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One attorney, who was closely associated with Foreman, described him as hard-nosed, cold cruel and ruthless. He further advised he has been on out-of-town trips with Foreman and even at his age, 66, Foreman attempts to seek female companionship. It has been rumored for years that Foreman has been intimate with many of his female clients. Foreman successfully defended Candace Mossler in Miami, Florida, when she and her nephew, Melvin Lane Powers, were charged with the murder of her husband, Jacques Mossler. (44-38861)

**FILE REVIEW**

**SUBJECT: WILLIAM BRADFORD HUIE**

The following is a summary of available information concerning William Bradford Huie.

**BACKGROUND DATA:**

The 1968-69 edition of "Who's Who in America" advises that William Bradford Huie was born November 13, 1910, in Hartselle, Alabama, where he presently makes his home. He received his Bachelor of Arts degree from the University of Alabama, in 1930, where he was a member of Phi Beta Kappa. It describes him as an author well known for both his fiction and non-fiction writings, among these are "Mud on the Stars," "The Fight for Air Power," "The Case Against the Admirals," "The Execution of Private Slovik," "The Crime of Ruby McCollum," "Wolf Whistle," "The Americanization of Emily," "The Hiroshima Pilot," and most recently, "Three Lives for Mississippi," 1965, and "The Klansman," 1967.

**INFORMATION IN BUFILES:**

Bureau files contain considerable information regarding Huie, who has obtained his reputation by writing about very controversial subjects in which he has been critical of many prominent and respected individuals and organizations.

After graduating from college, he was a reporter for the "Birmingham Post" from 1932 to 1936. While working as Associate Editor of the "American Mercury" magazine from 1941 to 1943, the editor of that magazine, Mrs. Alice Widener, charged that Huie had written an article under her byline, and that the article was somewhat pro-Communist, therefore she had the article suppressed. (67-185207-192)

In January, 1943, his book, "The Fight for Air Power," was an attack against the Army, Navy, the President and the Congress. An article by Huie in "Nation's Business" in June, 1949, concerning the atom bomb was believed to have contained information of a security nature. This matter was resolved by the Atomic Energy Commission as an administrative problem and there was no violation of the AEC laws. (117-559-58)

In October, 1954, Huie contacted the Department and later our Agents in Jacksonville, Florida, furnishing information concerning an alleged violation of the civil rights of Ruby McCollum, a Negro charged with the murder of a prominent white man in Florida. She originally was sentenced to death, but a new trial was ordered following an appeal, and subsequently

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she was declared mentally incompetent and ordered to the Florida State Hospital for the Insane. At the request of the Department we conducted limited investigation in this matter, the results of which were furnished to the Department in April, 1965. The Department subsequently advised prosecution was not contemplated. Huie was convicted in Florida State Court for contempt of court as a result of articles he had written and his various other activities in this case. He appealed the conviction to the State Supreme Court six times at an alleged cost of \$22,000. He left the state of Florida and went to New York where efforts to extradite him were thwarted. According to a newspaper clipping in July, 1959, Governor Collins of Florida had freed Huie of all blame in the matters (94-4-6450)

Huie authored "The Execution of Private Slovik," which was filmed by Frank Sinatra in 1960. Albert Maltz, one of the so-called "Hollywood Ten" was scheduled to write the screen play but was fired after numerous protests by various patriotic organizations. In 1960, Huie completed the screen play "Wolf Whistle" which dealt with the Emmett Till case. He authored an article in the April, 1960, issue of "Calvalier" magazine entitled, "Lynching--Northern Style," which was critical of the Bureau because it did not enter into a local Vermont kidnap-murder case. (44-25706)

In a letter dated April 6, 1960, to the Director, Huie claimed to be a friend of the Bureau and wanted to talk to the Director for about two or three hours about an article on the Bureau. This request was declined due to the heavy schedule of the Director.

Huie also authored an article in the May, 1960, issue of "Calvalier" relating to the Mack Charles Parker case. In September, 1960, Huie contacted the Birmingham Office regarding a contemplated article relating to Kathryn Anderson who had been the subject of considerable publicity due to her involvement in two bank robbery investigations in Birmingham and also her arrest in June, 1960, for forgery. Birmingham was advised by the Bureau that no cooperation should be extended to Huie in connection with his proposed stories. (117-669)

On April 27, 1964, Huie contacted our Birmingham Office again and stated he was to speak at a Negro church on the following evening and expressed concern over his personal safety. He said that there was considerable publicity given to his proposed speech and felt there would be a large attendance. He pointed out that he had previously gone to Wisconsin while Governor Wallace was in that state campaigning for the Presidency. Upon Huie's return to Alabama, he alleged there were several incidents indicating the people in his community were not in favor of Huie's remarks regarding Wallace. He was advised protecting him was not within the function of the FBI and this

matter should be called to the attention of the Chief of Police. We subsequently learned that Huie's address on 4/28/64 went off without incident. (44-25706)

Huie's column in the August 9, 1964, issue of the "New York Herald Tribune" is captioned, "FBI's Victory Over the Ku Klux Klan in Mississippi." The over-all tenor of the article is favorable to the FBI in connection with the finding of the three youths in the MIBURN case. He concludes by stating that "What Mississippi needs most in 1964 is Bobby Kennedy's Federal Bureau of Investigation." Huie, who had been in Philadelphia, Mississippi, in connection with his coverage of the MIBURN case for the "New York Herald Tribune", authored several other articles, most of which were highly speculative about the manner in which the three victims died and the persons responsible. (94-46450)

On 10/20/64, Huie contacted the Jackson Office, stated he was preparing a book on the MIBURN case and unsuccessfully attempted to obtain information. He stated he was dealing with local law enforcement officials in Mississippi in effort to find out what had happened in the case. Press accounts of 11/3/64 reported an interview of Huie in which he claimed he knew the identities of the killers, that he expected to pay them \$10,000 for information for his new book and predicted they would never be convicted. He visited the Jackson Office 1/21/65 and offered several chapters of his book, "Three Lives for Mississippi," for review but was advised by the Bureau that we had no desire to review his book. Huie's articles on the MIBURN case contained considerable inaccurate information and seemed to combine a small amount of fact and a greater amount of literary license and pure guesswork. In effect, Huie did not say any more in his book and it appears that he was more interested in getting something commercial on the bookstands early than in providing a really authoritative document on the MIBURN case. (44-25706)

Huie is the author of two articles regarding James Earl Ray and the murder of Martin Luther King, Jr., which appeared in the November 12 and November 26, 1968, issues of "Look" magazine. According to a Memphis, Tennessee, newspaper article, a book by Huie regarding the King murder is to be published in March, 1969, under the title of "They Slew the Dreamer." (44-38861)

Through Carroll B. Colby--author of a very favorable picture book concerning the FBI and a most reliable contact of ours in the New York publishing industry--it has been learned that Huie's newest book will be published by the New American Library, Inc., in New York City. According to Colby, Huie's manuscript was offered to and apparently rejected by three or four other publishers. The publication date for Huie's book is still in question, but it is not expected to come out until completion of the James Earl Ray trial. (44-38861)

**FILE REVIEW**  
**SUBJECT: PERCY FOREMAN**

*MURKIN*  
*Memo Folder*

**BACKGROUND DATA:**

"Who's Who in America" identifies Percy Foreman as a native Texan, born in Polk County, Texas, June 21, 1902. He received his law degree from Texas University in 1927 and is a member of the American, Texas and Houston bar associations.

