood, Mo. According to a brief filed on Ray's behalf in *Ray v. Rose*, at this meeting

Foreman read aloud the reasons which James Earl Ray gave for refusing to plead guilty. He tried to ridicule and refute these reasons and to cajole and threaten the Ray family into helping him coerce Ray into accepting his deal. Although all refused, Foreman then told Ray that the members of his family wanted him to plead guilty. (144)

Once again, the committee was confronted with a situation where no proof, independent of the Ray family's statements, could be found to corroborate or substantiate James Earl Ray's allegation. Nevertheless, since Ray's family refused to urge him to plead guilty, and he had an opportunity to see and talk to both of his brothers prior to entering the plea, it is reasonable to assume that any misconception that Foreman might have given Ray as to his family's feelings would have been cleared up by the time Ray entered Judge Battle's courtroom on March 10, 1969. In fact, under close questioning by the committee in a Brushy Mountain Penitentiary interview, Ray admitted that to his mind, there had really only been two instances of any harassment of his family—the FBI threat against his father, and Foreman's remarks about Jerry Ray's possible incarceration. (145).

(51) Even giving Ray the benefit of the doubt regarding all of the threats that he mentioned, he has still failed to indicate how, or even if, these threats worked to coerce him into entering the plea.

(52) Additionally, the committee was unable to reconcile Ray's stated fear that his family would be harassed by the FBI if he did not enter the guilty plea, with the criticism which he directed at the Bureau's Director, J. Edgar Hoover, at the time the plea was entered. He would hardly have criticized the very agency he feared if he were under its domination.

(d) Ray believed he would automatically be entitled to a new trial if he appealed the guilty plea.

(53) Statements made by James Earl Ray both prior to, and subsequent to, the guilty plea raise questions as to his grasp of its finality.

(54) The prevailing judicial attitude toward guilty pleas is plainly laid out in the U.S. Supreme Court's recent ruling in *Blackledge v. Allison*, (146) where the Court stated:

Properly administered, guilty pleas can benefit all concerned. The defendant avoids extended pretrial incarceration and the anxieties and uncertainties of the trial; he gains a speedy disposition of his case, the chance to acknowledge his guilt, and a prompt start in realizing whatever potential there may be for rehabilitation. Judges and prosecutors conserve vital and scarce resources. The public is protected from the risks posed by those charged with criminal offenses who are at large on bail while awaiting completion of criminal proceedings. These advantages can be secured, however, only if dispositions by guilty plea are accorded a great measure of finality. To allow indiscriminate hearings in * * * post-conviction proceedings * * * would eliminate the chief virtues of the plea system—speed, economy, and finality.

(55) While an important value, finality is sometime difficult to secure. The criminal justice system itself encourages appeals as well as collateral attacks upon convictions, and particularly so in cases, such as James Earl Ray's, where the accused is incarcerated. Such an individual, generally speaking, has everything to gain and nothing to lose from filing an attack on his conviction, even if that conviction came about by a guilty plea. (147)

(56) It is not surprising, therefore, that appeals and other efforts to obtain review are extremely numerous, and that many are what has been commonly characterized as frivolous. These pleas for relief cannot, of course, be rejected out of hand. As the American Bar Association put it:

In order to establish that an appeal is frivolous, it is necessary to make an evaluation of its merit. If that evaluation is done with due process, the case would have been through the essential steps of an ordinary appeal. (148)

(57) James Earl Ray believed that such an evaluation would result in the case's reversal. Percy Foreman has said that " * * * Mr. Ray's opinion of an appeal was an unassailable reversal. He equated appeal with reversal * * * He thought he would get an automatic reversal and keep going up like a rubber ball." (149) Ray's responses to ques-

tions put to him about his motivation in entering the guilty plea are also enlightening. In his interview with the committee, Ray stated that his main purpose in entering the guilty plea was to get rid of Foreman.(150) He looked upon the plea as a mere technicality, designed to get him out of Memphis.(151) He believed that Foreman planned to throw the case,(152) but because of the court's stated attitude at the time he fired Hanes, Ray felt that he would not be allowed to fire Foreman.(153) Thus, according to Ray, the guilty plea served as a convenient, harmless alternative to the other options open to him; namely, going to trial with Foreman, who he no longer trusted,(154) going to trial with the public defender, who he felt had neither the skill nor the resources to handle a major case,(155) or going to trial unrepresented.(156).

(58) Ray's claimed failure to understand the nature of the guilty plea calls its validity into question. This question may be resolved, however, when the requirements for a valid guilty plea are examined. The committee conducted just such an examination. It found that the Constitution of the United States, and the Supreme Court's interpretation of it, requires that trial courts make a number of determinations before accepting a defendant's tendered guilty plea. Thus the trial court must determine, if the plea has been entered voluntarily, understandingly, and intelligently;(157) and its assessment in those regards must appear affirmatively in the court's record.(158) Under these guidelines, the minimum requirements for a valid guilty plea are that it be the voluntary expression of the defendant's own free choice(159) and that the accused himself must possess a sufficient awareness of the relevant circumstances and likely consequences of his plea.(160) Ray's past history, moreover, argues strongly in favor of the proposition that he knew that the guilty plea would effectively extinguish all of his legal remedies. For example, on December 17, 1959, Ray was found guilty, by a St. Louis, Mo., jury, of robbery. Ray subsequently appealed that decision to the Missouri Supreme Court, which rejected his appeal and affirmed the lower court's decision on February 12, 1962.(161) In light of this previous appellate experience, it is difficult to credit the theory that Ray, in fact, believed that he had only to appeal from the guilty plea to replace his lawyer and win a new trial.

V. CONCLUSION

(59) It may be concluded that Ray's plea surpassed the Constitution's minimum requirements. From the committee's scrutiny of the circumstances surrounding James Earl Ray's guilty plea it may be concluded that, although the plea contained troubling issues, Ray was not coerced into entering it; that the conflict of interest that Ray alleged on the part of attorneys Hanes and Foreman did not result in or influence Ray's decision to plead guilty; that Percy Foreman's personal investigation of the facts of the case should have been more thorough, but the work product of others who investigated the case provided him with enough information to provide Ray with effective assistance of counsel; and finally the reasons which James Earl Ray gave for pleading guilty were self-serving and in no instance provided the basis upon which he would be entitled to a new trial.

Submitted by:

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- (2) Testimony of Phil N. Canale, Nov. 13, 1978, hearings before the House Select Committee on Assassinations, 95th Cong., 2d sess., Washington, D.C., U.S. Government Printing Office, 1979, vol. V, pp. 132-134.
- (3) Testimony of Hugh Stanton, Jr., Oct. 23, 1974, *Ray v. Rose*, House Select Committee on Assassinations, p. 223 (MLK Document No. 010005).
- (4) Tennessee Code Annotated Sec. 39-2405. See *Ray v. State*, 451 S.W. 2d 854 (1970).
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- (7) Proposed Stipulation as to Material Facts, House Select Committee on Assassinations, Habeas Corpus exhibit 117, 117A (MLK Document No. 110106). See also MLK exhibit F-79.
- (8) Letter from James Earl Ray to Judge W. Preston Battle, Mar. 13, 1969, House Select Committee on Assassinations, (MLK Document No. 030102).
- (9) Letter from James Earl Ray to Judge W. Preston Battle, Mar. 26, 1969, House Select Committee on Assassinations, (MLK Document No. 030102).
- (10) *Ibid.*
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- (13) *Ibid.*, p. 15.
- (14) Memorandum decision, *Ray v. Rose*, 373 F. Supp. 687 (1973) (MLK Document No. 110307).
- (15) *Ibid.*
- (16) *Ray v. Rose*, 491 F.2d 285 (6th cir. 1974).
- (17) *Ray v. Rose*, 417 U.S. 936 (1974).
- (18) Memorandum decision, *Ray v. Rose*, 392 F. Supp. 601 (N.D. Tenn. 1975) (MLK Document No. 040026).
- (19) *Ray v. Rose*, 535 F.2d 966 (1976).
- (20) *Ray v. Rose*, 429 U.S. 1026 (1976).
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- (22) Federal Rule of Criminal Procedure 11(d).
- (23) Congressional Research Service, "Court Decisions Governing Guilty Pleas Under U.S. Constitution and the Law of Tennessee," Jan. 26, 1978 (MLK Document No. 190420).
- (24) *Brady v. United States*, 397 U.S. 712 749 (1970). *Boykin v. Alabama*, 395 U.S. 238 (1969).
- (25) *Fontain v. United States*, 411 U.S. 213 (1973).
- (26) *Marchibroda v. United States*, 386 U.S. 487 (1962).
- (27) *Marvel v. United States*, 380 U.S. 262 (1965).
- (28) See: *Brady v. United States*, *supra*, *Kercherel v. United States*, 274 U.S. 220 (1927), *McCarthy v. United States*, 392 U.S. 459 (1969).
- (29) *Barnes v. Henderson*, 220 Tenn. 719, 423 S.W. 2d 497 (1968).
- (30) *Sheperd v. Henderson*, 449 S.W. 2d 726 (Tenn. 1969).
- (31) *State Ex. Rel. Lawrence v. Henderson*, 433 S.W. 2d 96 (Tenn. 1968).
- (32) *Gann v. State*, 452 S.W. 2d 685 (Tenn. 1970).
- (33) Petitioner's Memorandum of Points and Authorities; Memorandum of Facts, *Ray v. Rose*, House Select Committee on Assassinations, Dec. 4, 1972 (MLK Document No. 110309).

- (34) Deposition of James Earl Ray, Nov. 22, 1969, *Ray v. Foreman*, House Select Committee on Assassinations, pp. 9, 25 (MLK Document No. 030197).
- (35) Deposition of Arthur Hanes, Sr., Nov. 7, 1969, *Ray v. Foreman* (MLK Document No. 080055).
- (36) *Ibid.*
- (37) *Ibid.*
- (38) Hanes-Ray literary contract.
- (39) Huie-Ray-Hanes literary contract, July 8, 1968, House Select Committee on Assassinations, pp. 12-15 (MLK Document No. 110116).
- (40) Deposition of Arthur Hanes, Sr., Nov. 7, 1969, *Ray v. Foreman*, p. 5 (MLK Document No. 080055).
- (41) *Ibid.*, p. 10.
- (42) *Ibid.*
- (43) Letter from Percy Foreman to James Earl Ray, House Select Committee on Assassinations, Mar. 9, 1969 (MLK Document No. 110027).
- (44) A conflict of interest on the part of counsel may preclude effective assistance. However, even if such a conflict should be shown, it does not necessarily render the plea of guilty by the client unintelligent or unknowing. It is only when it can be shown that the conflict of interest affected the plea of guilty that it may constitute a reason for vacating the plea. See *Duke v. Warden* 406 U.S. 250 (1972).
- (45) As an example, see Ray's Deposition, *Ray v. Foreman*, p. 24 (MLK Document No. 030197).
- (46) Staff interview of Arthur Hanes, Sr., May 9, 1978, House Select Committee on Assassinations, p. 13 (MLK Document No. 210373) (Hereinafter referred to as staff interview of Arthur Hanes, Sr., May 9, 1978).
- (47) Supplemental deposition of James Earl Ray, *Ray v. Foreman* Nov. 22, 1969, pp. 15, 18, 19 (MLK Document No. 030197).
- (48) Deposition of Arthur Hanes, Sr., Nov. 7, 1969, *Ray v. Foreman*, pp. 31-32 (MLK Document No. 080055).
- (49) Staff interview of James Earl Ray, Nov. 14, 1977, hearings before the House Select Committee on Assassinations, 95th Cong., 2d sess., Washington, D.C.: U.S. Government Printing Office, 1979, vol. XI, p. 144 (hereinafter referred to as staff interview of James Earl Ray, Nov. 14, 1977). Foreman denied that he reviewed the contracts before he entered the case. See deposition of Percy Foreman, *Ray v. Rose*, Apr. 3, 1974 (MLK Document No. 020031).
- (50) Deposition of James Earl Ray, Nov. 22, 1969, *Ray v. Foreman* (MLK Document No. 030197).
- (51) Deposition of Percy Foreman, Nov. 11, 1969, *Ray v. Foreman*, pp. 11-12 (MLK Document No. 010050).
- (52) *Ibid.*, pp. 12-13.
- (53) Testimony of Percy Foreman, Nov. 13, 1978, hearings before the Select Committee on Assassinations, 95th Cong., 2d sess. Washington, D.C.; U.S. Government Printing Office, 1979, vol. V, pp. 304-05 (hereinafter referred to as Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings).
- (54) *Id.*, at 298, 304.
- (55) Memorandum decision, *Ray v. Rose*, Feb. 27, 1975, pp. 8-11 (MLK Document No. 260030).
- (56) Deposition of Percy Foreman, Nov. 11, 1969, *Ray v. Foreman*, p. 15 (MLK Document No. 010050).
- (57) Memorandum decision, *Ray v. Rose*, Feb. 27, 1975, p. 35 (MLK Document No. 260030).
- (58) *Ibid.*
- (59) *Id.*, p. 35.
- (60) Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings, p. 298.
- (61) Deposition of William Bradford Huie, *Ray v. Rose*, Sept. 20, 1974, p. 70 (MLK Document No. 170154).
- (62) Deposition Arthur Hanes, Sr., Nov. 7, 1969, *Ray v. Foreman*, p. 30 (MLK Document 080055).
- (63) Deposition of William Bradford Huie, *Ray v. Rose*, Apr. 3, 1974, p. 70 (MLK Document 020031).
- (64) See, e.g., staff interview of James Earl Ray, Sept. 29, 1977, hearings before the House Select Committee on Assassinations, 95th Cong., 2d sess., Washington, D.C., U.S. Government Printing Office, 1979, volume I, pp. 392-94 (hereinafter referred to as staff interview of James Earl Ray, Sept. 29, 1977).

- (65) Deposition of James Earl Ray, Nov. 11, 1969, *Ray v. Foreman*, House Select Committee on Assassinations, pp. 18, 19 (MLK Document 030316).
- (66) See deposition of Percy Foreman, Nov. 11, 1969, *Ray v. Foreman*, House Select Committee on Assassinations, p. 11 (MLK Document 010050). See also staff interview of James Earl Ray, Sept. 29, 1977, p. 434.
- (67) Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings.
- (68) Foreman-Ray literary contract, Feb. 3, 1969, House Select Committee on Assassinations, p. 18 (MLK Document 110116).
- (69) See *United States v. Moore*, 529 F. 2d 366, 357 (D.C. Cir. 1976).
- (70) See *Franklin v. Wyrick*, 529 F. 2d 78, 82 (8th Cir.), cert. denied, 96 S.G. 1747 (1976).
- (71) *Beasley v. United States*, 491 F. 2d 687 (6th Cir. 1974).
- (72) See also, *Maglava v. Buchkoe*, 515 F. 2d 265 (6th Cir. 1975); *Tooley v. Rose*, 507 F. 2d 413, (6th Cir. 1975); *Berry v. Cowen*, 497 F. 2d 1274 (6th Cir. 1974).
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- (75) See *Arsenault v. Massachusetts*, 393 U.S. 5 (1968); *White v. Maryland*, 373 U.S. 59 (1963).
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- (79) Petitioner's memorandum of points and authorities, Dec. 4, 1972, pp. 26-31 (MLK Document No. 110309).
- (80) Staff interview of Percy Foreman, House Select Committee on Assassinations, Apr. 13, 1977 (MLK Document 080006).
- (81) See also, Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings, p. 300.
- (82) Deposition of Percy Foreman, Apr. 3, 1974, *Ray v. Rose*, pp. 72-82 (MLK Document 020031).
- (83) *Ibid.* See also, Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings, pp. 299-300.
- (84) Deposition of Percy Foreman, Apr. 3, 1974, *Ray v. Rose*, pp. 44-45 (MLK Document 020031).
- (85) Staff interview of Arthur Hanes, Sr., May 9, 1978, pp. 7-8.
- (86) Deposition of Percy Foreman, Nov. 11, 1969, *Ray v. Foreman*, p. 29 (MLK Document 010050).
- (87) See Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings, pp. 76, 299-300. Also see deposition of Percy Foreman, Apr. 3, 1974, *Ray v. Rose*, pp. 76-88 (MLK Document 020031).
- (88) Testimony of Hugh Stanton, Jr., Oct. 23, 1974, *Ray v. Rose*, p. 283 (MLK Document 010005).
- (89) Outside Contract Report with Thomas E. Smith, Dec. 8, 1978, House Select Committee on Assassinations (MLK Document No. 280079).
- (90) Shelby County Jail logs, July 19, 1968, through Mar. 10, 1969 (MLK Documents Nos. 110160, 110161, 110296, 110325, and 110326).
- (91) Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings, p. 300.
- (92) Deposition of James Earl Ray, Nov. 22, 1969, *Ray v. Foreman*, p. 54 (MLK Document 030168). The committee's review of the jail logs showed Foreman spending approximately 20 hours with Ray during the pendency of this case.
- (93) Testimony of Dr. McCarthy DeMere, Nov. 13, 1978, hearings before the House Select Committee on Assassinations, 95th Cong., 2d sess., Washington, D.C.: U.S. Government Printing Office, 1979, pp. 378-79.
- (94) Staff interview of Arthur Hanes, Sr. May 9, 1978, pp. 7-8.
- (95) Independent investigation not required, *Price v. Perini*, 520 F. 2d 897, (6th Cir. 1975), *Berry v. Cowen*, note 67, *supra*.
- (96) See Review of Investigations by Judge McCrae in *Ray v. Rose*, Feb. 27, 1976, p. 26 (MLK Document No. 260030); see also Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings, pp. 299-300; also testimony of Hugh Stanton, Jr., Oct. 23, 1974, *Ray v. Rose*, pp. 259-289 (MLK Document No. 010005); and the deposition of William Bradford Huie, Sept. 20, 1974, *Ray v. Rose*, pp. 23, 70, 78 (MLK Document No. 170154).
- (97) Testimony of Hugh Stanton, Jr., Oct. 23, 1974, *Ray v. Rose*, House Select Committee on Assassinations, pp. 259-289 (MLK Document No. 010050).
- (98) Testimony of Hugh Stanton, Jr., Oct. 23, 1974, *Ray v. Rose*, p. 304 (MLK Document 010001).

- (99) *Ibid.*, pp. 242, 310-311.
- (100) *Ibid.*, p. 245.
- (101) Testimony of Hugh Stanton, Jr., Oct. 23, 1974, *Ray v. Rose*, House Select Committee on Assassinations, pp. 259-289 (MLK Document 010005).
- (102) *Ibid.*
- (103) According to Hugh Stanton, Jr., testimony at the Habeas Corpus proceedings, Foreman had a working knowledge of the case that "amazed" him. It was thorough enough for Foreman to dictate a 75-page working paper from which the public defender's investigators worked. The record of the Habeas Corpus proceeding would indicate that, although the combined investigation was by no means complete, enough had been learned so that Foreman was in a position to make a powerful case for a guilty plea by the time he approached Ray about the possibility. Testimony, *Ray v. Rose*, Oct. 23, 1974, pp. 259 (MLK Document 010005).
- (104) As an example, see Petitioner's Memorandum of Points and Authorities, Dec. 4, 1972 (MLK Document 110309).
- (105) Petitioner's memorandum of fact, pp. 35-43 (MLK Document 110309).
- (106) *Ibid.*, pp. 40-41.
- (107) Staff interview with James Earl Ray, Sept. 29, 1977, pp. 443-44.
- (108) *Ibid.*
- (109) *Ray v. Rose*, 395 F. Supp. 601 (1975); *Ray v. Foreman*, U.S. District Court for the Western District of Tennessee, Western Division, Civil Case 60-199.
- (110) *Ray v. Rose*, 535 F.2d 966 (6th Cir. 1976).
- (111) Foreman has said of Ray, "If he is speaking, chances are he is lying * * *", Foreman testimony, Nov. 13, 1978, HSCA-MLK hearings, p. 76.
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- (113) Letter from Percy Foreman to James Earl Ray, Feb. 13, 1969 (MLK Document No. 260031).
- (114) Staff interview of Arthur Hanes, Sr., May 9, 1976, p. 4.
- (115) Deposition of William Bradford Huie, Sept. 20, 1974, *Ray v. Rose*, House Select Committee on Assassinations, pp. 82-83 (MLK Document No. 170154).
- (116) Deposition of Percy Foreman, Nov. 11, 1969, *Ray v. Foreman*, House Select Committee on Assassinations, p. 27 (MLK Document No. 010050).
- (117) *State of Missouri v. James Earl Ray*, Court of the City of St. Louis, for Criminal Cases, Circuit Court Cause 1427-H (MLK Document 280211).
- (118) Testimony of James Earl Ray, Oct. 29, 1974, *Ray v. Rose*, p. 890 (MLK Document 100042).
- (119) Testimony of Billy J. Smith, Oct. 22, 1974, *Ray v. Rose*, pp. 41-92 (MLK Document 010006); and pp. 103-104 (MLK Document 010007); note also the following passage from Gerold Frank's book, "An American Death," pp. 235-236, where Gerold Frank described the conditions that Ray complains of: "Morris had set up an arrangement which made Ray the most carefully guarded and monitored man in history. He was never alone, and never in darkness; two guards were in the cell block with him at all times, and one pair of eyes had always to be on him, day and night. The cell block was brilliantly lit around the clock. Hanging from the ceiling were two microphones. Outside the block, day and night, a supervisor sat, able to watch and hear Ray and the two guards through the bars, while before him a TV screen also registered, by means of two cameras, one focused on the length of the block, the other scanning its width. Everything that took place in it. Even when Ray used the toilet, or shaved, he was in sight of supervisor and cameras; the shower curtain might hide his nakedness, but it was made of translucent plastic so that his silhouette was visible. Assuming that he might try the impossible—to strangle himself, or swallow poison, to injure himself—this would be seen."
- (120) Memorandum of Points and Authorities, Dec. 4, 1972, House Select Committee on Assassinations, p. 41 (MLK Document No. 110309).
- (121) Staff interview of Dr. McCarthy DeMere, July 19, 1978, House Select Committee on Assassinations (MLK Document No. 230381).
- (122) Testimony of Dr. McCarthy DeMere, Nov. 13, 1978, hearings before the Select Committee on Assassinations, 95th Cong., 2d sess., Washington, D.C.: U.S. Government Printing Office, 1979, vol. V, pp. 371 et seq.
- (123) *Id.*, at 374.
- (124) *Id.*, at 377.
- (125) *Ibid.*
- (126) *Id.*, at 378.

- (127) Ibid.
- (128) Testimony of Dr. McCarthy DeMere, Oct. 23, 1974, *Ray v. Rose*, p. 205 (MLK Document No. 010005).
- (129) Ibid., pp. 205-206.
- (130) Testimony of Dr. McCarthy DeMere, Nov. 13, 1978, hearings before the House Select Committee on Assassinations, 95th Cong., 2d sess., Washington, D.C.; U.S. Government Printing Office, 1979, vol. V, p. 378.
- (131) Testimony of Dr. McCarthy DeMere, Oct. 23, 1974, *Ray v. Rose*, p. 251 (MLK Document No. 010005).
- (132) Id., at pp. 207-208
- (133) Ibid., page 210.
- (134) Id.
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- (136) Id., at p. 442.
- (137) Ibid.
- (138) Id., at pp. 441-42.
- (139) Petitioner's Memorandum of Points and Authorities, Memorandum of Facts, Dec. 4, 1972, pp. 42-43 (MLK Document No. 110309).
- (140) See executive session testimony of Carol Pepper, Apr. 18 and 19, 1978; hearings before the House Select Committee on Assassinations.
- (141) FBI identification record of John Larry Ray, No. 368 725A (MLK Document No. 240087).
- (142) Staff interview of James Earl Ray, Sept. 29, 1977, p. 444.
- (143) Id., at p. 445.
- (144) Petitioner's Memorandum of Points and Authorities; Memorandum of Facts, Dec. 4, 1972, p. 42-43 (MLK Document No. 110309).
- (145) Staff interview of James Earl Ray, Sept. 29, 1977, p. 444.
- (146) 431 U.S. 63 (1977).
- (147) Congressional Research Service, "Finality of Convictions Based on Guilty Pleas," June 15, 1978 (MLK Document No. 200189).
- (148) ABA Standards Relating to the Administration of Criminal Justice. Compilation, 1974, p. 428.
- (149) Deposition of Percy Foreman, Nov. 11, 1969, *Ray v. Foreman*, pp. 21-22 (MLK Document No. 010050).
- (150) Staff interview with James Earl Ray, Sept. 29, 1977, p. 150.
- (151) Ibid. See also the habeas corpus testimony of James Earl Ray, Oct. 29, 1974, *Ray v. Rose*, p. 864 (MLK Document 010039).
- (152) Testimony of James Earl Ray, Oct. 29, 1974, *Ray v. Rose*, p. 864 (MLK Document No. 010039).
- (153) Staff interview of James Earl Ray, Nov. 14, 1977, pp. 188-89.
- (154) Testimony of James Earl Ray, Oct. 29, 1974, *Ray v. Rose*, p. 854 (MLK Document No. 010039).
- (155) Ibid.
- (156) Ibid.
- (157) *Brady v. United States*, 397 U.S. 742 (1970); *Boykin v. Alabama*, 395 U.S. 238 (1969).
- (158) *Boykin*, *supra*.
- (159) *Brady*, *supra*.
- (160) *Brady v. United States*, *supra*, *McMann v. Henderson*, 397 U.S. 759 (1970); *Henderson v. Morgan*, 426 U.S. 637 (1976); *Van Moltke v. Guiliies*, 332 U.S. 266 (1964).
- (161) Missouri Court Records, *State v. Ray*, cause 1427-H (MLK Document 280211); see also testimony of James Earl Ray, Oct. 29, 1974, *Ray v. Rose*, pp. 916-918 (MLK Document No. 010042).

INVESTIGATION INTO THE ASSASSINATION OF
DR. MARTIN LUTHER KING, JR.
SUPPLEMENTAL STUDIES PERTAINING TO THE MOTIVE
OF JAMES EARL RAY

Supplementary Staff Report
of the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
Second Session

March 1979

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INTRODUCTION

(1) The committee's effort to understand Ray's motive was one of the most significant aspects of its investigation. Because Ray has consistently denied his participation in Dr. King's murder, the committee did not have access to the most probative evidence—the assassin's own explanation for the crime. The committee, therefore, necessarily relied on the testimony of others and an analysis of Ray's conduct.

(2) The committee's findings on the question of motive were based, in part, on an exhaustive field investigation of incidents in Ray's past alleged to support a number of motive possibilities, including racial, psychological, and financial. The committee's investigation of a number of these incidents is included below.

RAY'S ALLEGED ASSOCIATION WITH A SYMPATHIZER OF THE AMERICAN NAZI PARTY IN 1944

(3) According to both George McMillan, author of "The Making of an Assassin," and William Bradford Huie, author of "He Slew the Dreamer," James Earl Ray developed a close relationship with an older man, originally from Germany, who was Ray's supervisor at the International Shoe Co. Tannery, East Hartford, Ill., in 1944. (1) According to McMillan, this individual, identified in FBI files as Henry Stumm (2) of Alton, Ill., was an outspoken admirer of Adolf Hitler who "carried a picture of the German Fuehrer with him." (3) Stumm and Ray allegedly frequented an Alton, Ill., cafe after work where they would discuss Nazi politics for hours.

(4) Stumm apparently refused to speak with McMillan about his alleged relationship with Ray, but the author was able to interview Eric Duncan, then shop steward at the tannery. Duncan reportedly claimed that Ray and his German friend were seen together frequently. The owner of the Alton, Ill., cafe also spoke with McMillan and remembered "the two coming in after work * * * taking the two back stools * * * and then talking lengthily." (4)

(5) Henry Stumm was interviewed by the FBI on January 10, 1969, and stated he had worked at the leather tannery in Hartford, Ill., for almost 30 years but did not recall ever having met James Earl Ray. Stumm denied all allegations that had been made by members of the news media during the months following the assassination, including their suggestions that he was pro-Nazi, that he had given Ray a copy of Hitler's "Mein Kampf" and that he had met frequently with Ray in the Alton, Ill., cafe. Stumm supplied the FBI with the names of two Alton, Ill., residents who would verify that he had driven to and from work with them every day during that time. Stumm entered the United States from Germany in 1928 and became a citizen in 1936; he stated emphatically that he had always maintained a pro-American attitude. (5)

(6) Henry Stumm died before committee investigators approached him for an interview. The committee did, however, interview William E. Maher, Ray's uncle from Alton, Ill., who saw Ray often during this period of time. Maher had previously spoken to the FBI on April 22, 1968, and reportedly said James Earl Ray had associated with an individual who had pro-Nazi leanings and "he became anti-Negro and anti-Jewish as a result." (6) When questioned by the committee staff regarding this statement, Maher said that although he was aware Ray associated with Stumm at the tannery, he had no knowledge that Ray saw him at other times. Maher insisted their relationship was no more significant than that of fellow tannery employees; Ray mentioned him to Maher only once outside of their work. Ray and Maher were walking together and after they saw Stumm on the street, Ray turned to his uncle saying, "Henry thinks that Hitler is all right." Maher replied, "If that's what Henry thinks, he's in trouble around here." They both laughed and Maher regarded the incident as a joke. Maher repeatedly denied ever hearing Ray make any pro-Nazi or anti-Black remarks. (7)

(7) From the information available to the committee, it is evident that James Earl Ray and Henry Stumm did have contact with one another within the tannery, perhaps on a regular basis. Because the committee was unable to interview Mr. Stumm, it was difficult to determine whether his association with Ray might have stirred an interest in the philosophies of Adolf Hitler. It was apparent, however, that the passage of more than two decades would erase the effects of a relationship which was—by any account—short termed. In the absence of evidence of more recent contact by Ray with members or sympathizers of the Nazi Party, there is an insufficient basis for concluding that the ideologies of Adolf Hitler or the American Nazi Party had a discernible effect on his participation in the assassination.