**INFORMATION IN BUFILES:**

Bureau files characterize Foreman as one of the most brilliant criminal attorneys in the country, particularly in the field of homicides. His strong points are selection of a jury and persuasive arguments, particularly "reasonable doubt." He has been extremely successful at impressing juries, particularly when a judge has allowed great latitude in the questioning of prospective jurors. In such cases, he has hired local attorneys to familiarize him with the area and local situations. He has an excellent memory for names and uses this talent and information when questioning the panel in order to establish a personal feeling with those picked for the jury. (44-38861)

Foreman's weakness, if any, is his lack of legal knowledge. He overcomes this weakness by hiring local attorneys known for their legal ability. In the past he employed Luther Jones, a legal authority in Corpus Christi, Texas; Gilbert Sharpe, a member now of the Texas Court of Civil Appeals; and most recently C. Anthony Friloux, a former Assistant United States Attorney of Houston, Texas. Foreman generally pays these attorneys very well for their services, usually up to \$1,000 per day in the courtroom, depending on the size of his fee. In this regard, it should be noted that Foreman as a rule in the past has not accepted cases unless paid in advance. In one Bureau case, "David Clifton Stephens, Et Al, Fraud Against the Government," Stephens advised Special Agent Joseph J. Dooling that after he (Stephens) was convicted and lost his appeal that Foreman required Stephens to sell his home, and Stephen's son, Larry Stephens, Dallas Cowboy Football player, borrow the remainder of Foreman's fee before Foreman entered the case. (58-5155)

Foreman has represented individuals involved in investigations conducted by our Houston Division and repeatedly refuses permission for clients to be interviewed by Bureau Agents. However, Foreman has not been successful in winning acquittals in Federal court. It is generally believed that his

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lack of success in Federal court is due to stricter rules of conduct enforced during a trial by Federal judges. Foreman is adept at "side-bar" remarks and ridiculing the prosecutor and prosecution witnesses. When a judge limits Foreman's attempts to display his courtroom antics, Foreman attempts to get a hung jury by appealing to one or two jurors who appear to be sympathetic towards his case. In addition, he reportedly would stoop to any limit in effort to produce a witness to gain acquittal for his clients. He further is described as a "big blow hard" who will back down when confronted with the facts, and also has the reputation for injecting into his cases such civil rights issues as alleged abuse by arresting officers. (62-9-12-220)

In the Stephens' case mentioned above, Foreman obtained a mistrial under Title 18, Section 3500, Jenck's Act, when a government witness admitted under cross examination that he had been interviewed by another government agency, and which interview was unknown to the FBI or U. S. Attorney. In a case entitled "Richard Arno Yerxa, AKA.; Et Al, Interstate Transportation of Obscene Matter," Foreman appealed to a few jurors who held out for acquittal, thus causing a hung jury and mistrial. If permitted by the judge in a capital case, Foreman attempts to convince the jury that the victim was a culprit or scoundrel and got what he deserved. This is his main defense in capital cases. Generally, Foreman appears bored when the prosecution has its witnesses on direct examination and tries to convey this feeling to the jury. (145-2846)

Bufiles reveal an indictment was returned in Houston, Texas, in October, 1937, charging Foreman with subornation of perjury, a felony. A nolle prosequi was entered 3/18/38. Foreman was also indicted by a Grand Jury in Houston for keeping and exhibiting a policy game, a felony, and on 11/1/43, was found not guilty after a jury trial. (87-55433)

In an ITSMV case in which he was defense attorney, Foreman told a U. S. District Judge in Houston in chambers that he needed time to investigate alleged ransacking by Bureau Agents of a law office of two subjects in Chicago. The subjects had been arrested in Chicago in 1959 and been ordered to appear in Houston for trial. There was no foundation for this allegation. During cross examination of a Bureau Agent in January, 1960, Foreman referred to the Bureau as "constabulary" and "Federal police"; however, he promptly thereafter volunteered that he intended no disrespect. (29-18886)

By cover letter dated April 2, 1957, Foreman forwarded a letter he received through the U. S. mails to the Houston postal inspector. Foreman advised that although the letter was received on 3/18/57, he had "just opened it." The letter, in essence, was from eleven of Foreman's former clients who charged

that Foreman had taken their money and given them nothing in return, therefore, the eleven had taken an oath to kill him. AUSA, Houston, advised that the letter contained a threat in violation of the Extortion Statute and requested Foreman be interviewed and investigation conducted. Efforts to interview Foreman resulted only in Foreman's secretary advising Foreman was unavailable for interview at those times. (9-32081)

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One attorney, who was closely associated with Foreman, described him as hard-nosed, cold cruel and ruthless. He further advised he has been on out-of-town trips with Foreman and even at his age, 66, Foreman attempts to seek female companionship. It has been rumored for years that Foreman has been intimate with many of his female clients. Foreman successfully defended Candace Mossler in Miami, Florida, when she and her nephew, Melvin Lane Powers, were charged with the murder of her husband, Jacques Mossler. (44-38861)

**February 8, 1969**

**GENERAL INVESTIGATIVE DIVISION**

**This is the case involving the murder of Martin Luther King, Jr.**

**Attached relates to the arrest of William Bradford Huie on orders of Judge Preston W. Battle, Shelby County, Memphis, Tennessee. Huie has written articles for "Look" magazine regarding James Earl Ray and the assassination of Martin Luther King, Jr.**

**The petitions refer to those filed on behalf of Ray concerning taking of depositions out of the state, request of Huie to confer with Ray and request to take photographs of Ray.**