RAY'S REFUSAL TO MOVE TO LEAVENWORTH HONOR FARM IN THE MID-1950'S

(8) It has been alleged by several authors, particularly George McMillan in "Making of an Assassin" and Gerold Frank in "An American Death," that James Earl Ray's refusal to move to an integrated honor farm while incarcerated at Leavenworth Penitentiary, Kans., in the mid-1950's was a clear indication of pronounced racial animosities. (8)

(9) On March 7, 1955, Ray and Walter Terry Rife stole 66 blank money orders from the Kellerville, Ill., post office and went on a 2-week spending spree. They were arrested on March 23, 1955, and charged with the Federal offense of forging an endorsement on a U.S. Postal Money Order. Ray was sentenced to 45 months at the Federal penitentiary at Leavenworth, Kans., on July 1, 1955. (9)

(10) On April 5, 1958, Ray was given conditional release from Leavenworth. His release progress report, dated April 4, 1958, reflected the following:

At the time of initial classification, Ray was placed under medium custody and assigned to the fire department. He remained on such assignment until July 15, 1955, when he was reassigned to the paint shop. On July 12, 1957, Ray was

approved for our honor farm but was never actually transferred to such assignment due to the fact that he did not feel he could live in an honor farm dormitory because they are integrated. Due to this fact, he was never placed under such status. He was assigned to our bakery, where he remained until released on conditional release (CR). (10)

(11) James Earl Ray was questioned on his general racial attitudes in a September 1977 Playboy interview, and gave the following reason for his refusal to move to the Leavenworth honor farm.

RAY. I did refuse to be transferred to the farm and the supposedly integrated dormitories. But the overriding reason was a prison policy of handing out extra time for marihuana possession—possession being anything found in your immediate area in the dormitory.

PLAYBOY. You mean you felt the blacks smoked dope and that you would be punished for it?

RAY. Maybe. (11)

(12) The committee was unable to determine whether Ray's response to Playboy was the truth or simply an attempt to draw attention away from the documented evidence concerning this issue. Even accepting—on face value—Ray's stated reasons for resisting the transfer, they nevertheless reflected a tendency to engage in racially oriented generalizations on human behavior. The incident did not, however, indicate fanatical racism on the part of the assassin—especially in light of Ray's willingness to enter into close working relations with Blacks during his employment at Indian Trails in 1967. The incident was viewed, therefore, as simply one more example of general lack of empathy for Blacks.

RAY'S ALLEGED INTEREST IN A BOUNTY ON THE LIFE OF DR. KING WHILE AT MISSOURI STATE PENITENTIARY

(13) During its investigation, the committee developed convincing evidence of a St. Louis-based conspiracy involving John Sutherland—a patent attorney—and John Kauffmann—an associate of Sutherland's involved in a variety of legal and illegal activities. According to G. Russell Byers, the committee's primary source of information for the allegation, Kauffmann brought him to Sutherland in late 1966 or early 1967; Sutherland in turn offered Byers \$50,000 to murder or arrange the murder of Dr. King.

(14) During the committee's investigation of Byers and his story, the committee determined that word of the Sutherland-Kauffmann offer might have reached Ray through a variety of channels, two of which involved associates of Ray at Missouri State Prison. The committee was unable to demonstrate a direct link between Ray and the St. Louis conspiracy through inmates or officials of the Missouri State Prison. Nevertheless, it did identify four inmates who claimed personal knowledge of Ray's interest in collecting on a bounty on the life of Dr. King.

(15) Thomas Britton, former MSP inmate, was interviewed by the FBI in May 1968. (12) Britton stated that he and Ray met in MSP

while Ray worked as a walkboy in Britton's cell block. On one occasion, Ray reportedly told Britton that "he intended to make a bunch of money * * * there are more ways of making money than robbing banks." When Britton questioned him on this, Ray told him about an organization outside the prison called the "Businessman's Association" which had offered \$100,000 for people like Dr. King to be killed. Ray added, "King is 5 years past due." Britton asked Ray what this group was and Ray replied, "I don't know but I will find out." (13)

(16) Britton could provide no further information on the alleged "Businessman's Organization." He did indicate, however, that an organization called "Cooley's Organization" * was being operated by a group of prisoners—perhaps "old cons who were trustees in A hall"—during his term of incarceration. Britton described it as a protection organization that provided assistance to its members against other prisoners as well as to those in trouble with prison authorities. The organization also trafficked in contraband, and reportedly could arrange an inmate murder. Britton estimated the organization's membership at five to six inmates. A \$10 membership fee was required. (14)

(17) Britton explained that he had been approached by another inmate and asked if he would join "Cooley's"; a short time after expressing an interest, Britton was approached by Ray, who gave him a "membership Cooley's Club" card. He used his card on several occasions during arguments with inmates over wagers. Although he and Ray never discussed the organization, Britton assumed that Ray was a member because he appeared to be well trusted by the group. Britton did not, however, indicate that a connection existed between this alleged inmate association and the "Businessman's Organization" mentioned. (15)

(18) In light of Sutherland's mention of a "secret southern organization," and Sutherland's known contact with a businessmen's organization, the committee found Britton's information extremely interesting. Unfortunately, while the staff was able to locate relatives of Britton, it was unable to locate Britton himself. Thus, his information could not be pursued.

(19) Another former MSP inmate, James W. Brown, was interviewed by the FBI in April 1968. (16) Brown stated that he associated with James Earl Ray in MSP from 1963 until Brown's release in 1965. In the fall of 1963, Brown and several other inmates were present when Ray said that he was going to get Dr. King when he got out. A "Cooley" organization would pay him \$10,000 for the murder. Brown also told the FBI Ray cursed Dr. King when he read about civil rights demonstrations in the newspapers. Ray was reportedly glad when President Kennedy was killed and called him a "nigger loving s.o.b." (17)

(20) The committee located and interviewed James Brown regarding the above allegation. (18) Brown stated that he met James Earl Ray in mid-1959 when he and Ray were working at a mail-order house in Kansas City, Mo., together. Brown stated he had his next contact with Ray at Missouri State Penitentiary when he and Ray began

*The FBI devoted a significant amount of time and resources to an investigation of this organization. While they were satisfied that it existed, they were unable to identify its members.

their respective prison terms in 1960. Sometime in 1964, Ray allegedly told Brown "if he could get out, he had an offer to knock King off." Brown stated this was the only time Ray spoke of killing King; they were in the prison yard with several other inmates. Brown denied any knowledge of a "Cooley" organization, or of an offer of \$10,000 from any group to kill Dr. King. (19)

(21) The third former Missouri State Penitentiary inmate who allegedly heard James Earl Ray discussing a bounty on Dr. King's head was Raymond Louis Curtis. In April 1968, Curtis was interviewed by the FBI after he attempted to publish a story detailing his association with James Earl Ray at Missouri State Penitentiary. (20) Curtis claimed to have been incarcerated with James Earl Ray since 1955 in several prisons, their last contact was between 1962-66 at Jefferson City, Mo. Curtis claimed that he and Ray shared a cell at Missouri State Penitentiary, along with a third individual whom he refused to identify. According to Curtis, Dr. King's movements became a topic of discussion among the three cellmates in 1963-64. Curtis stated the following rumor was circulating in MSP at that time: The "KK (Kill King, Kill Kennedy) of the South" had raised \$1 million as a bounty on Dr. King's head. A similar bounty had allegedly existed on President Kennedy's head and James Earl Ray mentioned a dozen times he would like to have collected that money. Ray said a number of times in the presence of Curtis, "If I get out in time and if King is still alive, I would like to get the bounty on King." Ray never mentioned who he would contact on the outside but Curtis explained that criminals knew how to make those contacts. Curtis detailed the plot which he and Ray had worked on for almost 3 years. Ray, according to Curtis, began to follow Dr. King's movements with maps after he heard of the \$1 million bounty on his head. When asked by the FBI if he would testify to the KK story, Curtis refused, stating he feared for his life. (21)

(22) James Earl Ray commented on Raymond Curtis' allegations in a letter to James Lesar in January 1976 which was reprinted in a national magazine:

Met Raymond Curtis the first time in the Kansas City, Mo., jail in 1955, knew him only because blocks were small. After he was sent to Leavenworth I learned (from Curtis' accomplice) that Curtis was an FBI informer and I turned on him.

Next saw Curtis in 1962-64 at Jefferson City when he approached me in the yard with some escape yarn. I told him to get away. I never saw him again but heard that he checked in a protection building. Next time I was in London jail and Curtis wrote pretending to know me. I wrote back a sarcastic letter (Hanes may have letter) only letter I got from anyone but family and counsel. Last heard Curtis murdered two people in Georgia and is on death row. FBI got Curtis paroled twice. (22)

(23) The committee located and interviewed Raymond Curtis. (23) who admitted meeting Ray in 1955 and being incarcerated with him on three occasions, the last time in MSP. Curtis claimed to know Ray very well at MSP. During the fall of 1963, Curtis and Ray were watching a television in the prison yard when news of President

Kennedy's assassination came on. Ray allegedly said, "Someone made a big score off of that hit; every time a big hit is made, I'm not out to make it. One day I'm going to make one big score like that." Although Curtis claimed Ray disliked Blacks, he could not point to any specific act or statement by Ray that led him to this conclusion and he could not recall Ray ever making any remarks to him about Dr. King. (24)

(24) In addition to Curtis' criminal record, several other factors have caused the committee to discount his information. First, Curtis has attempted to sell his story on more than one occasion. Second, he refused to name the MSP inmate who might corroborate his information to the FBI. Third, he refused to commit himself to sworn testimony. Fourth, his statements to the committee differed significantly from those given to the FBI.

(25) Donald Lee Mitchell was interviewed by the FBI in September 1968 at his own request. (25) At that time, Mitchell furnished a handwritten statement which detailed his relationship with James Earl Ray. Mitchell claimed that while he and Ray worked together in food service before Mitchell's release in June 1966, Ray told him in confidence about his plans to escape in the spring of 1966. Ray asked Mitchell to help him. The following excerpt from Mitchell's statement reflects what Ray told him about a bounty to kill Dr. King.

Some people (friends in St. Louis) fixed it with someone in Philadelphia, for him to kill Dr. King * * *

Ray told me not to worry about a thing. Also how did a grand sum of \$50,000 sound to me? I said great, but what if we get caught? He explained we wouldn't and if we did we would get out of it with a fixer lawyer, besides who in the South like "niggers"? (26)

(26) Ray reportedly advised Mitchell that both of them would get \$50,000 for killing King and later on they would get additional money for killing "one of those stinking Kennedy's." According to Mitchell, Ray never told him the identities of those offering this bounty. (27)

(27) During the interview, Mitchell described in detail Ray's plan for the assassination and Mitchell's role in it:

He (Mitchell) was to be near the building from which Ray would shoot King and after the shots were fired and attention was focused on the building he, Mitchell, was to run and create attention to get the police to chase him * * * this would give Ray ample time to walk away from the building. Mitchell was then to tell the police that he heard shots and since he was an exconvict he got scared and did not want to get in any trouble so he ran * * * Ray was then going to go "up north" and after awhile purposely get himself picked up on his jail break from the Missouri State Penitentiary, because he said that he would have enough money at that time to hire a lawyer to get him parole. (28)

(28) Mitchell's FBI interview reflected fairly accurate knowledge of James Earl Ray's second escape attempt from MSP as well as his habits and associate, and, therefore, indicated Mitchell did have some contact with Ray. In addition, Ray's alleged mention of "some

people (friends in St. Louis)" and the sum of \$50,000 coincided with Byers' information on the Sutherland/Kauffmann offer. Unfortunately, the committee was unable to locate and interview Donald Lee Mitchell. The committee, therefore, was unable to explore fully, information that he might possess on a conspiracy in the assassination*.

(29) Information provided by convicts must, of course, receive close scrutiny. The information provided by all four MSP inmates in their initial FBI interviews was interesting, and potentially significant. It cannot, however, be given significant weight without independent corroboration. This is particularly true in the case of individuals such as Mr. Curtis, who made efforts to barter his information.

RAY'S ALLEGED INVOLVEMENT IN RACIAL INCIDENTS WHILE AT MISSOURI STATE PENITENTIARY

(30) During its investigation, the committee noted allegations from a variety of sources that Ray had been involved in racial incidents while in custody at Missouri State Penitentiary between 1960 and 1967. The committee investigated these reported incidents. In addition, the committee interviewed approximately 30 MSP inmate associates on the subject of Ray's racial attitudes.

(31) In June 1964, Missouri State Penitentiary was a racially segregated institution, with severe overcrowding in A hall, the all-Black cellblock. Warden E. V. Nash attempted to relieve this situation by moving 11 Blacks into the all-white cellblocks F and G halls.(29) Shortly thereafter, while returning from the prison yard, four of these Black inmates were attacked by a group of prisoners wearing pillowcases over their heads.(30) One Black prisoner died and three others received severe knife wounds.(31) This incident was followed by several beatings and stabbings, mostly racially motivated, in the summer and fall of 1964.(32)

(32) In his book, "The Making of an Assassin," author George McMillan wrote that Jerry Ray told him that James had bragged that he was "one of those who wore a pillowcase that afternoon." (33) During his investigation of the incident, however, McMillan found no evidence to substantiate Jerry's information.(34) McMillan also noted that a thorough investigation of the incident by prison authorities in 1964 resulted in the identification and punishment of the responsible inmates. The officials concluded that James Earl Ray was not among this group.(35)

(33) The committee was unable to obtain a copy of the report of this incident from either Missouri State Penitentiary officials or the Missouri Division of Corrections. Both offices had destroyed the files during the intervening 14 years.(36) The committee did, however, interview Warden Donald W. Wyrick, former Warden Harold R. Swenson, and former Deputy Warden Bernard J. Poiry, three prison officials currently residing in Jefferson City who were well acquainted with the incident and the followup investigation.(37) To the best of their current recollections, six white inmates were placed in solitary confinement pending the outcome of the investigation. No formal charges were lodged, however, and the inmates were subsequently re-

*Because the FBI did not uncover the Sutherland/Kauffmann plot in 1968, they did not question Mitchell in this area.

leased.(38) James Earl Ray was not among those under investigation.(39)

(34) The FBI interviewed a total of 100 inmate associates, as well as several other close associates, of James Earl Ray's during their investigation in 1968.(40) The committee determined from its review of these 100 interviews, only 22 commented on Ray's racial views and only 2 mentioned the 1964 racial stabbing incident.(41) One of these inmates, Ernest Bagby, recalled the incident clearly, and stated positively Ray was not involved.(42) The other inmate, Louis Dowda, told the FBI that Ray either knew those involved well or was involved himself.(43)

(35) During the course of its investigation, the committee interviewed 30 former inmate associates of Ray's as well as 5 present and former prison officials at Missouri State Penitentiary.(44) Of these 35, 26 mentioned Ray's racial views, but only 2 inmates claimed to have knowledge of the 1964 racial stabbing incident. Joe Hegwood told the committee staff that he knew all those involved in the incident and Ray was not among them. In fact, the incident occurred in a cellblock on the opposite side of the yard, according to Hegwood.(45) The other inmate who claimed personal knowledge of this incident, Jack Romprey, also advised the committee that he (Romprey) was close to those who participated in the 1964 stabbing and Ray was not among them.(46) The majority of inmates indicated James Earl Ray showed no propensity for violence.(47)

(36) A second incident raised by McMillan dealt with James Earl Ray's alleged reference to Martin Luther King in a derogatory manner in the presence of other inmates at Missouri State Penitentiary.(48) According to McMillan, fellow inmate Raymond Curtis told him that in 1963-64 when he and Ray were watching Martin Luther King on the television together, "(Ray) reacted as if King's remarks were directed at him personally. He began to call him Martin 'Lucifer' King and Martin Luther 'Coon'." (49)

Curtis told the FBI in May 1968, that Ray and he shared a cell along with a third man at Missouri State Penitentiary.(50) Curtis alleged further that Ray discussed at length with Curtis and the third unidentified inmate, the details of his plan to kill Dr. King.(51) Ray's alleged use of derogatory terms toward Dr. King was corroborated by another MSP inmate, Cecil Clayton Lillibridge, during a 1968 FBI interview. Lillibridge was reported to have said that Ray disliked Blacks and although he had no particular feeling toward King, he had once referred to him as Martin Luther "Coon." (52)

(37) In an attempt to corroborate the above allegations, committee staff located and interviewed Curtis and Lillibridge.(53) Curtis, currently incarcerated in Georgia, told the committee during the course of his interview, that Ray did not like Blacks but could not recall any specific racial incident in which Ray was involved. Curtis told the committee that Ray never made any remarks to him about Dr. King.(54)

In addition, the committee's review of cell assignments for Ray and Curtis failed to reveal any time at which the two shared a cell.(55)

(38) Lillibridge told the committee that he and Ray occupied the same cell for a short time in 1966 or 1967. He stated that during this time, James Earl Ray was assigned to a heavy construction detail as a punishment for refusing to work, and he was required to work along-

side Black prisoners for many weeks. Lillibridge recalled that the Black inmates would joke with him by calling him "gray man" instead of Ray, and James Earl Ray would in turn refer to Martin Luther King as Martin Luther "Coon." Lillibridge was positive that Ray viewed this exchange as a joke and did not believe it reflected animosity between Ray and these Black inmates. (56) A review of Lillibridge's and Ray's cell assignments reflected a period of approximately 2 weeks in December 1966, and January 1967, when they occupied the same cell in C hall. (57) Ray's work records reflected that he was assigned to inside construction during this same time. (58)

(39) The committee received additional evidence on Ray's relations with Blacks while at MSP from Dr. McCarthy DeMere, Ray's physician at Shelby County Jail in 1968 and 1969. Dr. DeMere testified in the habeas corpus proceedings in 1974, that he had questioned Ray concerning his racial opinions to determine whether Black deputies should be used to guard Ray. (59) Dr. DeMere stated that Ray told him he liked blacks and "that he had been in prison with them before and he had no prejudice whatsoever."