**You will be kept advised of pertinent developments.**

**REL: mfd**



FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATION SECTION

FEB 7 1969

TELETYPE

*me*  
*Memphis*  
*Murkin*  
*Felder*

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

FBI WASH DC

FBI MEMPHIS

654 PM URGENT 2-7-69 EDC

TO DIRECTOR

FROM MEMPHIS (44-1987)

MURKIN

WILLIAM BRADFORD HUIE, NATIONALLY KNOWN AUTHOR WHO HAS WRITTEN ARTICLES FOR "LOOK" MAGAZINE CONCERNING JAMES EARL RAY, THE MURDERER OF DR. MARTIN LUTHER KING, JR., APPEARED BEFORE SHELBY COUNTY, TENNESSEE, GRAND JURY FEBRUARY SEVEN INSTANT AT MEMPHIS, TENNESSEE. FOLLOWING HIS APPEARANCE BEFORE GRAND JURY, HUIE WAS ARRESTED FOR CONTEMPT OF COURT. THIS CONTEMPT CAME AS A RESULT OF ARTICLES PUBLISHED BY HIM CONCERNING THE KING MURDER WHICH PUBLICATION WAS IN DIRECT VIOLATION OF A NO PUBLICITY ORDER WHICH HAD PREVIOUSLY BEEN ISSUED BY THE TRIAL JUDGE IN WHOSE COURT RAY WILL BE TRIED. HUIE POSTED ONE THOUSAND DOLLAR BOND AND WAS RELEASED. UNDER TENNESSEE LAW, CONTEMPT IS A MISDEMEANOR AND CARRIES A MAXIMUM FINE OF FIFTY DOLLARS AND TEN DAYS IN JAIL.

RESULTS OF MOTIONS ARGUES FEBRUARY SEVEN INSTANT IN RAY CASE BEING FORWARDED TO BUREAU BY SEPARATE COMMUNICATION. P.

END

CKG

FBI WASH DC

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U. S. DEPARTMENT OF JUSTICE  
COMMUNICATION SECTION

FEB 7 1969

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Mr. Mohr	_____
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CKG

FBI WASH DC

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FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATION SECTION

FEB 7 1969

TELETYPE

FBI WASH DC

FBI MEMPHIS

654 PM URGENT 2-7-69 EDC

TO DIRECTOR

FROM MEMPHIS (44-1987)

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*Long McPherson*

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RESULTS OF MOTIONS ARGUED FEBRUARY SEVEN INSTANT IN RAY CASE BEING FORWARDED TO BUREAU BY SEPARATE COMMUNICATION. P.

END

CKG

FBI WASH DC

7-5

February 7, 1969

**GENERAL INVESTIGATIVE DIVISION**

This is the case involving the murder of Martin Luther King, Jr.

The attached is the results of an interview of William Bradford Huie, author, conducted by Mr. Phil Canale, State Attorney General, Shelby County, who is prosecuting the case in state court. Huie is to appear before a Shelby County Grand Jury at Memphis today.

The attached also states that five petitions filed on behalf of Ray are to be argued before Judge Battle today. The petitions include authority to take depositions out of state (SAC Frank Hitt, Atlanta and Fingerprint examiner George Bonebrake listed), permission for Huie to confer with Ray, and permission to take photographs of Ray.

This is being closely followed. The investigation suggested by Memphis is being ordered.

REL:rl

See OUTGOING  
communication  
Folder



MURKIN  
MEMPHIS

2/5/69

AIRTEL

TO: DIRECTOR, FBI (44-38861)  
FROM: SAC, MEMPHIS (44-1987) (P)  
SUBJECT: MURKIN

Enclosed for the Bureau are two copies each of five petitions which are to be argued 2/7/69 before Judge W. PRESTON BATTLE regarding instant matter.

On 2/5/69 State Attorney General PHIL CANALE, Shelby County, Tenn., advised that on 2/4/69 he and members of his staff conferred with WILLIAM BRADFORD HUIE in HUIE's hotel room at Memphis, Tenn. HUIE is to be served with a subpoena and is to appear before a Shelby County Grand Jury at Memphis on 2/7/69.

HUIE advised Mr. CANALE that he has no interest in JAMES EARL RAY whatsoever except as a businessman and as a citizen desirous of uncovering and exposing any possible co-conspirators. He said he desires to confer with RAY in hopes of having RAY plead guilty and then testifying against his co-conspirators as a witness for the prosecution. Mr. CANALE said that HUIE gives the impression that he is firmly convinced of RAY's guilt as the murderer of MARTIN LUTHER KING; however, HUIE seems to be genuinely persuaded that others were involved with RAY. Mr. CANALE noted that HUIE readily admits that he has no real evidence of a conspiracy and HUIE admits that he has caught RAY in a number of falsehoods. HUIE is convinced that RAY's story of going over the wall in his escape from the Missouri State Penitentiary is not true and RAY has admitted that the story he told HUIE about the armed robbery of a house of prostitution in Montreal is also a lie. RAY now admits that he committed an armed robbery of a food store in

3 - Bureau (Encs. 10)  
2 - Memphis  
JCH/ngm  
(5)



ME 44-1987

Montreal during a visit there in 1967, and he has told HUIE that he robbed another food store in Montreal after the murder and during his flight from Memphis to England. HUIE furnished no additional details and it is presumed that RAY furnished him no additional details regarding these robberies. HUIE advised Mr. CANALE that RAY came to Memphis on 4/3/68, stayed in a motel at Memphis that night, and on 4/4/68 purchased binoculars from a local store. HUIE admits that RAY rented a room in a rooming house and then brought the rifle which was later recovered to the rooming house. He said RAY claims to have been sitting in a white Mustang outside the rooming house when the fatal shot was fired. RAY has told HUIE that an unnamed individual ran out of the rooming house, jumped into the rear seat of the Mustang, pulled a sheet over his head, and RAY then fled the scene in the Mustang. HUIE admitted that RAY has told more than one story concerning the reason he rented the room in the rooming house, but HUIE leaves no doubt that he believes RAY pulled the trigger on the murder weapon.

HUIE stated that following the murder RAY drove to Birmingham, talked with an unnamed individual in Birmingham that same night, and then drove to Atlanta. From Atlanta he went to Gary, Indiana, where he met his brother, JERRY RAY. The subject then went to Toronto and from Toronto to Montreal where he stayed for about nine days prior to leaving for London.

HUIE volunteered the information that RAY had gone to Acapulco, Mexico, prior to the murder and while in Acapulco had made a call to unnamed person or persons at Corpus Christi, Texas. According to HUIE, Mexican police had later come to the hotel and had examined his registration card. HUIE also mentioned that the green bedspread abandoned with the rifle in Memphis had come from some place in California.