(40) Dr. DeMere was questioned on this subject by the committee during both an interview and public testimony; he recalled that Ray was extremely aggravated by the pretrial publicity with regard to his purported racial animosity. Ray told Dr. DeMere that some of his friends in Missouri State Penitentiary were Black and that he resented the media's gross distortion of his racial attitude. (60)

(41) In addition to its investigation of specific racial incidents at MSP, the committee reviewed approximately 100 FBI inmate interviews (61) for evidence on Ray's racial views during that time period. The committee identified those individuals who worked closely with Ray in the bakery, celled near or with him, showed knowledge of his habits or family, or were identified as associates of Ray. The committee also identified those inmates who claimed Ray was racially prejudiced. Ultimately, the committee was able to locate and interview over 30 of Ray's closer inmate associates. Twenty of these inmates indicated knowledge of Ray's racial attitudes; 3 claimed Ray was racist, while 17 told the committee he showed no apparent dislike for Blacks. (62) Finally, one of those inmates who said Ray did indeed show anti-Black feelings added that there was a good deal of racial friction throughout Missouri State Penitentiary during this time and that Ray's attitude was not an uncommon one among white inmates. (63)

(42) As was noted in the committee's final report, the investigation at Missouri State Penitentiary produced conflicting evidence on Ray's racial attitudes, and did not provide a basis on which one might conclude that Ray killed Dr. King solely for racial motives.

JAMES EARL RAY'S INQUIRIES CONCERNING IMMIGRATION TO SOUTHERN AFRICAN NATIONS AND THE POSSIBILITY OF JOINING MERCENARY FORCES OPERATING IN AFRICA

(43) Several transactions undertaken by James Earl Ray following his escape from Missouri State Penitentiary evidenced an interest in racist African regimes. Shortly before his escape from the Missouri State Penitentiary on April 23, 1967, James told his brother, John Larry Ray, that he would like to flee the country and, in this connection,

he mentioned that he thought former German army officer, Ian Smith, was doing a good job as Prime Minister of Rhodesia. (64) Once outside the prison walls, Ray did seek information concerning emigration to Rhodesia and South Africa, and, following the assassination of Dr. King, he attempted to arrange transportation to Africa. He was bound for Brussels, Belgium, apparently in an effort to make contact with the remnants of a white mercenary force, at the time of his apprehension at London's Heathrow Airport on June 8, 1968.

(44) In its attempt to determine whether the assassination of Dr. Martin Luther King, Jr., was motivated by racial hatred, the committee reviewed these transactions. The committee believed that Ray's fascination with segregated nations might indicate a general sympathy for these policies. The first indication of Ray's interest in African countries following his escape from Missouri State Penitentiary, arose during his trip to Mexico in late 1967. Ray stayed in Mexico during late October and early November 1967, and during that time sought information about emigration to Rhodesia, which he considered a safe, English-speaking country.

(45) During an interview with the committee, Ray was asked about his activities while he lived in Puerto Vallarta. He explained:

I tried to get out of the—I attempted to get out of the United States down there, through, I think this was where the Rhodesia questions come up. It was an ad in the U.S. News & World Report wanting immigrants to Rhodesia. They give an address that you write to, some—and I wrote to them and I told them that I was, been, I was a U.S. citizen but I was—I lost it because I was, had been in a foreign army or something. I put some story on it and I'd like to immigrate to some English-speaking country * * *. (65)

Ray waited 2 or 3 weeks for an answer to his inquiry. When he received none, he decided to leave Mexico and travel to Los Angeles, Calif. His interest in Rhodesia, however, continued.

(46) On December 28, 1967, Ray wrote a letter to the American-Southern African Council in Washington, D.C., concerning emigration to Rhodesia. John Acord, chairman of the council, provided this letter to agents of the FBI on May 9, 1968. (66) The letter read as follows: (67)

DEAR SIR: I recently read an article in the Los Angeles Times on your council [sic]. The John Birch Society* provided me with your address. My reason for writing is that I am considering immigrating to Rhodesia, however, their [sic] are a couple legal questions involved:

One: The U.S. Government will not issue a passport for travel to Rhodesia.

Two: Would their [sic] be any way to enter Rhodesia legally [from the Rhodesian Government point of view]?

*Because of the reference to the John Birch Society in the Galt letter to Acord, the FBI also checked the files of the Los Angeles Birch Society office but their files reflected no record under the name Galt or any other Ray alias. (FBI Airtel from Los Angeles to Director, May 10, 1968, Los Angeles Murkin file 44-1574, serial 1236.)

I would appreciate any information you could give me on the above subject or any other information on Rhodesia.

Sincerely,

ERIC STARVO GALT,**
Los Angeles, Calif.

Acord explained to FBI agents that he was in Rhodesia when the council received the Galt letter, but his secretary sent Galt a form reply and some literature on Rhodesia. The purpose of the American-Southern African Council, according to Acord, was to promote amicable U.S. relations with South Africa, Rhodesia, Angola, and Gambia. (68) (47) Ray's letter indicated that he was apparently misinformed about the requirements for travel to Rhodesia, suggesting that his investigation of the immigration possibility had been limited. In 1967 a U.S. passport was valid in all countries except the People's Republic of China, North Korea, and North Vietnam, and travel by citizens of the United States to Rhodesia was unrestricted. (69)

(48) Ray, again under his Galt alias, next wrote the Orange County California Chapter of the Friends of Rhodesia, an organization that attempted to advance friendly United States-Rhodesian relations. Ronald Hewitson, president of the Orange County Friends of Rhodesia, gave the FBI a February 4, 1968, letter from Eric S. Galt. (70) Galt had written to thank Hewitson for his response to a previous letter, although Hewitson was unable to find any earlier correspondence from Galt. The Galt letter noted that most of his questions regarding immigration to Rhodesia had been answered, though he would appreciate any additional information. He also wrote that he did not intend to depart for Rhodesia until November 1968. (71) The committee noted that Ray's apparent plan to remain in the United States until November 1968, would suggest that if he had decided to kill Dr. King at the time of this letter, his plan did not yet include a definite timetable. This letter did not, of course, preclude the possibility that his letters concerning Rhodesia indicated an attempt to establish an escape plan.

(49) The frequency of incidents reflecting Ray's interest in African countries increased significantly following the assassination of Dr. King. Ray wrote author William Bradford Huie that after he reached Canada, he traveled from Toronto to Montreal to arrange passage on a ship to Africa from that port in case he was unable to secure a Canadian passport. (72) In his account for Huie, Ray described his efforts:

* * * In Montreal I got a room on Notre Dame West all the way across town from Notre Dame East where I lived in August 1967. If I didn't get the passport, I was going to rent passage on a ship that sailed around the coast of South Africa and try to slip in at one of the stops. I found a Scandinavian line that had ships going to Mozambique. The price for a ticket was \$600. But they wanted a passport number, so I gave up on that. (73)

**"Galt" was the alias used by Ray at this time.

Ray was unable to find suitable transportation during the 9 days he maintained he spent in Montreal, so he returned to Toronto. In his account for Huie, Ray continued:

When I got back to Toronto from Montreal, I had about \$800. I wanted to go to an English-speaking country in Africa so I could get employment, but the price of a round trip ticket was \$820. You can't get into one of those countries without a round trip ticket * * *. (74)

Frustrated in these efforts, Ray left Canada for Europe.

(50) In an interview with the committee, Ray said he traveled to Europe in an effort to reach Africa; he added that he hoped particularly to get to an English-speaking country such as South Africa or Rhodesia. (75) He landed in London on May 7, 1968, and during that day, exchanged the return portion of his ticket back to Toronto for passage from London to Lisbon. Ray told Huie that he made immediate inquiries concerning travel to Angola.

When I arrived in London I called the Portuguese Embassy about a visa to Angola. I was told it would take 1 day to process. I then took a plane to Lisbon. (76)

A review of investigative files indicated that Ray departed for Lisbon that evening. (77)

(51) Ray spent 10 days in Portugal. He hoped to arrange passage on a ship from Lisbon to Africa and he thought that he might be able to make contact with a white mercenary military group in the Portuguese capital, because of the colonial presence of Portugal in Angola. In fact, Ray told Huie that most of his time in Portugal was spent looking for a ship to Angola. (78) On his eighth day in Lisbon, according to this account, Ray found a ship for Angola, but he was unable to leave on that vessel because it was scheduled to depart in 2 days and the necessary visa required 7 days to process.

(52) The Portuguese police investigation of Ray's activities in Lisbon revealed contacts with other African nations. Some time between May 8 and May 11, 1968, Ray visited the Rhodesian Diplomatic Mission in Lisbon. (79) He presented a Canadian passport to prove his identity and explained to a Mission employee he wanted to write his brother, a white mercenary in Angola. He requested an address in Salisbury, Rhodesia, that he could use to forward correspondence to his brother, but was informed no such service was available. Ray then asked a few general questions about immigration to Rhodesia and left the office.

(53) Ray also sought information at the South African Embassy in Lisbon some time between May 8 and his May 17 return to London.

(80) An embassy employee told Portuguese police that "Sneyd," in an American accent, said he was interested in finding his brother, and that he wanted to travel to South Africa in order to make inquiries. Sneyd explained that his brother had been in the Congo, though his present location was unknown.

(54) Sneyd was told by an employee at the South African Embassy that in order for an American to enter South Africa, a visa was required. Sneyd responded that he was a Canadian citizen and in turn was informed that a visa was not mandatory, but he would need to

offer proof of financial responsibility as well as provide his exact destination in South Africa and reason for the journey. The employee also mentioned to Sneyd that the Johannesburg mercenary army office was closed and that the embassy did not know of any other organization that could help Sneyd locate his brother. (81)

(55) One author reported that Ray also contacted the Biafran Office in Lisbon concerning the possibility of fighting as a mercenary in Biafra. (82) The Portuguese police found, however, that the purpose of that office was to purchase arms in Europe and handle their transit through Lisbon to Biafra, and it did not ordinarily receive inquiries from prospective white mercenaries. The office records failed to reflect any Sneyd visit. (83)

(56) Finally, evidence indicated that Ray visited the South African Airways office in Lisbon sometime during his stay in Portugal. At the time of his apprehension at Heathrow Airport in London on June 8, 1968, he had a South African Airways timetable in his possession on which the Lisbon telephone number of the South African Embassy was written in ink. A pencil mark appeared next to a flight to Salisbury, Rhodesia. (84)

(57) Following these efforts to reach an African nation from Portugal, Ray returned to London on May 17. On May 30, 1968, he exchanged 15 South African Rand for £7.13.10 or about \$17.50 American, at a London branch of Lloyd's Bank Limited. (85) It seems likely that he bought the South African currency in Lisbon. His possession of the foreign currency would indicate that he was, at one time, relatively certain that he would be traveling to South Africa. This exchange of the currency in London evidences a diminished likelihood of that journey, as well as Ray's general shortage of funds.

(58) Ian Colvin, reporter for the London *Daily Telegraph*, told Scotland Yard detectives that he was called by a person who identified himself as Ramon George Sneyd, on Tuesday, June 4, 1968. (86) This information is consistent with New Earl's Court Hotel proprietress Janet Nassau's report, that Sneyd made calls to the *Daily Telegraph* on that Tuesday, the day before he left her hotel. (87) Colvin said that Sneyd, who was later identified as James Earl Ray, had called to request the telephone number of Major Alistair Wicks. Colvin was not certain where Sneyd got his name, but on May 20, 1968, the *Daily Telegraph* published an article by Colvin which noted that Wicks, described as a former mercenary leader in the Congo, returned to England on May 18, 1968, following 90 days detention in Lomé, Togo. (88)

(59) Sneyd explained to Colvin that he was a Canadian and he wanted to locate his brother, a mercenary who fought in Angola, and was reported missing. Rather than release the telephone number of Wicks and expose him to possible harassment, Colvin instead offered to pass Sneyd's message to Wicks and have him return the call. Sneyd agreed and gave Colvin his telephone number at the New Earl's Court Hotel. Colvin did pass on Sneyd's number, but Wicks did not pursue the contact because he did not recognize Sneyd's name. (89)

(60) Two days later, on June 6, 1968, Sneyd made a series of desperate calls to Colvin. (90)

(61) According to the account Colvin gave Scotland Yard investigators, Sneyd substantially altered his June 4, 1968, story. Sneyd told Colvin that he had moved to another hotel and, after he was pressed

by Colvin, admitted that his brother was not missing in Angola, though he had not heard from him in a long time. Sneyd said he wanted to become a mercenary and needed information. Colvin told Sneyd that he might find the remnants of a mercenary force that had left Africa in Belgium, and suggested that Sneyd contact M. Jean Gerard-Liebois, research editor on Congo affairs of the Centre de Recherchers et Informations Sociales et Politiques (CRISP), who might be able to tell Sneyd where to inquire. Colvin offered to send Sneyd a postcard with the Gerard-Liebois address, in Brussels, and Sneyd then told Colvin that he was staying at the Pax Hotel on Warwick Way. After this conversation, however, Colvin decided not to send Sneyd any names, and wrote a postcard merely suggesting that Sneyd consult the Belgian Embassy or Consular Section of the British Foreign Office about his brother. Colvin heard no more from Sneyd or James Earl Ray.

(62) In an apparent attempt to follow up on the information he received from Ian Colvin, James Earl Ray was about to leave London for Brussels, Belgium, when he was apprehended at Heathrow Airport on June 8, 1968. At the time of his arrest, Ray was carrying a .38 caliber revolver, loaded with five rounds of ammunition. When asked why he had the gun, Ray responded to officers that he planned to travel from Brussels to Rhodesia and he said "things are not too good there just now." (91) Ray also had among his belongings a London Daily Mail advertisement for cheap flights to South Africa and a South African Airways timetable that he probably picked up in Lisbon. (92)

(63) The committee undertook its review of Ray's efforts to immigrate to African countries to determine whether this behavior reflected an innate racism that might also explain the assassination of Dr. King. No such evidence was found. Ray's interest in Rhodesia was first expressed prior to his escape from Missouri State Penitentiary, during a conversation with his brother, John Larry Ray. The committee's investigation at Missouri State Penitentiary, however, indicated that considerable discussion about "safe" countries occurred within the inmate population, and that Rhodesia was often mentioned in this regard. (93) There is sound reason to believe, therefore, that Ray's inquiries concerning Rhodesia in Mexico in late 1967, and in California in early 1968, stemmed from a desire to reach a safe haven, and not because of an interest in the country's politics. This interpretation is supported by Ray's post-assassination conduct. His frantic efforts to reach a variety of African countries probably reflected a simple desire to elude his pursuers. Similarly, it seems reasonable to assume that his mention of interest in joining mercenary forces constituted an attempt to lend credibility to his inquiries, rather than a desire to continue a personal war against Blacks.

THE "BIG NIGGER" TELEPHONE CALL

(64) In his book, "The Making of an Assassin," George McMillan wrote that James Earl Ray called his brother Jerry from Memphis on the morning of April 4, 1968. Jerry, who worked in Chicago as a night watchman at a suburban country club, allegedly told McMillan that this last phone call from James Earl Ray came in the morning during Jerry's off-time and was less than 3 minutes in length. (94)

I don't know where he was in Memphis when he called * * * I don't think it was on the road * * * just his voice and my voice.

Usually when he called, he talked, I talked. But not this time! If I tried to tell him anything, he wouldn't let me. He wasn't wanting any jokes or small talk that day. He was excited and all worked up. What he said was: "Jerry, tomorrow it will all be over. I might not see you and Jack for a while. But don't worry about me. I'll be all right! Big Nigger has had it!" (95)

(65) Jerry Ray has repeatedly denied that this phone call ever took place. (96) He filed a suit against McMillan in September 1977, alleging the author printed numerous untruths in his book about the Ray family, including this alleged April 4, 1968 phone call. (97)

(66) The committee began its investigation of this allegation with the realization that its ability to either corroborate or disprove it would have great significance on the issue of Jerry Ray's foreknowledge of the assassination, as well as on the separate issue of Ray's motive in the assassination of Dr. King. George McMillan supplied the committee with copies of his handwritten notes taken immediately following his interviews with Jerry Ray. (98) Mr. McMillan also gave the committee a sworn affidavit indicating that these notes accurately reflected his discussions with Jerry Ray. (99) These notes reflected that during two separate interviews in 1972, Jerry discussed this phone call made to him by James in Memphis. McMillan did not tape record any interviews with Jerry and told the committee on March 15, 1978, (100) and again on June 19, 1978, (101) that Jerry was the sole source of this information.

(67) McMillan was, therefore, unable to supply the committee with corroboration for the statement.

(68) In an April 1977, *New Times* magazine article, Jeff Cohen and David Lifton claimed author William Bradford Huie had confirmed McMillan's account of the April 3, 1968,* phone call to them. (102) The committee obtained copies of Lifton's notes of his interview with Huie which did in fact confirm the call. (103) Huie was subsequently interviewed by the committee on this issue, and advised that Jerry told him of such a phone call while visiting Huie in Huntsville, Ala., in November 1968. (104) Huie recalled that he and Jerry were drinking that evening, but he did not think Jerry was drunk or unaware of what he was saying. Jerry allegedly told Huie that James Earl Ray called him the night before the killing and told him that "Big Nigger has had it." Huie insisted, however, that he did not believe Jerry's story then, and did not believe it in 1978. Huie stated that in his opinion, Jerry would say anything for a few dollars and that he (Jerry) knew nothing about the case.

(69) Finally, the committee asked McMillan whether he and Huie had ever discussed this information. McMillan denied any such con-

*Discrepancies exist between McMillan's notes, the Lifton article, and William B. Huie's recollection regarding the date this alleged phone call was made to Jerry. McMillan varies the date from April 3, 1968, in his notes and interviews to April 4, 1968, in his book. Lifton and Huie claim it was made on April 3, 1968.

versation. (105) Thus, it would appear that the authors received their information independently.

(70) The committee was confronted with two separate issues: First, whether Jerry Ray told Huie and McMillan of the call; and, second, whether the telephone call actually occurred. Mr. McMillan included his interview with Jerry in a book, provided the committee with notes corroborating the interview, and swore to the accuracy of these notes in an affidavit. In addition, his version was corroborated by the independent recollection of Huie. While the authors differed on the date of the alleged phone call, their recall on the content was substantially similar. There was a legitimate basis, therefore, for concluding that Jerry's statements occurred.

(71) There was no basis, however, for concluding that Jerry's statements reflected the truth. His credibility was highly suspect. In addition, he was known to have fabricated bank records which he later sold to McMillan. (106) It seems reasonable to assume that his comments to Huie and to McMillan were false and motivated by a simple desire for financial gain.

Submitted by:

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**INVESTIGATION INTO THE ASSASSINATION OF DR. MARTIN LUTHER
KING, JR.**

**AN ANALYSIS OF JAMES EARL RAY'S TRIP TO NEW ORLEANS
DECEMBER 15-DECEMBER 21, 1967**

**Supplementary Staff Report
of the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
Second Session**

March 1979

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INTRODUCTION

(1) The FBI's investigation, in many ways both thorough and successful, nevertheless failed to resolve several significant questions concerning Ray's preassassination activities. One such question was the reason for Ray's trip from Los Angeles to New Orleans in December 1967. The task of the committee in the New Orleans investigation was to determine, first, the nature of James Earl Ray's activities while in New Orleans and, second, whether these activities might bear on the assassination or indicate a conspiracy between Ray and another individual or individuals.

(2) Several separate sources of information on Ray's trip were available to the committee. These included FBI investigative files; witnesses in both California and New Orleans; Ray's own statements to the committee and other interviewers regarding his trip; and a variety of conspiracy allegations that have surfaced since the assassination offering explanations for Ray's New Orleans activities.¹

(3) Much of the FBI's investigation in 1968 involved interviews of friends and relatives of Charles Stein,² individuals who had come into contact with Ray during his 2-day stay in New Orleans. Where possible, the committee located these individuals, (1) and conducted its own interviews. In some cases, the committee also interviewed FBI agents responsible for the original investigation (2). As could be expected, the passage of time significantly diminished the amount of detail that could be furnished by those interviewed. In a few cases, potential witnesses had died. (3)

(4) Apart from the FBI's investigation, the committee also had access to Ray's own explanation for his trip. While many of Ray's statements proved unreliable, the committee, nevertheless, attempted to investigate any detail furnished by Ray that might shed light on the purpose of the trip. The information provided by Ray and witness statements then provided the background for the committee's New Orleans investigation.

RAY'S ACCOUNT OF THE NEW ORLEANS TRIP³

(5) On December 15, 1967, James Earl Ray and Charles Stein departed Los Angeles for New Orleans. Ray's own account of his activities, from December 15, 1967, until his return to Los Angeles remained relatively consistent throughout his various interviews with the committee. Sometime subsequent to his arrival in Los Angeles in mid-November, Ray said that he called his contact [an associate of Raoul]

¹ See sec. IIC of Report for a detailed discussion of several New Orleans based conspiracy allegations.

² Charles Stein was Ray's traveling companion to and from New Orleans.

³ A more extensive discussion of Ray's accounts on the New Orleans trip can be found in a separate staff report entitled "Compilation of the Statements of James Earl Ray." See, vol. III, HSCA-MLK hearings at pp. 201-206.

in New Orleans.(4) He made the call, he said, because he was short on funds. During the course of this phone call, Ray was instructed to travel to New Orleans during the month of December to meet with Raoul, although no precise date for this proposed journey was specified. Ray maintained that his decision to drive to New Orleans predated his discussion on December 14 with Marie Martin at the Sultan Room Bar. It was during this discussion that Ray mentioned to Martin that he would be traveling to New Orleans.(5) Martin, according to Ray, expressed interest in Ray's intention to make this trip and suggested that her cousin, Charles Stein, accompany Ray and share with the driving.

(6) Ray has never provided extensive detail on the drive to New Orleans, or about Charles Stein, his driving partner. He has stated that he has no recollection of his discussions with Stein and conceded that he could have told him anything. Stein and Ray drove straight through to New Orleans, without stopping at night; the driving was split. While en route, Ray made a phone call to his brother, Jerry, the purpose of which, Ray claimed, was merely to check in with him and say hello.

(7) After arriving in New Orleans, Ray said he checked into the Provincial Motel on the recommendation of Charles Stein. Since he and Raoul had no prearranged meeting place, Ray called the New Orleans telephone number and was instructed by an individual to meet Raoul at Le Bunny Lounge on Canal Street.(6) After this phone call—sometime during the afternoon of December 17—Ray met with Raoul. During this conference, which lasted for only 15 to 20 minutes. Ray maintained that the prospect of a gunrunning operation was first discussed. Ray received \$500 from Raoul with the promise of more money in the future. After Ray and Raoul concluded their business, Ray informed Stein that he was ready to return to Los Angeles, but since Stein was visiting relatives and wished to remain in New Orleans, they stayed 2 additional days.

(8) Ray's explanation for his trip to New Orleans has not varied throughout his interviews with the committee. He was in need of money and a passport from Raoul, and because a drive by car would not be overly expensive, he decided to make the trip. The committee ultimately rejected Ray's Raoul story; nevertheless it found his trip significant for other reasons. Ray's need to transact whatever business he had in New Orleans must have been pressing. A long-distance car trip exposed Ray, a fugitive from the law, to the risk of being stopped by police in a random vehicle check. His willingness to assume this risk indicated the significance which he attached to the trip.

(9) Charles Stein, Ray's companion during the drive to and from New Orleans, therefore became a major focal point of the committee's efforts.

CHARLES JOSEPH STEIN

(10) In December 1967, Stein was a 38-year-old, unemployed, ex-car salesman enjoying a bohemian lifestyle centered around a personal cosmic philosophy of life. He resided with a sister, Rita Stein, and two of her four children at 5666 Franklin Avenue in Los Angeles. At least superficially, a more improbable associate of Ray would be difficult to imagine. Nevertheless, several aspects of Stein's back-

ground raised logical areas of inquiry. First, several witnesses in both the FBI and the committee investigations had provided evidence indicating Ray's interest in both the use and sales of narcotics (amphetamines at Missouri State Prison and marihuana during the year of freedom after Ray's escape.) Without evaluating the credibility and weight attached to this evidence, the fact that Charles Stein's background(7) reflected occasional involvement in narcotics suggested this activity as one possible explanation for the association between Ray and Stein and for their abrupt trip to New Orleans.(8)

(11) Other areas that the committee focused on during its investigations of Stein, and his association with James Earl Ray, included the possibility, raised by the testimony of several California witnesses, that Stein and Ray had known each other long before their readily admitted meeting on December 14 (the day before the New Orleans trip); Stein's registration at American Independent Party Headquarters in Los Angeles on the morning of the New Orleans trip; and Stein's knowledge of Ray's activities in New Orleans.

(12) Stein was interviewed initially by the committee in January 1978. Following this extensive 3-day interview, a field investigation was undertaken in both Los Angeles and New Orleans to establish the reliability of statements received from Stein during the interview, and to examine Stein's background, associates, and activities in both cities. Following these investigative efforts, Stein was brought to Washington for questioning under oath by the committee. This substantial investigative commitment was considered necessary because of Stein's status as one of the few existing primary Ray associates, and because of his involvement in the New Orleans trip. The results of the investigation are summarized below.(9)

(13) Charles Joseph Stein was born on May 11, 1929, in New Orleans La.; with the exception of one stay in New York in 1952 and travel with the merchant marine during the late 1940's and early 1950's, he resided in New Orleans until 1964, when he moved to his 1978 domicile—Los Angeles, Calif. Stein left school after the sixth grade, and held minor jobs shining shoes and washing dishes until he began work as a deckhand on a tugboat at the age of 13. Three years later he took out union membership in the merchant marine, and recalled visits to South America and Greece during his periods at sea. After several years with the merchant marine (at least 3 of which were at sea), Stein found employment as a longshoreman on the docks of New Orleans. This was followed by a brief term as a welder's and pipefitter's helper.

(14) In 1952, Stein went to New York in search of a position with a company exporting auto parts to Brazil; the job failed to materialize when the company's license to ship materials abroad was revoked, and Stein returned to New Orleans and joined the Army. After 5 months at Fort Bliss, Tex., Stein suffered an injury to his lower back during a carpentry detail. Soon after the accident he left the military.

(15) After leaving the Army, Stein returned to New Orleans and during the next 10 years took positions as barker, waiter, and bartender with clubs in the French Quarter. Stein managed a club named Marie's Lounge in the midfifties, and worked at the Silver Frolic in the early sixties.

(16) As of 1978, Stein had been married four times. He had a son, Charles Stein, Jr., by his first wife, Marie Catalana, whom he married in approximately 1949 or 1950. Marie Catalana was followed by Gloria Hall (no children) and, between 1960 and 1964, by Mickey Medina (no children). During the 3 to 4 years prior to his departure from New Orleans in 1964, Stein and Mickey Medina ran a prostitution business offering the services of Mickey and several other women. (10) Stein lived off the proceeds of the business.

(17) In addition to prostitution activities in New Orleans, Stein's criminal activities in that city included, by his own admission, running dice tables at Marie's Lounge in 1955, and the use of a variety of narcotics. The probability that Stein was involved, at least on a small scale, in the sale of narcotics in New Orleans also seems high. (11)

(18) After leaving New Orleans in 1964, Stein moved to Los Angeles, home of his sister Rita and her husband Lino Rosas. He worked as a car salesman for Felix Chevrolet on Figueroa Street, Brand Motors on Crenshaw Boulevard, and Burbank Ford on Olive Street, leaving the last job sometime in 1967. Stein's job with Burbank Ford was his last official job. Since then he has been supported by unemployment and social security disability payments.

(19) During his interview with the committee staff, Stein professed his belief in a cosmic philosophy of life. In addition to a strong belief in God, Stein's philosophic principles incorporated a belief in an after-life, in extraterrestrial life, and in an ability to communicate with other forms of life. (12) Stein began developing his cosmic philosophy in 1964 with his departure from New Orleans and relocation in California. Thus, he abided by these principles during his relationship with James Earl Ray. While his beliefs were clearly unorthodox, Charles Stein seemed to be a highly intelligent and essentially rational individual.