HUIE characterized RAY as an individual who is starved for public recognition. He said that RAY and his brothers are most disappointed that the public has not rallied to the subject's support. He said they and the subject had been convinced that GEORGE WALLACE would be successful in his bid for the presidency and they were much disappointed in the outcome of the national election.



ME 44-1987

While HUIE has furnished no positive information which would indicate a conspiracy, it is suggested that the Bureau request the Legat, Mexico, to conduct investigation in Acapulco in an effort to identify any telephone calls the subject might have made from there. It is also suggested that Legat, Canada, contact Montreal police to determine if they can identify the food store robberies in which subject was involved.

The Bureau will be promptly advised as to whether or not motions being made by the defense are granted.



IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

Division III

STATE OF TENNESSEE

Vs.

No. 16645 and No. 16819

JAMES EARL RAY,

Defendant

TO SAID HONORABLE COURT:

COMES NOW, James Earl Ray, Defendant in the above styled and numbered causes presently pending on the docket of this Court and files this Motion to Permit a photographer of his selection to take photographs of said defendant for the purpose of obtaining funds with which to prepare for the trial of his case or cases; and, in support of said motion, would respectfully show said Honorable Court:

I.

Defendant is advised that there is a commercial value to a series of pictures if they can be made available as exclusive to a picture magazine and that this value is respectively either \$3,000.00 or \$5,000.00.

II.

That there is insufficient money available to bring necessary witnesses from other States and other Countries, unless this request be granted. That, if granted, all such monies derived from the sale of said pictures, will be expended in the actual preparation for trial and the trial of said case or cases. That Defendant is without funds or monetary resources with which to prepare his case properly for trial, unless these funds be made available.

III.

Defendant says that the taking of a great number of photographs will be necessary in order to obtain the two or three dozen that would comprise the selection for publication, and this would require a considerable period of time for the photographer to pre-

and:

George Bonebreke, Agent  
c/o Federal Bureau of Investigation  
Washington, D. C.

IT IS FURTHER ORDERED AND ADJUDGED that the  
Clerk be and is directed to issue necessary commissions to  
Commissioners to take the depositions, giving said Commissioners  
full plenary power to subpoena said witnesses and continue the hearing  
thereof from time to time until the said depositions have been completed.

Enter this \_\_\_\_\_ day of \_\_\_\_\_, 1969.

JUDGE  
CRIMINAL COURT, Division III  
SHELBY COUNTY, TENNESSEE

and

U. L. Baker  
1408 Clermont Drive  
Aero Marine  
Birmingham, Alabama

John D. Hanners  
c/o Aero Marine  
806 Meg Drive  
Birmingham, Alabama

Peter Cherpes  
2608 Highland  
Birmingham, Alabama

C.E. Kirkpatrick  
Birmingham Trust National Bank  
Birmingham, Alabama

Clyde R. Manasco  
Route 9, Box 602  
Birmingham, Alabama

and

Frank Hitt  
Agent in Charge  
Federal Bureau of Investigation  
Atlanta, Georgia

Rev. Andrew J. Young  
1088 Veltre Circle S.W.  
Atlanta, Georgia  
or  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia

J. D. Garner  
107 14th Street N.E.  
Atlanta, Georgia

Dr. William Rutherford  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia

Rev. Lowery  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia

Rev. Martin Luther King, Sr.  
c/o Ebenezer Baptist Church  
Atlanta, Georgia

**IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE**  
**Division III**

**STATE OF TENNESSEE**

**VS.**

**NO. 16645**  
**NO. 16819**

**JAMES EARL RAY,**  
**Defendant**

**ORDER AUTHORIZING TAKING OF**  
**DEPOSITIONS OUT OF STATE**

This cause came on for hearing before the Honorable  
W. Preston Battle, Judge, Division III, Criminal Court, Shelby County,  
Tennessee, upon the petition of defendant to take depositions of out of  
State witnesses and it appearing to the Court that the application is in  
order and should be granted and that the time for taking depositions  
should be set for the earliest date practical to the convenience of the  
Attorney General and the witnesses. It further appeared that the defendant  
is indigent and without adequate funds to compensate witnesses for coming  
to and from Memphis, and that their depositions should therefore be taken.

**IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED**  
that the defendant be and is authorized through his counsel to take the  
depositions of the witnesses as listed below:

Warden Walter Swanson  
Department of Corrections  
Jefferson City, Missouri

Harry Lauf  
c/o Missouri Department of Corrections  
Route 5  
Jefferson City, Missouri

J. D. Garner  
107 14th Street N.E.  
Atlanta, Georgia

Dr. William Rutherford  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia

Rev. Lowery  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia

Rev. Martin Luther King, Sr.  
c/o Ebenezer Baptist Church  
Atlanta, Georgia

George Bonebreke, Agent  
c/o Federal Bureau of Investigation, Washington, D. C.

**PREMISES CONSIDERED, PETITIONER PRAYS:**

That an order be entered directing the Clerk to appoint necessary Commissioners to take depositions at the time to be specified, with full power to continue the taking of said depositions from time to time until they are completed, and to reset the hearings thereof as is necessary.

For other, further and general relief as seems meet and proper in the premises.

**ATTORNEY FOR DEFENDANT**

**STATE OF TENNESSEE  
COUNTY OF SHELBY**

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_  
1969, at Memphis, Tennessee.

WITNESS my hand and Notarial Seal.