THE RELATIONSHIP BETWEEN CHARLES STEIN AND JAMES EARL RAY

(20) Prior to moving to 5660 Franklin Street (his residency on December 15, the day Stein and Ray departed for New Orleans), Stein lived at 3340 Floyd Terrace, the home of Rita and Lino Rosas, Charles' sister and brother-in-law. During the FBI investigation, three individuals living in the vicinity of 3340 Floyd Terrace stated that they had observed a white Mustang outside of Stein's address, during the period of Thanksgiving 1967. One neighbor, a Mr. Raymond Murphy, identified the driver of the car as James Earl Ray. (13) If this in fact occurred, then Stein and Ray met before either are willing to acknowledge.

(21) During his interview, Stein acknowledged that he lived at 3340 Floyd Terrace in 1966 and 1967, but was certain that he and Rita left that address and moved to 5666 Franklin Avenue as long as 2 months before he met Ray. Stein emphatically denied any contact with Ray at the prior address; he stated that Lino Rosas, an ex-New Orleans resident of Mexican heritage, used 3340 Floyd Terrace as a location to fix up old cars for resale and worked with an unidentified Mexican mechanic in this business. Lino Rosas also dealt in marijuana at 3340 Floyd Terrace, and Stein, while denying any direct involvement in the operation, admitted that on one occasion he buried a bottle of marijuana in the backyard to improve its quality. Stein denied knowledge

of Lino's marihuana source, but stated that it was a good one, because Lino was able to sell the merchandise at reasonable prices. (14)

(22) 3340 Floyd Terrace was used as a crash pad for many of Stein's friends. Nevertheless, Stein stated that the premises were not used for hustling, that is, prostitution, and claimed that he would have known if such a business had been in process. Stein stated that Ray would not have fit in at 3340 Floyd Terrace, a residence often frequented by hippies on searching, mind-expansion trips. Stein stated that Ray, a close-minded individual was not into this at the time. Stein also asserted that Ray, if questioned, could provide no information on the type of people who frequented 3340 Floyd Terrace. Finally, Stein denied that Ray parked his Mustang there, and recalled no other Mustangs with Alabama plates in the vicinity of the residence. (15)

(23) During his executive session testimony, Stein again clearly and emphatically denied Ray's presence at 3340 Floyd Terrace, and noted that his sister, Rita Rosas, possessed a white Mustang while living at that address. He stated that anyone suggesting Ray's presence at 3340 Floyd Terrace had lied to the committee. (16)

(24) Mr. Stein's denial of contact with Ray at 3340 Floyd Terrace was corroborated by the testimony of his sister, Rita Rosas, (17) as well as by additional field investigation performed by the committee. Based on available evidence, it can be concluded that Ray and Stein did not, in fact, meet prior to December 14, 1967, when they were introduced at the Sultan Room, a lounge at the St. Francis Hotel in San Francisco.

(25) In December of 1967, Charles Stein was living with his sister Rita and two of her children at 5666 Franklin Street. The weight of available evidence indicated that he met Ray on December 14, 1967, at the request of Rita, who had encountered Ray earlier that evening at the Sultan Room lounge. Rita had been looking for a means of transporting her two other children from New Orleans to California, and Ray had indicated his own plans to go to New Orleans. Charles Stein was persuaded by his sister to drive with Ray to New Orleans to pick up the children. It was Stein's impression that Ray felt initially he would be making the trip with Rita, and was both surprised and suspicious when Stein was substituted.

(26) The committee developed no significant evidence to contradict this version of Stein's first meeting with Ray. Because Stein was unemployed at the time, he was free to leave Los Angeles on a moment's notice. He had extensive family in New Orleans and the trip provided an opportunity to see them again. (18) Finally, in light of Ray's fugitive status, it is not unreasonable for him to have wanted another passenger in the car during a long drive on the open road; the chances of a random stop by the police existed, and Stein's presence provided a legitimate reason for making the trip to New Orleans—that is, to pick up Stein's niece and nephew. Ray was, however, apparently concerned about the possibility that he was being set up for a robbery by Rita Stein and her brother. He suggested to Rita and Marie Martin that he might bring a gun with him on the trip. (19) Stein never saw a weapon on Ray during the trip.

(27) In summary, the credible evidence would seem to indicate that Stein and Ray came together fortuitously the day before the trip to New Orleans, that both had separate and independent reasons for

making the trip, and therefore that no evil purpose existed, at least initially, for their joint venture.

(28) The day of their departure for New Orleans, Ray took Stein, his sister, Rita, and their cousin Marie Martin to Wallace campaign headquarters on Lankershim Boulevard. Contrary to Ray's assertions, the three Stein relatives were unanimous in their statements that Ray initiated the trip to campaign headquarters. (29) Charles recalled that Ray offered to pay for the expenses on the trip if all three would agree to sign up with the Wallace campaign, and added that he agreed readily. In light of Stein's clearly apolitical nature, and the total absence of any other evidence linking Stein and the AIP, his denial of involvement in the original decision to visit AIP headquarters was entirely credible.

(29) After completing their visit to AIP headquarters, Ray drove Rita and Marie back to 5666 Franklin Avenue and dropped them off. Ray and Stein then drove to Ray's residence on Serrano Street and stopped very briefly to pick up mail. Stein did not enter the apartment then or at any other time.

(30) Stein recalled that Ray was definitely going to New Orleans for reasons of his own and that he was not making the trip merely to accommodate Rita. Ray mentioned that he was going to see more than one person—either engineers or contractors. While Ray gave no specific address for the meeting (other than a reference to Chartres Street, which Stein cannot recall precisely), Ray's description of the area brought to Stein's mind a specific location containing warehouses and railroad tracks. (21) Stein felt that Ray's reference to the meeting place in New Orleans reflected a certain familiarity with the city.

(31) Stein thought that Ray may have told him that he called New Orleans, in advance, to let them know when he would arrive. (22) This call was made after Ray pulled off the road outside of Houston, Tex. Stein recalled a liquor store and a candy store in the vicinity. Stein was never close enough to Ray to observe the number he dialed, or the amount of money he may have used, or to hear the conversation. He stated that he observed Ray make phone calls on only one or two occasions and that the calls never lasted more than 5 or 10 minutes. In his testimony during committee hearings, Ray admitted making one call to his brother, Jerry, while en route to New Orleans. (23)

(32) Stein also stated, several times during his initial interview, that he recalled Ray mentioning the name Raoul. Stein was confronted, during this initial interview, with an FBI interview which reflected his statement that the person he [Ray] was going to see—[had] an Italian-sounding name—a well-known name in New Orleans.

(24) Stein agreed that Raoul was not Italian sounding, and stated that perhaps he was dodging the FBI's questions.

(33) Because of the clear significance of this portion of Stein's interview, Stein was asked again about this matter during his testimony under oath before the committee in April 1978. At that time he was also confronted with a February 13, 1969, FBI interview in which he had been asked specifically whether Ray had mentioned a Raoul at any time during their relationship. Stein's response, as summarized in the FBI interview: "Stein said he had never heard Ray mention anyone by the name of Raoul during his contacts with Ray." (25)

Stein's testimony on the subject, given under oath, became far less certain:

STAFF COUNSEL. This is the first time you testified about this matter under oath. I am asking you, is it your testimony now despite what you told the Bureau, despite your explicit denial to the Bureau—is it your testimony today that Ray, in fact, mentioned the name Raoul?

Mr. STEIN. I think that he did. If I can remember, I think he did. I don't know.

STAFF COUNSEL. So your memory now is not as precise as it once was on that issue?

Mr. STEIN. It was not even precise back then.

(34) In several interviews with the FBI during the months immediately after the assassination, many covering the New Orleans trip in great detail, Stein never indicated that Ray had mentioned Raoul. There is a similar absence of this detail in his interviews with the press, and in all of reporter Louis Lomax' articles on the New Orleans trip [written with the assistance of Stein shortly after the assassination]. In February 1969, as is indicated above, he specifically denied to the Bureau that Ray had mentioned the name Raoul. Finally, after initially informing the committee investigators of the incident in January, his recollection became notably uncertain when pressed on the matter under oath.

(35) Against this background, and considering the fact that Stein was in contact with individuals attempting to put together a film documentary on the King assassination in January 1978, and who later attempted to sell information to the committee for a substantial sum of money.* Stein's alleged recollection or Ray's mention of Raoul on the New Orleans trip was prompted, it may be concluded, not by a specific factual occurrence, but rather by the passing chance of financial gain. It would be difficult to credit Stein's testimony on this matter.

(36) Ray stayed in New Orleans for 2 days. After his early afternoon arrival with Stein, they made two quick stops at the homes of two of Stein's relatives, to drop off some belongings that Marie Martin had sent east, and then to reach the residence where Stein himself would be staying. Ray then asked for suggestions on a place to stay in the same general area of the city. He gave no indication of the amount of money he was willing to spend. The Provincial Motel was suggested, to the best of Stein's current recollection, by one of his relatives. After agreeing on the Provincial, Stein and Ray proceeded to the motel. Stein waited outside in the alley while Ray registered. Ray then brought Stein back to his relatives, and departed with the Mustang. (26)

(37) In light of the consistency between the stories of Ray and Stein, and the absence of countervailing evidence, the Provincial Motel was probably not selected by Ray prior to his arrival. Thus, any business that Ray may have planned prior to his arrival in New

*This information was later turned over to the committee pursuant to a congressional subpoena. It consisted of taped interviews with Stein and Marie Martin and was generally a repetition of information already provided to the FBI or the committee.

Orleans did not involve the motel. This does not preclude the possibility that Ray met with associates at the motel at some later time.

(38) Sometime later the first day, Stein took a walk with his son, Charles Stein, Jr. They covered approximately 2 miles and passed by the "merchandise mart" and the Trade Mart building. Later that afternoon, Ray told Stein that he (Ray) had been drinking beer, and had seen Stein walking on Canal Street.

(39) Ray's failure to call Stein over to join him at the bar on Canal Street suggested to Stein the possibility that Ray was with someone at the time. Ray told Huie that he met "Raoul," in "Le Bunny Lounge," on the day of his arrival in New Orleans; "Le Bunny Lounge" is, in fact, on Canal Street, and thus could have been the bar where Ray was drinking his beer.* Because Stein did not see Ray he could not tell the committee whether Ray was alone or with another. Stein had no knowledge of "Le Bunny Lounge," and could recall no mention of this establishment by Ray. (27)

(40) The next day (December 18) sometime during the morning, Ray came to Stein's sister's (Marie Lee's) home. Ray told Stein that he had finished his business and was ready to return to Los Angeles. The fact that Ray was prepared to return to California so quickly would indicate, of course, a prompt completion of his business in New Orleans. Moreover, it would seem to rule out the possibility that Ray came to New Orleans to enjoy the French Quarter or a change of scenery. Rather, he appears to have had some specific and relatively simple task to accomplish.

(41) In fact, Stein and Ray did not depart until the next day; Stein's recollection is quite clear that this was his idea, not Ray's. Stein was apparently able to convince Ray that the weather precluded an immediate departure; after a phone call to unidentified authorities for weather information, Ray agreed to postpone their departure by 1 day. (28)

(42) Stein emphatically denied two other possible reasons for Ray's New Orleans trip, both of which had been received by the committee from Charles DeCarvalho—a close, New Orleans friend of Stein's. (29) First, DeCarvalho told the committee that Stein had told him (DeCarvalho) in 1967 that Galt came to New Orleans to campaign for Wallace's Presidential bid in Mississippi and Alabama, to distribute campaign materials, and to solicit campaign funds. Second, DeCarvalho said Stein had indicated a plan to introduce Ray to some of his friends, including Papa Joe Conforto. Stein denied making either statement to DeCarvalho. Stein admitted that he knew Joe Conforto, but stated that he would never have introduced Ray to him; moreover, he did not recall seeing Joe Conforto himself while in New Orleans. (30)

(43) Finally, Stein specifically denied, under oath, involvement with Ray in "illegal or criminal activity" generally, or in the manufacture, purchase or sale of narcotic or non-narcotic drugs. Similarly,

*While the committee rejected Ray's "Raoul" story, it noted the high likelihood that the story was intended to conceal contact with one or both of his brothers. Ray's reference to a meeting with "Raoul" at "Le Bunny Lounge" may well be another instance in which he is disguising such contact.

he denied involvement with Ray in any type of legitimate joint venture during the trip.

(44) In light of several factors, including (a) the major differences between the characters and personalities of Stein and Ray; (b) the strong evidence that Ray and Stein met the day before the New Orleans trip; (c) Stein's emphatic and specific denials, under oath, of criminal activity with Ray; (d) an extensive field investigation in both New Orleans and Los Angeles which included extensive questioning, often under oath, of associates and relatives of Charles Stein; (31) it appears that Stein's involvement with James Earl Ray both on the New Orleans trip, and otherwise, was innocent and unrelated in any way to the assassination of Martin Luther King.

(45) Stein's testimony did provide several indications of conspiracy, or at least association, between Ray and another in New Orleans:

- (a) Ray had a "purpose" for the trip in Stein's mind;
- (b) Ray described a meeting place in New Orleans where he would contact his associate(s);
- (c) Stein recalled one or two telephone calls en route to New Orleans, and thinks now Ray may have been calling New Orleans to let his associate(s) know when he would arrive;*
- (d) the circumstances surrounding Ray's sighting of Stein on Canal Street on the first day (December 17) indicated he was with someone at the time; and
- (e) Ray completed his business in New Orleans rapidly, and was ready to return to Los Angeles the morning of December 18.

(46) It may be concluded, therefore, that Ray met with someone in New Orleans on prearranged business. Stein, however, provided no information to indicate that the business was necessarily connected to the assassination.**

INVESTIGATION AT THE PROVINCIAL MOTEL

(47) During its investigation in New Orleans, the FBI determined that Ray registered at the Provincial Motel, 1024 Chartres Street, for the nights of Sunday and Monday, December 17-18, 1967. Due to the clear indications of a meeting in New Orleans, the committee investigated the possibility that the Provincial was the meeting place.

(48) On May 7, 1968, the FBI's New Orleans Field Office circulated to 18 other field offices a list of all guests who were registered at the Provincial Motel(32) between December 17-19, 1968, the dates of Ray's registration. The list contained 25 names. Each field office was directed to locate and interview the individuals for any knowledge they might have pertaining to Ray. Of these 25 individuals, only 10 were located and interviewed by the FBI by the end of May 1968; no one interviewed had any information to assist the FBI's investigation.

*Stein could provide no specific details or recollections to corroborate his intriguing speculation on the purpose of the call.

**The committee developed significant evidence indicating a meeting between Ray and one or both brothers in New Orleans. This is detailed in section IIB of the final Martin Luther King report.

(49) In the November 26, 1968 issue of *Look* magazine, an article by William Bradford Huie detailed Ray's travels prior to the assassination. In this article, Huie described Ray's stay at the Provincial Motel. In response to this information, the Bureau requested the New Orleans field office to reinvestigate the motel's registrants. (33) Pursuant to this directive, photostatic copies of the motel records were incorporated into a report dated November 27, 1968. (34)

(50) In reviewing these investigative files, the committee determined that there were actually 63 guests registered at the Provincial at the same time as Ray, as opposed to the 25 registrants originally investigated by the Bureau in April and May. In late November 1968, the FBI dispatched to the pertinent field offices the additional 38 names of guests. No positive information was received from these leads.

(51) Records of the Provincial Motel indicated that Ray, using the alias "Galt," occupied room 126 for the nights of December 17-18.

(35) Galt's registration card also indicated that only one person occupied room 126 during the pertinent period and that Galt checked out prior to 1 p.m. on Monday, December 19, 1967. (36) The FBI interviewed Bryan DuPepe, the owner of the Provincial Motel, in April 1968. (37) DuPepe advised the Bureau that he had no record of unusual activity in room 126 on the dates of Ray's occupancy. The FBI determined that Ray made no long distance phone calls from room 126; the Bureau was unable to make the determination regarding local calls since the log for calls made prior to April 4, 1968 had been destroyed. (38) The committee interviewed DuPepe on February 14, 1978. He advised the staff members that room 126 was, at the time of Ray's occupancy, the least desirable in the motel, since it was split-level, with the bath and bedroom on different floors. He recalled that the room probably was rented at a rate of \$14 a day and that if more than one person were to occupy room 126 they would find the accommodations very uncomfortable. (39)

(52) The most intriguing information concerning Ray's stay at the Provincial Motel was developed in the testimony of Anthony Charles DeCarvalho. (40) His information presented the committee with evidence of a meeting at the Provincial Motel. Because of the importance of such a revelation and the fact that DeCarvalho's statements alluding to a meeting were at variance with all other accounts (including his own interviews with the FBI in 1968) DeCarvalho's testimony was taken under oath in a field deposition.

(53) DeCarvalho, a close acquaintance of Charles Stein, was employed as a cab driver in New Orleans in December 1967. In his statement to the committee, he stated that he arrived at the home of Stein's mother, Clovina Olonzo, shortly after Stein and Ray's arrival there on Sunday, December 17. After being introduced to Ray as "Eric Galt," DeCarvalho recalled that Ray asked DeCarvalho to drive him to the French Quarter, stating, "There is somewhere I got to go."

(41) DeCarvalho recalled that Ray specifically requested that he drive him to the Provincial Motel. According to his testimony, DeCarvalho quoted Ray as saying, "I want you to drive me there and wait for me. I will be about 5 or 10 minutes." (42)

(54) After arriving at the Provincial, Ray got out of the car and DeCarvalho turned the car around in the motel's courtyard. While DeCarvalho was making this maneuver he noticed Ray walking along

the balcony of the second story of the motel. (43) "He was looking around for a number, you know, like—like trying to locate a number." (44) DeCarvelho did not see Ray knock on any doors or enter any room. (45) He recalled that Ray had taken an attaché case with him when he left the car, which he brought back with him when he returned. Although he could not be certain, DeCarvelho was under the impression that Ray went to the Provincial Motel to meet someone.

Mr. DECARVELHO. I believe he told me he was meeting somebody.

STAFF COUNSEL. Are you speculating?

Mr. DECARVELHO. No, no, I have a pretty good idea that—that what he told me, that he wanted—he was going to be but a few minutes. (46).

(55) Ray returned to the car approximately 7 minutes later. DeCarvelho asked, "Did you meet your friend?" to which Ray replied, "Yeah, yeah, everything is all right." (47) After leaving the Provincial, Ray and DeCarvelho drove around New Orleans for approximately 20 minutes. DeCarvelho then dropped Ray off at the home of Clovina Olonzo, Charles Stein's mother.

(56) DeCarvelho's testimony was unique in its suggestion of a meeting between Ray and an associate at the Provincial. Further, he was a sincere witness with no ascertainable motive to fabricate his statement. Nevertheless, the committee's investigation revealed no evidence to corroborate his testimony.

(57) According to Stein, he drove Ray to the Provincial for Ray's initial registration. A trip with Stein to the Provincial did not necessarily preclude another trip by Ray and DeCarvelho, but it did make this second trip appear less plausible. According to Stein, the two men drove back to the Olonzo home after Ray registered, and Ray departed only to return shortly thereafter. (48) It is possible that in that interim period, Ray arranged to meet an associate at the Provincial Motel, returned to the Olonzo residence and persuaded DeCarvelho to drive him back to the motel. What is left unexplained in this scenario is why Ray needed DeCarvelho to drive him to the motel. He and Stein had been there shortly before. The Provincial Motel and the Olonzo home are in the same neighborhood, and it is unlikely that Ray would have needed DeCarvelho's assistance in finding the motel. It was also improbable that Ray would deliberately involve DeCarvelho as a possible witness to a clandestine meeting at the Provincial.

(58) It was also significant that Stein was unaware of Ray's and DeCarvelho's trip to the motel. In his interview, Stein stated that he knew of no time during Ray's first day in New Orleans that Ray and DeCarvelho drove around together. (49) Stein and DeCarvelho saw each other during the next 2 days and, according to DeCarvelho, discussed Ray and his purpose for traveling to New Orleans; it is unusual that DeCarvelho did not tell Stein of his visit with Ray to the Provincial.

(59) The most significant problem with DeCarvelho's statement, however, was its inconsistency with prior statements to the FBI. FBI interviews of DeCarvelho contained no references to the Provincial Motel visit, a fact which would have been significant in their attempt to determine the purpose of Ray's trip. The committee considered two possible explanations for this discrepancy. Either DeCarvelho did not

relate this information to the FBI or the FBI agents conducting the interviews failed to include these highly significant details in their reports.

(60) In a staff interview, Special Agent William F. Kusch, who had interviewed DeCarvalho in 1968, advised the committee that anything mentioned by DeCarvalho concerning people or places visited by Ray would have been thoroughly investigated by the Bureau. (50) Kusch noted that the FBI was attempting to locate Ray at the time of the DeCarvalho interviews. The possibility of a meeting by Ray with another at the Provincial would have been of significant interest, and would have been documented. A thorough review of the New Orleans investigative files reflected no mention of DeCarvalho's information or of a subsequent investigation of that information.

(61) In view of this and other problems with DeCarvalho's story, it may be concluded that his information was unreliable.

(62) The unreliability of DeCarvalho's testimony did not, however, undermine the conclusion that Ray traveled to New Orleans to meet someone, and that such a meeting transpired. It is also possible, of course, that this meeting was at the Provincial Motel. The committee was simply unable to locate concrete evidence of this possibility.

(63) It must be frankly acknowledged that the mystery that has always surrounded the New Orleans trip has not been cleared up. Several aspects of the trip are clear, however:

1. Ray's decision to make this trip and his activities in New Orleans were unrelated to his association with Charles Stein.
2. The decision to travel to New Orleans on Friday, December 15, 1967, was abrupt and without significant planning or foresight.
3. Whatever Ray's business was in New Orleans, it
 - (a) was significant enough to travel nearly 4,000 miles to transact, and
 - (b) involved a transaction which could not be as readily accomplished with a phone call or letter.
4. James received money on the trip. A financial analysis of Ray's spending habits during his fugitive period document a pattern of significant expenditures after his return from New Orleans. These included an immediate payment of approximately \$350.00 for dance lessons.
5. Ray met with someone in New Orleans. This conclusion was based on Ray's receipt of money, as well as Stein's testimony to the committee.*
6. Ray's business in New Orleans was accomplished quickly.
7. There was no evidence of a direct link between Ray's activities in New Orleans and the assassination of Dr. King. Nevertheless, it was noted that Ray's next significant criminal activity was the assassination.

*It is highly probable that Ray met with one or both brothers. Ray mentioned to two independent sources in Los Angeles that his trip involved his brother. Both James Earl and Jerry Ray admit that James telephoned Jerry while en route to New Orleans. Both these references to his brother and New Orleans and this phone call suggest that the two met in New Orleans. (See MLK Report, Section IIB, for additional discussion of the possible involvement of Ray's brother in the New Orleans trip.)

(64) **Two significant questions remained open after the committee's investigation: First, the committee was unable to determine why New Orleans was chosen as the site of Ray's business. If, in fact, Ray met his brother(s), it is difficult to explain why this meeting took place in New Orleans. Jerry was at the time employed at the Sportsman Club in Chicago and James was in Los Angeles. A more convenient meeting place could have been chosen. It seems reasonable to assume, therefore, that New Orleans itself was connected with the purpose of the trip. Second, the committee was unable to determine the exact nature of Ray's activities in the city.**

Submitted by:

LISA M. BERLOW,
Researcher.

REFERENCES

(1) Lloyd Calloway, the husband of Lorraine Calloway, was never located or interviewed by the committee. The Calloways were the aunt and uncle of Charles Stein. The committee was satisfied, however, that all New Orleans witnesses who would have been in a position to furnish information of any value were located.

(2) See, for example: Staff summary of interview of S.A. Pat Collins, December 1977, House Select Committee on Assassinations (MLK Document No. 150176); staff summary of interview of S.A. Stephen Callendar, Jan. 13, 1978, House Select Committee on Assassinations (MLK Document No. 170064); staff summary of interview of S.A. William Kusch, Mar. 10, 1978, House Select Committee on Assassinations (MLK Document No. 190196); staff summary of interview of S.A. Paul Hensel, Apr. 4, 1978, House Select Committee on Assassinations (MLK Document No. 200025); staff summary interview of S.A. Thomas Colarelli, Nov. 22, 1978, House Select Committee on Assassinations (MLK Document No. 300041).

(3) The committee determined that three of Charles Stein's relatives were deceased at the time of its investigation. These relatives were: Willie and Clovina Olonzo and Dale Rodriguez.

(4) In "The 20,000 Words," Ray states that someone answered the phone in New Orleans and asked him to come to New Orleans around Christmas. He has never elaborated further about who this individual was. (See "The 20,000 Words," vol. XII, HSCA-MLK Hearings.)

(5) There are contradictory accounts as to who initiated the discussion of Ray's drive to New Orleans. Huie, in *He Slew the Dreamer*, wrote that Ray mentioned the proposed trip, and that Marie Martin then told him of Rita Stein's problem. See William Bradford Huie, *He Slew the Dreamer* (New York: Delacorte Press, Inc., 3d ed., 1970), p. 77. Gerold Frank wrote that Marie Martin first broached the subject, and then Ray volunteered to drive Stein. See Gerold Frank, *An American Death* (Garden City, New York: Doubleday and Co., Inc., 1st ed., 1972), p. 163.

(6) Ray did not have any independent recollection of the name of this bar. After describing the lounge to Huie, the author located the establishment. Ray never disputed Huie's identification of the Le Bunny Lounge as the site of this New Orleans meeting with "Raoul". In earlier accounts, Ray has made inconsistent statements concerning the arrangements for this meeting. Ray's story to Huie is that "Raoul" wrote him while he was in Los Angeles and told him that they would meet in a certain New Orleans bar for a conference. See William Bradford Huie, "I Got Involved Gradually, And I Didn't Know Anybody Was To Be Murdered," *Look Magazine*, Nov. 26, 1978, p. 92. Ray also wrote Huie that after his arrival in New Orleans, he checked into a motel and called "Raoul." It is during this phone call that Ray claimed he was advised of the location of the meeting, the information apparently supplied by a third party. See "The 20,000 Words," XII HSCA-MLK Hearings.

(7) FBI identification record of Charles Joseph Stein, FBI Report No. 8815343 (MLK Document No. 190610). Stein's record reflects a 1961 arrest for possession of narcotics in New Orleans, but no conviction on that charge; a 1960 arrest for cultivating marihuana in California, but no conviction; and a 1974 conviction for the sale of heroin.

(8) Although Ray indicated, both to author Huie and to the committee, that he had foreknowledge of the necessity to travel to New Orleans sometime in December of 1967, his actual departure from Los Angeles can be viewed as abrupt and without significant planning or preparation. (Regarding the indications of foreknowledge, see, e.g., "The 20,000 Words," XII HSCA-MLK Hearings Staff Interview of James Earl Ray, Apr. 14, 1977, hearings before the House Select Committee on Assassinations, 95th Congress, 2d session, Washington, D.C.: U.S. Government Printing Office, 1979, Vol. IX, pp. 195, 204-207.) Stein and Ray met for the first time on Thursday, December 14, 1967. Either Rita Stein or Marie Martin introduced the two men, and arrangements were made

for them to travel to New Orleans for the purpose of transporting Rita's two daughters back to Los Angeles. These arrangements were impromptu and did not predate the Thursday evening discussion. There is no indication that Ray specifically intended to travel to New Orleans on Friday, December 15, 1967. According to an FBI interview with Dr. Mark O. Freeman, Ray had originally scheduled an appointment for Monday, December 18, 1967, which he canceled at the last minute before leaving town on the 15th.

(9) The primary source for the background information contained in this section is the staff interview of Charles Joseph Stein, Jan. 23-26, 1978, House Select Committee on Assassinations (MLK Document No. 190402) (hereinafter referred to as Stein Interview).

(10) Stein interview (MLK Document No. 190402), p. 1; see also staff interview of Mickey Medina, February 17, 1978, House Select Committee on Assassinations.

(11) While Stein continuously denied personal involvement in the sale of narcotics (see Stein interview, MLK Document No. 190402, p. 2), several former members of the New Orleans Police Department have opined that Stein engaged in the sale of narcotic drugs while in that city. See e.g., staff interview of Bill Warner, February 2, 1978, House Select Committee on Assassinations (MLK Document No. 180074); outside contact report (with John Phillips), Feb. 2, 1978, House Select Committee on Assassinations (MLK Document No. 180049). As previously noted, Stein was convicted for selling heroin in California in 1974 (*supra*, fn. 7).

(12) Stein Interview (MLK Document No. 190402), p. 15.

(13) FBI interview of Raymond M. Murphy, May 1, 1978, Los Angeles Murkin file No. 44-1574-D-159. In a committee interview on Feb. 12, 1978, Mr. Murphy remained certain that he had seen Ray, although he did not specify the time. See staff summary of interview of Raymond M. Murphy, Feb. 2, 1978, House Select Committee on Assassinations (MLK Document No. 190396).

(14) Stein interview (MLK Document No. 190402), pp. 4, 5.

(15) *Ibid.*

(16) Immunized executive session testimony of Charles Stein, Apr. 4, 1978, hearings before the House Select Committee on Assassinations, pp. 39-42 (MLK Document No. 210589) (hereinafter referred to as Stein testimony, Apr. 4, 1978).

(17) Executive session testimony of Rita Rosas, Apr. 6, 1978, hearings before the House Select Committee on Assassinations, pp. 15-16.

(18) Stein Interview (MLK Document No. 190402), pp. 5-6.

(19) Stein Testimony, Apr. 4, 1978, p. 32.

(20) See, e.g., Stein testimony, Apr. 4, 1978, pp. 83, 84.

(21) Stein circled this area on a map of New Orleans provided by the committee staff. A later field investigation of the area by committee investigators, however, produced nothing of significance (MLK Document No. 200479).

(22) When asked why this information did not appear in any of several interviews he had given to the FBI, Stein replied that perhaps the agents hadn't asked him. See Stein interview (MLK Document No. 190402), p. 8.

(23) Testimony of James Earl Ray, Aug. 16, 1978, hearings before the House Select Committee on Assassinations, 95th Cong., 2d sess., Washington, D.C.: U.S. Government Printing Office, 1979, vol. I, p. 99.

(24) FBI Interview of Charles Stein, May 2, 1968, Los Angeles, Murkin file No. 44-1574.

(25) FBI interview of Charles Stein, Feb. 13, 1969, Los Angeles, Murkin file No. 44-1574-D-512.