**NOTARY PUBLIC**

My Commission Expires:

Said witnesses are:

Warden Walter Swanson  
Department of Corrections  
Jefferson City, Missouri

Harry Lauf  
c/o Missouri Department of Corrections  
Route 5  
Jefferson City, Missouri

and

U. L. Baker  
1408 Clermont Drive  
Aero Marine  
Birmingham, Alabama

John D. Hanners  
c/o Aero Marine  
806 Meg Drive  
Birmingham, Alabama

Peter Cherpes  
2608 Highland  
Birmingham, Alabama

C. E. Kirkpatrick  
Birmingham Trust National Bank  
Birmingham, Alabama

Clyde R. Manasco  
Route 9, Box 602  
Birmingham, Alabama

and

Frank Hitt  
Agent in Charge  
Federal Bureau of Investigation  
Atlanta, Georgia

Rev. Andrew J. Young  
1088 Voltro Circle S.W.  
Atlanta, Georgia  
or  
c/o Southern Christian Leadership Conference  
Atlanta, Georgia



**IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE  
Division III**

**STATE OF TENNESSEE**

**VS.**

**NO. 16645  
NO. 16819**

**JAMES EARL RAY,  
Defendant**

**PETITION TO AUTHORIZE DEFENDANT TO  
TAKE DEPOSITIONS OUT OF STATE**

**TO THE HONORABLE W. PRESTON BATTLE, JUDGE, DIVISION III,  
CRIMINAL COURT, SHELBY COUNTY, TENNESSEE:**

Comes the defendant, James Earl Ray, and respectfully moves the Court to authorize the taking of depositions out of the State; defendant is advised that there are material witnesses necessary to his defense outside of the State, and owing to a lack of funds to compensate the witnesses coming to and from Memphis, desires to take their depositions at the earliest practical time convenient to the Attorney General and to the arrangements necessary with said witnesses. Therefore, pursuant to T.C.A. 40-2428, defendant respectfully moves the Court to grant leave to take the depositions of the following named witnesses; and direct the Clerk to appoint necessary Commissioners to take said depositions at the time and place to either be agreed upon or fixed by the Court.

Court of Shelby County, there to be filed with the other records  
and papers in this cause.

ATTORNEYS FOR DEFENDANT

CERTIFICATE

I, Hugh W. Stanton, Jr., do hereby certify that I have  
delivered a copy of the foregoing pleading to the Honorable Phil M.  
Canale, Jr., Attorney General, Shelby County Office Building, this  
\_\_\_\_ day of February, 1969.

HUGH W. STANTON, JR.

**IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE**  
**Division III**

**STATE OF TENNESSEE**

**VS.**

**NO. 16645**

**JAMES EARL RAY,**  
**Defendant**

**MOTION TO REQUIRE THE RETURN OF A  
STATE'S SUBPOENA TO THE CLERK OF THE  
CRIMINAL COURT**

**TO THE HONORABLE W. PRESTON BATTLE, JUDGE, CRIMINAL COURT,  
SHELBY COUNTY, TENNESSEE:**

Defendant, James Earl Ray, is presently under indictment for the offense of Murder in the First Degree in the above numbered cause. His case was previously set for trial on November 12, 1968. Prior to that time the Clerk of the Criminal Court of Shelby County, at the instance of the State of Tennessee, issued a subpoena requiring the attendance of certain witnesses in this Court on November 12, 1968. This subpoena has never been returned to the Criminal Court Clerk's office by the Deputy Sheriff who served it, or by any other person. The defense subpoena, issued by the Clerk for the same trial date, is in the records of this cause.

Wherefore, defendant moves the Court for an order requiring the Sheriff of Shelby County or his Deputy, or whomever the proof may show to be in possession of said subpoena to return it to the Clerk of the Criminal

ORDER

The foregoing motion to permit a conference with a party with whom he has a contractual relation and business dealing having been presented to and considered by the Court this

\_\_\_\_\_ day of February, A.D., 1969, the same is:

GRANTED subject to the order this day entered with relation thereto.

OVERRULED AND DENIED, to which action of the Court in overruling and denying said motion the defendant, by counsel, then and there excepted, and said motion, together with this ruling thereon and defendant's exception are ordered filed as a part of the record of this case.

W. PRESTON BATTLE, JUDGE  
CRIMINAL COURT, Division III  
Shelby County, Tennessee

and agreements heretofore entered into between them and the amendments thereto and interpretation thereof necessary as a result of the change in attorneys and the parties to said contracts.

Respectfully submitted,

James Earl Ray  
James Earl Ray.

SUBSCRIBED and sworn to at Memphis, Shelby County, Tennessee  
this 3rd day of February, A. D., 1969.

Ray C. Thomas  
Notary Public in and for Shelby  
County, Tennessee.

My commission expires April 28, 1969.

### III.

Defendant says that the maximum security facilities through which he has been compelled to talk with all visitors except his attorneys will not permit adequate discussion, understanding or adjustment of the terms of the existing or any future contracts. In the first place, there is no privacy. A person is required to talk through a metal network and to look through a 7" diamond shaped thick glass. Both vision and hearing is grossly impaired. One is required, to be heard ever so faintly, to shout so that his voice and words can be clearly heard over most of the entire floor. Even then, only occasional spoken words can be heard clearly. The facilities heretofore available to such visitors is calculated to create a further misunderstanding rather than to explain and thereby solve the present matters for discussion. Therefore, Defendant says that an arrangement should be ordered that will permit a personal, unimpeded conference between himself, his present attorney and the said Wm. Bradford Huie, either in Defendant's cell or else in the Court room or an anteroom thereto.

Defendant says that three people can not carry on a conversation through the metal wire complex and glass heretofore described. That each person has to put his ear against the metal complex in order to distinguish any speech on the opposite side and there is not room for two heads against the metal complex or tube at one time. That Defendant needs the advice of his attorney as he talks with the said Wm. Bradford Huie and in advance of any conversation or answers to questions from the said author.

Defendant says that three or four hours will be, in his estimation, required for the discussion contemplated between him and the said Wm. Bradford Huie.

WHEREFORE, premises considered, Defendant prays that the Court enter an order directing that he be permitted free and uninterrupted and unimpeded conference and confrontation with the said Wm. Bradford Huie for such period of time as is necessary to discuss and come to an understanding concerning the provisions of several contracts.

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

Division III

STATE OF TENNESSEE

Vs.

Nos. 16645 and 16819

JAMES EARL RAY

TO SAID HONORABLE COURT:

COMES NOW, James Earl Ray, Defendant, and files this his motion to be permitted to confer with WILLIAM BRADFORD HUIE, in support of which motion he would respectfully show the Court:

I.

The said William Bradford Huie is an author who has had contractual relations with this Defendant since the early part of July, 1968, pursuant to which some \$30,000.00 was paid by said author to a former attorney for this Defendant. A disagreement arose between this Defendant and said former attorney resulting in the release of said attorney by said Defendant and likewise the release of the case by said attorney. But no part of the \$30,000.00 theretofore paid by said Author to said former attorney was released or returned to this Defendant by said former attorney.

II.

A number of questions have arisen with reference to several provisions of the contracts, assignments, etc., which require discussion and conference between this Defendant and the said Wm. Bradford Huie, in order to obviate a misunderstanding and to adjust to the changes that have taken place with reference to the case and the parties since the original contracts were signed. This Defendant hopes to have available additional funds from the said Wm. Bradford Huie, but whether or not they are available the protection of this Defendant's contractual rights necessitate a detailed discussion and explanation and understanding that can only be accomplished by a discussion between said author and this defendant.

O R D E R

The foregoing motion to permit the taking of exclusive photographs to be sold for the purpose of obtaining funds with which to prepare and pay expenses incident to the Defense of said Defendant having been presented to and considered by the Court this \_\_\_\_\_ day of February, A.D., 1969, the same is:

GRANTED subject to the order this day entered with relation thereto.

OVERRULED and DENIED, to which action of the Court in overruling and denying said motion the Defendant, by counsel, then and there excepted, and said motion, together with this ruling thereon and Defendant's exception are ordered filed as a part of the record of this case.

W. Preston Battle, Judge.



fy this request on the part of the Defendant, and, to deny same would be a denial of due process of law and would likewise deny the defendant the right to effective representation of counsel in violation of the Constitution of the United States of America.

IX.

Defendant says that if opposition be urged to this motion on the ground that the publicity attendant upon the publication of said pictures, then he is willing to have said pictures impounded until a jury shall have been selected.

But, to this point, Defendant respectfully would show the court that all pictures heretofore printed of this Defendant have been mug shots taken in a jail or penitentiary or one taken by the photographer for the Sheriff's office showing this defendant manacled in chains and at the end of a long journey, dishevelled and otherwise unfavorable and opprobrious.

WHEREFORE, premises considered, Defendant prays the Court that an order issue directing the Sheriff of Shelby County, Tenn., ~~Texas~~, to admit a photographer and to permit the taking of photographs and a moving picture short of the Defendant, so that the proceeds of the sale of same may be made available for the defense and expenses incident to the trial of this cases and motions to be heard in advance of said trial, as said Defendant, in duty bound, will ever pray.

*James Earl Ray*  
\_\_\_\_\_  
JAMES EARL RAY

SUBSCRIBED AND sworn to at Memphis, Shelby Co., Tennessee, this 3rd day of February, A.D., 1969.

*Ray C. McFarley*  
\_\_\_\_\_  
Notary Public, Shelby Co., Tennessee.  
My commission expires April 28, 1969.

pare the proper poses and lighting. Defendant says that contemplated in the above offers for photographs would be a short motion picture, but says the same photographer could take all such moving or still photographs.

IV.

Defendant says that at least two (2) such photographs would be made available without charge to the news media at large to be released by the Sheriff of Shelby County or the Court as they see fit, but that if all such photographs were so released there would be no cash value to any of them.

V.

Defendant's attorneys have been advised by the Court that there will be no funds available from the State of Tennessee to bring witnesses from other States, and says that the value of said pictures is an intangible but valuable asset belonging to this Defendant, which can be made available only by an order of the Court permitting the taking of such pictures.

VI.

Defendant says that an effort to gain the permission of the Sheriff of Shelby County, Tennessee, to admit the taking of the pictures aforesaid has been without avail, but the said Sheriff has said that if an order of the Court be obtained that he will permit the taking of said pictures.

VII.

Defendant says that he will submit the name of the selected photographer to the Court and or the Sheriff of Shelby County for clearance well in advance of the taking of such photographs, and, of course said photographer would be subject to the maximum security regulations now in effect or as the Court may determine.

VIII.

Defendant says that the unusual facts and circumstances attendant upon this case, meaning the wide interest of the public and the lack of funds by the defense for effective preparation, and the availability of a purchase fee for said pictures, justi-

2-4

Epp

✓ FBI  
MURKIN  
Memo  
Folder

February 4, 1969

Mr. Cedric Moore  
Assistant Non-Violent Education  
Southern Christian Leadership  
Conference  
Philadelphia, Pennsylvania

Dear Mr. Moore:

The President has asked me to thank you for your telegram of January 24, 1969, informing him that a threat has been made on Reverend James Bevel's life. If you have any details or any further information, please contact the local office of the Federal Bureau of Investigation.

Sincerely,

NATHANIEL E. KOSSACK  
Acting Assistant Attorney General  
Criminal

EXP. PROC.  
30 FEB 5 1969

REC'D - CRIMINAL SEC.  
FEB 2 4 40 PM '69

U.S. DEPT. OF JUSTICE  
F.B.I.

File

ENCLOSURE  
FEB 2 2 35 PM '69  
REC'D - CIVIL RIGHTS

FEB 2 3 40 PM '69  
FEB 2 2 10 PM '69  
RECEIVED  
FEB 5 1969

SEC'D - CRIMINAL

R.R.  
ST  
Jan 8

1969 JAN 21 AM 1 19

WA023 (KG) DN NL PD

PHILADELPHIA PENN 22

THE PRESIDENT

THE WHITE HOUSE

I AM INFORMING YOU THAT A SERIOUS THREAT IS BEING MADE ON REV.

JAMES BEVEL'S LIFE CONCERNING HIS DEFENSE OF JAMES EARL RAY

CEDRIC MOORE ASSISTANT NON VIOLENT EDUCATION SOUTHERN

CHRISTIAN LEADERSHIP CONFERENCE PHILA.

2

1/21

ENCLOSURE

- ☒ XEROX 6/24/77 dmj.
- ☒ REVIEWED 7/11/77 mer
- ☒ EXCISED & XEROXED 7/11/77 Kjn
- ☐ OTHER \_\_\_\_\_
- ☒ COMPLETED 7/11/77 mer

\* ADVISE VOELKER IN  
IDENT IF FED PROCEEDS  
EVER DISMISSED  
ON RAY

Date 6/24/77

The following material has been reproduced  
for excising and review at FBIHQ by representatives of  
the House Select Committee on Assassinations:

File No. Murkin ~~THINKING~~ Memos

Section 8

Serials \_\_\_\_\_ through \_\_\_\_\_

(except following serials not in  
file on this date:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Enclosure Behind File or Bulky Enclosure:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No. Copies 2 By me

RETAIN THIS FORM AS TOP SERIAL



8-19-88

Flow  
King  
Tid  
LONG

LONG

**BACKGROUND:**

By memorandum dated June 21, 1971, I advised that background data concerning a number of closed "Ten Most Wanted Fugitives" cases (in which prosecutive action was completed) had been furnished to Jeffers, and that he planned to begin writing the manuscript for his book about July 1st so that he could have it in the hands of his publisher, Hawthorn Books, by December 1st.

Jeffers has contacted us to advise that his work on the manuscript is progressing considerably faster than he originally anticipated. He attributes this primarily to the fact that he has "never enjoyed writing a book as much as this one" and that this project has given him "an even greater admiration for the FBI than I had when I undertook the book."