(26) Stein interview (MLK Document No. 190402), pp. 10-11.

(27) *Id.* at p. 11.

(28) *Ibid.*

(29) Staff interview of Charles DeCarvalho, June 7, 1977, House Select Committee on Assassinations (MLK Document No. 180079); see also designated counsel statement of Charles DeCarvalho, Feb. 10, 1978, House Select Committee on Assassinations, pp. 9-10 (MLK Document No. 190261).

(30) Stein interview (MLK Document No. 190402), p. 12.

(31) See staff summary of interview of Raymond M. Murphy, Jan. 17, 1978, House Select Committee on Assassinations (MLK Document No. 180079); staff summary of interview of Felix Valdez, Feb. 14, 1978, House Select Committee on Assassinations (MLK Document No. 180389); staff summary of interview of Clara Stann, Feb. 15, 1978, House Select Committee on Assassinations (MLK Document No. 180387); outside contact report (with George Pittman), Jan. 25,

1978, House Select Committee on Assassinations (MLK Document No. 170315); staff summary of interview of Theresa Rodriguez Stone, Feb. 13, 1978, House Select Committee on Assassinations (MLK Document No. 180386); staff summary of interview of John Miorana, Feb. 11, 1978, House Select Committee on Assassinations (MLK Document No. 180386); designated counsel statement of Marie Lee, Feb. 15, 1978, House Select Committee on Assassinations (MLK Document No. 190262); immunized executive session testimony of Marie Martin, Apr. 5-6, 1978, hearings before the Select Committee on Assassinations; staff summary of interview of Ricky Carlos Tomaso, Mar. 9, 1978, House Select Committee on Assassinations (MLK Document No. 190404). Additionally, the committee contacted knowledgeable law enforcement officials for information on this aspect of the investigation. See staff summary of interview of Lt. David Kent and Sergeant Loiman, New Orleans Police Department, Feb. 9, 1978, House Select Committee on Assassinations (MLK Document No. 180388); outside contact report (with John Phillips), Feb. 2, 1978, House Select Committee on Assassinations (MLK Document No. 180049).

(32) FBI Airtel, from New Orleans to Memphis, May 7, 1968, FBI Memphis Murkin file, No. 44-1978-Sub. B-663.

(33) FBI Airtel, former Director Hoover to New Orleans, Nov. 14, 1968, New Orleans Murkin file, No. 157-10673-1202.

(34) FBI report, Nov. 27, 1968, pp. 4305-4458 (MLK Document No. 040081).

(35) FBI report re: Records of the Provincial Motel, Apr. 15, 1968, p. 724 (MLK Document No. 040054).

(36) Ibid.

(37) Ibid.

(38) Id., at pp. 724-725.

(39) Staff summary of interview of Bryan DuPepe, Feb. 14, 1978, House Select Committee on Assassinations, p. 1 (MLK Document No. 180383). In his interview with the FBI in April 1968, DuPepe advised that room 126 rented for \$12 per day. See FBI report, Apr. 15, 1968, p. 724 (MLK Document No. 040054).

(40) Designated Counsel Statement of Anthony Charles DeCarvalho, Feb. 23, 1978, House Select Committee on Assassinations, pp. 14-27 (MLK Document No. 190261).

(41) Id., at p. 14.

(42) Ibid.

(43) Id. at p. 21.

(44) Ibid.

(45) Id., at p. 22.

(46) Ibid., p. 23.

(47) Id., at p. 27.

(48) Stein interview (MLK Document No. 190402), pp. 10-11.

(49) Id., at p. 12.

(50) Staff summary of interview of William Kusch, Nov. 30, 1978, House Select Committee on Assassinations (MLK Document No. 190196).

INVESTIGATION INTO THE ASSASSINATION OF
DR. MARTIN LUTHER KING, JR.
CHARLES Q. STEPHENS: CONTROVERSIAL EYEWITNESS
TO THE ASSASSINATION

Supplementary Staff Report
of the
Select Committee on Assassinations
U.S. House of Representatives
Ninety-fifth Congress
Second Session

March 1979

(1) Within moments (1) of the shot that felled Dr. King, two witnesses in the northern wing of Bessie Brewer's roominghouse observed a man run down the hallway from the area of a common bathroom at the end of the hall. This bathroom faced to the east of the roominghouse* and overlooked the Lorraine Motel. (2) William Anschutz, the tenant from room 4-B, saw the man briefly but could provide only a general description. On the other hand, Charles Q. Stephens, a tenant from 6-B, provided a detailed description, and felt that the man he saw fleeing down the hallway was the same person he had seen checking into room 5-B earlier in the afternoon. (3) Subsequently, Stephens identified a profile photograph of James Earl Ray as looking very much like the man he had observed checking into room 5-B. (4) James Earl Ray has admitted that he checked into room 5-B on the afternoon of April 4, 1968. (5)

(2) During the investigation following the assassination, authorities were unable to uncover an eyewitness to the assassination who could make a positive identification of the assassin. Thus, Charles Stephens quickly became a significant witness.

(3) Questions, however, were raised as to the reliability of Stephen's tentative identification. The committee, therefore, conducted a full investigation into his reliability as a witness.

(4) The committee first determined that Stephen's significance as a witness may have been somewhat exaggerated during the months following the assassination. Stephens was provided with a police guard for a period of several months following the assassination and at one time was jailed as a material witness. (6) Lt. R. A. Cochran, second in command of the homicide squad in 1968, explained, however, that the protection was made necessary because of exaggerated newspaper reports concerning Stephens' ability to make such an identification. (7) Cochran added that Stephens could never really identify the assailant.

(5) Phil Canale, the Shelby County Attorney General in 1968 who prepared the Government's case against James Earl Ray, testified that Stephens had seen Ray checking into the roominghouse prior to the assassination, and in the hallway after the assassination. Canale added that he was considered an important, but not an essential, prosecution witness. (8)

(6) A substantial issue was raised concerning Stephens' sobriety on the day of Dr. King's assassination. One witness, a taxi driver named James McGraw, told the committee that only minutes before the assassination, he observed Stephens lying on his bed in room 6-B in a drunken stupor. (9) McGraw's assertions to the committee received

*A diagram of the second floor of Bessie Brewer's roominghouse was introduced into the record during the committee's public hearings. See, MLK exhibit F-20, vol. 1, HSCA-MLK hearings, p. 79.

support from Capt. Tommy D. Smith of the Memphis Police Department. Smith, a lieutenant for the homicide squad on April 4, 1968, reported to the crime scene following the assassination of Dr. King. He observed both Charles Stephens and his common-law wife, Grace Walden,* after the assassination and told the committee that both appeared to be intoxicated.(10) Smith did not question either Stephens or Walden at the time.

(7) On the other hand, the first police officer to observe and question Stephens only minutes after the assassination, Lt. James Papia of the MPD intelligence section,(11) told the committee that although Stephens had obviously been drinking, he was neither incoherent nor staggering.(12). Lt. Glenn King, who was also at the scene within minutes after the assassination, interviewed Stephens and found him coherent.(13) He told the committee, however, that Stephens was well known on South Main Street for his excessive drinking habits.(14)

(8) These judgments of Lieutenants Papia and King were supported by the statement of Lloyd Jowers, the owner of Jim's Grill, a bar located under the northern wing of the roominghouse. According to Jowers, Charles Stephens was in his establishment on April 4, drinking—like always.(15) Nevertheless, Jowers stated that Stephens was in control of himself and knew what he was saying or doing.(16) Jowers added—in a statement that casts some question on the assertion of James McGraw—that although Stephens drank beer all the time by the quart, he never saw him passed out.(17)

(9) The committee also questioned J. Harold Flannery, the attorney for the U.S. Department of Justice who prepared the Ray extradition affidavit that was executed by Stephens.(18) Flannery stated that he had carefully questioned Stephens and examined the circumstances under which Stephens had identified Ray's profile photograph. He was convinced as to the genuineness of that identification.(19) The committee was also told by Stephens' attorney, Harvey Gipson, that he believed Stephens' April 4, 1968 statements truthfully represented what Stephens had, in fact, seen on that date.(20)

(10) The committee considered the possibility that Stephens' testimony might have been influenced by the reward offered for information leading to the arrest and conviction of the assassin. Stephens lost his judicial bid for the \$100,000 reward, which had been announced on April 5, 1968. In the court's ruling, however, the reliability of Stephens' identification did not become an issue.(21) Rather, the court's ruling was based on its finding that Stephens had no knowledge of the reward offer at the time he provided his initial statements on April 4. The court further found that Stephens' information did not, in fact, lead to either the arrest or the conviction of James Earl Ray.(22)

(11) Finally, the committee reviewed a variety of statements by Stephens, and noted their general consistency over the past 10 years.(23) In addition, a similarity was noted between the description provided by Stephens after the assassination and that of James Earl Ray.(24)

*A complete discussion of Grace Walden's significance as a witness is included in the committee's final report, sec. IIA.

(12) To sum up, while it may be concluded that Charles Stephens did, in fact, see James Earl Ray in the hallway immediately following the assassination, his testimony to that effect was vulnerable on several counts had Ray gone to trial. First, the evidence is overwhelming that Charles Stephens was drinking on April 4, 1968. Only the extent of that drinking is at issue. Second, the hallway at Bessie Brewer's was dimly lighted, and Stephens was separated from the fleeing assassin by between 40 and 50 feet. Finally, Stephens himself has declined to provide an unqualified identification of the assassin. In his June 1968 identification of Ray's profile photograph for the FBI, he stated only that the profile photo of Ray looked very much like the man he saw in the roominghouse. (25)

(13) Stephens' value to the prosecution's case would, therefore, have been limited. His testimony that he heard steps between room 5-B and the roominghouse bathroom on several occasions prior to the shot would have provided circumstantial evidence against Ray, since Ray has admitted renting and occupying room 5-B on the afternoon of April 4.* Beyond this, Stephens' testimony would have contributed little.

Submitted by:

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*The assumption is made here that Ray would have taken the stand and repeated his basic Raoul story. During interviews with the staff, Ray told the committee that this was his trial strategy.

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(1) Charles Quitman Stephens, who lived in room 6-B immediately adjacent to the bathroom, stated that the time which elapsed between the shot and his observation of the assassin at the end of the hallway was no more than 90 seconds. See designated counsel statement of Charles Q. Stephens, Apr. 14, 1978, House Select Committee on Assassinations, pp. 42-43 (MLK Document No. 210178) (hereinafter referred to as Stephens' statement).

(2) Ibid., pp. 38-44, 48-51, 57-58, 67-70, and 76-80; see also staff summary of interview of William Anschutz, House Select Committee on Assassinations (MLK Document No. 110009); see also Memphis Police Department supplemental homicide report (MLK Document No. 140141).

(3) Stephens' statement, pp. 38-44, 48-51, 57-58, 67-70, and 76-80; see also Memphis Police Department supplemental homicide report (MLK Document No. 140141).

(4) Stephens' statement, pp. 80-81; see also outside contact report with J. Harold Flannery, Nov. 3, 1978, House Select Committee on Assassinations (MLK Document No. 280062).

(5) Testimony of James Earl Ray, Aug. 16, 1978, hearings before the House Select Committee on Assassinations, 95th Cong., 2d sess. (Washington, D.C.: U.S. Government Printing Office, 1979), vol. I, pp. 101-102.

(6) Order of Judge Battle, Shelby County Criminal Court, July 22, 1968 (MLK Document No. 110115).

(7) Staff summary of interview of R. A. Cochran, Sept. 30, 1977, House Select Committee on Assassinations, p. 3 (MLK Document No. 170020).

(8) Testimony of Phil Canale, Nov. 18, 1978, hearings before the House Select Committee on Assassinations, 95th Cong., 2d sess. (Washington, D.C.: U.S. Government Printing Office, 1979), vol. V, p. 334.

(9) Staff summary of interview of James McGraw, July 19, 1977, House Select Committee on Assassinations, pp. 4-6 (MLK Document No. 120118); see also report by professional security consultants re James McGraw, Jan. 16, 1978 (MLK Document No. 200329); statement of James McGraw to George R. King and John Getz, Feb. 19, 1969 (MLK Document Nos. 030167, 090071, 060052, and 030126).

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(11) Outside contact report (with James Papia), Aug. 19, 1978, House Select Committee on Assassinations (MLK Document No. 250056).

(12) Ibid.

(13) Memphis Police Department homicide report, p. 1586 (MLK Document No. 030203).

(14) Outside contact report (with Glenn King), Dec. 19, 1978, House Select Committee on Assassinations (MLK Document No. 280117).

(15) Outside contact report (with Lloyd Jowers), Aug. 19, 1978, House Select Committee on Assassinations (MLK Document No. 250057).

(16) Ibid.

(17) Ibid.

(18) See affidavit of Charles Q. Stephens, June 19, 1968 (MLK Document No. 080011).

(19) Outside contact report (with J. Harold Flannery), Nov. 3, 1978 (MLK Document No. 280062).

(20) Outside contact report (with Harvey Gipson), June 19, 1978, House Select Committee on Assassinations (MLK Document No. 220166).

(21) See *Charles Quitman Stephens v. State of Tennessee*, city of Memphis, Memphis Press-Scimitar, et al., No. 72333-3 R.D., Shelby County, Tenn., Chancery Court, Apr. 19, 1976 (MLK Document No. 260238).

(22) Ibid.

(23) Stephens' statement; Memphis Police Department homicide report, 1968, pp. 1594-1595 (MLK Document No. 030203); Memphis Police Department homicide report (MLK Document No. 140141); affidavit of Charles Q. Stephens, June 19, 1968 (MLK Document No. 080011); staff memo re: statements made by Charles Q. Stephens to NBC reporters, Sept. 19, 1977 journal (MLK Document No. 130107); testimony of Charles Quitman Stephens in *Charles Q. Stephens v. State of Tennessee*, city of Memphis, Memphis Press Scimitar, et al., No. 72333-3 R.D. Shelby County, Tenn., Chancery Court, Apr. 19, 1976 (MLK Document No. 260238); statement of Charles Q. Stephens to J. C. Kellam, Aug. 19, 1968 (MLK Document No. 260147).

(24) Memphis Police Department homicide report, Apr. 4, 1968, supplement No. 4 (MLK Document No. 030203).

(25) Affidavit of Charles Q. Stephens, June 19, 1968 (MLK Document No. 080011); FBI interview of Charles Stephens, June 19, 1968 (MLK Document No. 040061).



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**THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.:
A COMPREHENSIVE ALPHABETICAL BIBLIOGRAPHY**

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December 7, 1978

FOREWORD

This comprehensive bibliography consists of every relevant book citation that could be found in the Library's card catalog and Books in Print. Periodical literature was identified (and selectively included) from the Readers Guide to Periodical Literature; Public Affairs Information Service (P.A.I.S.); International Social Science and Humanities Index; America: History and Life; Social Science Citation Index; Magazine Index; Psychology Abstracts; Sociological Abstracts; Comprehensive Dissertation Abstracts; and CRS's Selective Dissemination of Information computerized bibliographic data-base (1969 to present). Some of the noted periodical sources are computerized, on-line data bases external to the Library of Congress. Jeffrey C. Griffith in CRS's Information Systems Section was instrumental in the retrieval of citations from those data bases.

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THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.:
A COMPREHENSIVE CHRONOLOGICAL BIBLIOGRAPHY

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December 7, 1978

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