At this point, Jeffers has completed first (or rough) drafts of chapters dealing with eight "Top Ten" fugitive cases (those involving Joseph Garbett, Jr.; John Thomas Freeman; Joseph Levy; Florencio Matlong and Victor Bono; Nick Montos; Albert Nussbaum and Bobby Wilcoxson; Richard Lee Tingle; and George Zavada). Material has also been furnished him for chapters on police killer George Edward Cole, bank robber Joseph Lloyd Thomas, and bank robber Edward Owen Watkins.

- ① - Mr. Rosen  
1 - J. B. Engelstad  
1 - M. A. Jones

CONTINUED - OVER

**M. A. Jones to Bishop Memo**  
**RE: H. PAUL JEFFERS**

In addition, Jeffers wants to include detailed accounts of the Billie Austin Bryant case (killer of two FBI Agents in Washington, D. C., in 1969), the Richard Marquette case (vicious killer who became the first "11th member" of the "Top Ten Fugitives" in 1961) and the James Earl Ray case.

While Bryant, who is serving life, as well as additional sentences, has filed appeals, the fact remains that Bryant made admissions in open court at the time of his sentencing (including a statement that he was not sorry) which clearly document his guilt. Marquette also made admissions of guilt following his arrest in 1961 and is serving a life term for murder. With regard to James Earl Ray, however, despite the fact that he pleaded guilty in the 1968 murder of Martin Luther King, and has been unsuccessful in subsequent appeals, nonetheless a Federal civil rights charge is still outstanding against him in the King case. Thus, we cannot furnish Jeffers details of our investigation.

Jeffers also advises that he plans to include a chapter entitled "The Radical Fugitives" which will highlight Angela Davis, the four "Wobomb" subjects, and other extremists who have been named to the "Ten Most Wanted Fugitives." We, of course, can furnish Jeffers no information regarding these fugitives aside from that released in connection with their being named to the "Top Ten" list.

Jeffers has reiterated that his manuscript will be submitted for our review and observations prior to publication and, in fact, he intends to begin sending the first chapters of the manuscript to us next month.

**RECOMMENDATION:**

As noted above, background details of the Bryant and Marquette fugitive investigations will be sent to Jeffers; and our inability to provide material in the James Earl Ray case, as well as in the "radical fugitives" cases, will be explained to him.

*Put in Markin  
TS*

DIRECTOR, FBI (44-38861)

5/6/71

SAC, KNOXVILLE (44-696) (RUC)

JAMES EARL RAY, aka;  
DR. MARTIN LUTHER KING, JR. - VICTIM  
CR - CONSPIRACY;  
UFAC - ROBBERY

Enclosed is a clipping from The Oak Ridger newspaper dated 5/3/71, relating an escape attempt by subject.

Subsequent to the publication of this article, contact was made with Warden R. H. MOORE, Brushy Mountain Prison, at which time he furnished the following information:

Warden MOORE stated that he had received information from inside the prison that RAY was going to attempt to escape after "he got a visit". Warden MOORE speculated that "visit" was a code word for outcome of appeal, which appeal was turned down. MOORE advised that RAY attempted his escape as described in the newspaper article taken from The Oak Ridger, Oak Ridge, Tennessee, dated 5/3/71, and that he was accompanied by another inmate by the name of MORELOCK. MOORE stated that MORELOCK had been assigned to inside plumbing, knew the tunnel work and also had access to tools which probably accounted for RAY's choice of MORELOCK as an escape companion.

Warden MOORE was specifically questioned as to whether any outside help had been utilized in attempting to perpetrate RAY's escape and as to the identity of this outside help, if any. He advised that JAMES EARL RAY's brother, name unknown, who was believed to be staying with RAY's lawyer, a Mr. STONE, appeared at Brushy Mountain Prison around 2:00 PM, 5/3/71, and requested to visit RAY. He was questioned by the warden as to why he had happened to be at

② - Bureau (Enc.)  
2 - Memphis (Enc.)  
1 - Knoxville  
WFE:at  
(5)

KX 44-696

the prison on that date and he replied that STONE had gone to Florida and he decided to visit his brother. After the story of RAY's attempted escape was released to the press and became public, RAY's brother was advised that RAY could not receive visitors.

It is Warden MOORE's theory, although he cannot substantiate it, that RAY's brother was aware of the escape plan well in advance of the attempt and that he was in the area to pick up RAY once he made good his escape.

Foregoing furnished as of possible interest to the Bureau and OO.

**February 1, 1971**  
**GENERAL INVESTIGATIVE DIVISION**

**Attached teletype reveals that the attorney for John Larry Ray, brother of James Earl Ray, convicted murderer of Martin Luther King, has indicated he plans to call James Earl Ray, now confined in a Tennessee penitentiary, as witness during trial captioned case.**

**Trial date has been changed from February 8, 1971, to March 29, 1971.**

**NSI:mcw**

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

JAN 29 1971

TELETYPE

NR011 SL PLAIN

907 PM NITEL 1-29-71 AEM

TO DIRECTOR (91-38065)

PORTLAND (91-3157)

FROM ST. LOUIS (91-5279)

Mr. Sullivan  
Mr. Mohr  
Mr. Bishop  
Mr. Brennan CD  
Mr. Callahan  
Mr. Casper  
Mr. Conrad  
Mr. Felt  
Mr. Gale  
Mr. Rosen  
Mr. Tavel  
Mr. Walters  
Mr. Soyars  
Tele. Room  
Miss Holmes  
Miss Gandy

Fugitive Bank Robber

JERRY LEE MILLER - FUGITIVE, FUBANK NO. ONE FIVE THREE; ET AL

BANK OF ST. PETERS, ST. PETERS, MO., OCT. TWENTYSIX, LAST,  
Bank Robbery; Parole Violation  
BR; PV (OO: ST. LOUIS.)

RE: ST. LOUIS TEL TO BUREAU, JAN. TWENTYTWO AND BUREAU AIRTEL  
JAN. TWENTYSIX.

HEARINGS RE MOTION BY DEFENDANTS GOLDSTEIN AND RAY HEARD IN  
U. S. DISTRICT COURT, ST. LOUIS, MISSOURI, TODAY. JUDGE  
WEBSTER REDUCED BOND FOR SUBJECT GOLDENSTEIN FROM ONE HUNDRED THOUSAND  
DOLLARS TO TWENTYFIVE THOUSAND DOLLARS AND OVER-RULED  
ALL MOTIONS BY BOTH DEFENDANTS EXCEPT GOLDENSTEIN'S MOTION TO  
SUPPRESS EVIDENCE (BAIT MONEY) LOCATED IN PORTLAND, OREGON, HOTEL  
ROOM WHICH HE IS TAKING UNDER ADVISEMENT.

DATE OF TRIAL HAS BEEN CHANGED FROM FEB. EIGHT NEXT TO  
END PAGE ONE

PAGE TWO

SL 91-5279

TO MARCH TWENTYNINE. ROBERT A. HAMPE, ATTORNEY, REPRESENTING JOHN RAY IN U. S. DISTRICT COURT TODAY INDICATED THAT THEY PLANNED TO CALL JAMES EARL RAY, NOW CONFINED IN TENNESSEE PENITENTIARY, AS A WITNESS DURING TRIAL CAPTIONED CASE.

PORTLAND, NOTE CHANGE IN DATE OF TRIAL THIS CASE, PARTIALLY BY REASON OF DONNA ROHR'S CURRENT HOSPITALIZATION.

PITTSBURGH ADVISE SA JAMES W. WHITE OF CHANGE IN DATE OF TRIAL. BUREAU ADVISE FREDERICK L. EDWARDS IN LABORATORY, RE NEW DATE OF TRIAL.

PITTSBURGH FURNISHED MAIL COPY.

ARMED AND DANGEROUS.

END.

CC: Mr. Conrad <sup>C1)</sup> + CC-MR. ROSEN

LAB  
CALLED:  
M R NAHN  
By WJM Time 10:50P

UNITED STATES GOVERNMENT

# Memorandum

DEPARTMENT OF

TO : J. Edgar Hoover, Director,  
Federal Bureau of Investigation

DATE: JAN 15 1971

JL:MG:pg  
DJ 144-72-66:

*JL* FROM : Jerris Leonard  
*Kwoc* Assistant Attorney General  
Civil Rights Division

SUBJECT: Assassination of Martin Luther King, Jr.

Mr. Tolson	<input checked="" type="checkbox"/>
Mr. Sullivan	<input checked="" type="checkbox"/>
Mr. Mohr	<input checked="" type="checkbox"/>
Mr. Bishop	<input checked="" type="checkbox"/>
Mr. Brennan, C.D.	<input checked="" type="checkbox"/>
Mr. Callahan	<input type="checkbox"/>
Mr. Casper	<input type="checkbox"/>
Mr. Conrad	<input type="checkbox"/>
Mr. Felt	<input type="checkbox"/>
Mr. Gale	<input checked="" type="checkbox"/>
Mr. Rosen	<input checked="" type="checkbox"/>
Mr. Tavel	<input type="checkbox"/>
Mr. Walters	<input type="checkbox"/>
Mr. Soyars	<input type="checkbox"/>
Tele. Room	<input type="checkbox"/>
Miss Holmes	<input type="checkbox"/>
Miss Gandy	<input type="checkbox"/>

Reference is made to your memorandum of August 19, 1970, concerning author George McMillan's request for information pertaining to James Earl Ray, and other communications transmitting similar requests by Mr. McMillan; and to your memorandum of January 21, 1970, concerning among other things requests received by your Bureau for information pertaining to the Ray case.

While I do not believe it would yet be appropriate to make public the contents of the Ray files, a certain portion of the file has already been made available, in connection with a civil suit brought under the Public Information Act by Harold Weisberg, to Mr. Weisberg and thereafter to other individuals. Those papers consist only of the original documents filed on behalf of the States of Tennessee and Missouri in the extradition proceedings in the British Court.

It is our intention to make these papers available in the future to authors, publishers or members of the public who wish to inspect them and who make appropriate arrangements through this Division.

I am attaching for your information a copy of our letter to Mr. McMillan to this effect.

EXP. PROC.  
JAN 18 1971  
38

ENCLOSURE

12 JAN 18 1971

*cc lbg folder*

*SIX*



cc: J. Edgar Hoover  
Director, FBI ✓

JL:KWO'C:MG:pg  
DJ 144-72-662

JAN 15 1971

Mr. George McMillan  
Coffin Point  
Frogmore, South Carolina 29920

Dear Mr. McMillan:

I am writing in response to your letter of September 28, 1970, to Mr. Leonard, and to your several letters to Mr. Hoover which have been referred to this Division.

Department of Justice files pertaining to James Earl Ray are confidential, since they relate to an official investigation of a possible violation of federal law. Accordingly, we cannot comply with your request for further information based on the FBI's investigation.

I would like to advise you that the documents and exhibits which were filed on behalf of Tennessee and Missouri in the Ray extradition proceedings in the British Court do not come within this rule, and will be made available for your inspection in our offices in Washington at your request. If you wish to inspect these papers, you may make the appropriate arrangements with Miss Monica Gallagher, an attorney in the Criminal Section, Civil Rights Division.

Sincerely,

JERRIS LEONARD  
Assistant Attorney General  
Civil Rights Division

By: K. WILLIAM O'CONNOR  
Chief, Criminal Section

C. Eardly  
Dep. AAG  
Civil Div.

W. R. Wilson  
Assist. AG  
Criminal Div.

Jerrie Leonard  
Assistant Attorney General  
Civil Rights Division

Files Pertaining to James Earl Ray,  
Martin Luther King, Jr.

DEC 15

JL:MG:

DJ 144

Mr. Tolson	
Mr. Sullivan	✓
Mr. Mohr	
Mr. Bishop	
Mr. Brennan, C.D.	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	✓
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

Department of Justice file number 95-100-473 contains materials pertaining to the extradition of James Earl Ray from Great Britain for the murder of Martin Luther King, Jr. and for his escape from the Missouri State Penitentiary. As an international extradition proceeding the matter came within the jurisdiction of the Criminal Division. File number 125-12-1403 contains materials pertaining to a civil suit against this Department under the Public Information Act in which the plaintiff sought access to certain documents filed in the Ray extradition proceedings, and is assigned to the Civil Division.

The Department's investigation of the King assassination was predicated on a possible conspiracy violative of 18 U.S.C. 241, and accordingly the substantive investigation file (144-72-662) is assigned to this Division.

I am aware that, in connection with the civil suit brought under the Freedom of Information Act, certain portions of the extradition file have been made available to the private plaintiff and thereafter to members of the public, including publishers. In order that the Department will continue to observe a

✓cc: Director  
F.B.I.

DEC 15 4 20 PM '70

RECEIVED-DIST. DIV.

12 DEC 17 1970

IS DIRECTOR