FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
NOV 01968
TELETYPE

FBI WASH DC

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 SAN FRAN

12:36 AM DEFERRED 11-9-68 RAL

TO DIRECTOR (44-38861)

FROM SAN FRANCISCO (173-65)

MURKIN OO: MEMPHIS

RE SAN FRANCISCO TELEPHONE CALL TO MEMPHIS INSTANT DATE.

SAN FRANCISCO POLICE DEPARTMENT, OAKLAND POLICE DEPARTMENT AND BERKELEY POLICE DEPARTMENT ADVISED THIS DATE THEY HAD RECEIVED TELEPHONE CALL FROM AN INDIVIDUAL WHO CLAIMED HE WAS CALLING FROM LONDON, ENGLAND, AND WHO USED THE NAMES WILLIAM PAYTON CANN AND WILLIAM JAMESON, AND WHO STATED THAT HE RESIDED AT TOBEKA CAMP END ROAD, ST. GEORGE'S HILL, WAYBRIDGE SURREY, ENGLAND, TELEPHONE NUMBER COBHAM FOUR EIGHT ONE FIVE. HE ALSO CLAIMED HE WAS MAKING THESE CALLS FROM THE SWISS EMBASSY, TELEPHONE NUMBER ZERO ONE SEVEN TWO THREE ZERO - SEVEN ZERO ONE.

CANN SAID THAT HIS BROTHER, MICHAEL NOWLIN CANN, A STUDENT AT THE UNIVERSITY OF CALIFORNIA AT BERKELEY AND WHO RESIDES AT TWO SEVEN ZERO ONE HEARST STREET, BERKELEY, WAS, "A MATERIAL WITNESS IN THE MARTIN LUTHER KING, JUNIOR, SLAYING AND THAT HE, (MICHAEL CANN) WAS ABOUT TO BE KILLED BECAUSE OF INFORMATION HE POSSESSED. IN HIS TELEPHONE CALL TO THE DIFFERENT POLICE DEPARTMENTS, CANN REQUESTED THAT

END PAGE ONE

REC 46 44-38861-5344

EX-101

12 NOV 1968

59 NOV 19 1968

CC LONG

Cablegram Legat London 11-9-68 RE: gd

HIS BROTHER BE AFFORDED PROTECTION IN ORDER THAT THIS MURDER WOULD NOT BE CARRIED OUT.

MICHAEL CAAN, TWO SEVEN ZERO ONE HEARST STREET, BERKELEY, CALIFORNIA, ADVISED BERKELEY POLICE OFFICER, MICHAEL S. REPPAS, THAT HE KNOWS NOTHING ABOUT THE MARTIN LUTHER KING SLAYING, HAS HAD NOTHING TO DO WITH IT, IS IN NO DANGER, AND THAT HIS BROTHER IS A [redacted] PATIENT IN A REST HOME NEAR LONDON, ENGLAND.

OAKLAND POLICE DEPARTMENT ADVISED MR. ROBERT DWYER OF THE STATE ATTORNEY GERNERAL'S OFFICE AT MEMPHIS, TENNESSEE, THIS DATE OF THE ABOVE INFORMATION AND MR. DWYER INFORMED OAKLAND POLICE DEPARTMENT THEY HAVE NO INFORMATION REGARDING CAAN INVOLVED IN THIS MATTER.

SAN FRANCISCO FILES REFLECT ONE WILLIAM PAYTON CAAN CALLED SAN FRANCISCO OFFICE IN APRIL, LAST, AND STATED THAT HIS BROTHER, MICHAEL CAAN, WAS A SUSPECT IN THE MURKIN CASE BECAUSE OF STRIKING PHYSICAL RESEMBLANCE TO JAMES EARL RAY, HOWEVER, BASED ON PHYSICAL DESCRIPTION MADE AVAILABLE AT THAT TIME BY CAAN HIS BROTHER WAS ELIMINATED AS SUSPECT.

THE BUREAU MAY DESIRE TO HAVE THE LEGAT LONDON DETERMINE WHETHER OR NOT WILLIAM CAAN, ALSO KNOWN AS WILLIAM JAMESON, IS CONFINED TO A MENTAL INSTITUTION IN ENGLAND.

AIR MAIL COPY SENT TO MEMPHIS.

END

~~CORR: PAGE TWO, LINE FOURTEEN, WORD NINE SHOULD BE CASE~~

BJP

FBI WASH DC

RECEIVED

TELETYPE UNIT

Nov 9 3 46 AM '68

FD-16 (Rev. 5-22-64)

NA 11-11-68

FBI

Date: 11/8/68

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (44-38861)

FROM: ~~SAC,~~ SPRINGFIELD (44-561) -P-

SUBJECT: MURKIN

Re Springfield airtel to Bureau dated 11/1/68.

Contacts with bank officials, law enforcement agencies, and informants during past week unproductive.

Photographs of RALPH PAGE and DONALD JOHN RAIN displayed to witnesses at Bank of Alton; however, no positive identification made.

GRADUATED

44-38861-5345

REC- 24

12 NOV 12 1968

C. C. - Bishop

3-Bureau (44-38861)
2-Memphis (44-1987)
2-Springfield (44-561)
RCH:lmh
(7)

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

5 NOV 18 1968

NOV 12 '68

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATION SECTION
NOV 12 1968
TELETYPE

Mr. Tolson
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Mr. Mohr
Mr. Bishop
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Mr. Sullivan
Mr. Tavel
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Tele. Room
Miss Holmes
Miss Gandy

FBI WASH DC

FBI MEMPHIS

156 PM URGENT 11-12-68 MCP

TO DIRECTOR 44-38861

FROM MEMPHIS 44-1987 1 P

MURKIN. ASSASSINATION OF MARTIN LUTHER KING

PERCY FOREMAN IS NEW ATTORNEY OF RECORD FOR SUBJECT RAY.
JUDGE W. PRESTON BATTLE GRANTED POSTPONEMENT TODAY
UNTIL NEXT TERM OF COURT. THIS CASE SET FOR TRIAL MARCH THREE
SIXTYNINE. P.

END

MKA

FBI WASH DC

REC 55 44-35501-5346

EX-101

25 NOV 13 1968

P

51 NOV 20 1968

CC-MR. ROSEN

MR. DELOACH FOR THE DIRECTOR

RECEIVED DIRECTOR
F. B. I.
Nov 12 3 23 PM '68

Nov 12 5 12 PM '68

Nov 12 3 07 PM '68
REC'D DE LOACH
F B I

Nov 12 5 54 PM '68
REC'D DE LOACH
F B I

Nov 12 6 11 PM '68
F. B. I.
U.S. DEPT. OF JUSTICE

Nov 12 2 57 PM '68
RECEIVED
TELETYPE UNIT

11-8-68

SAC, ME MURKIN

THERE ARE ENCL'D ORIG. AND ONE XEROX COPY OF NEWSPAPER CLIPPINGS IN CAPTIONED MATTER. P

FD-247
(REV. 3-27-58)

☆ U.S. GOVERNMENT PRINTING OFFICE: 1967—282-335

(Rev. 1-22-64)

FBI

Date: 11-8-68

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(Type in plaintext or code)

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(Priority)

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Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987) P

MURKIN

There are enclosed original and one Xerox copy of newspaper clippings in captioned matter.

4 ENCLOSURE

3 BUREAU (Enc. 4)
1 MEMPHIS

RGJ:BN
(4)

44-38861-

C. C. - Bishop

NOT RECORDED
1 NOV 12 1968

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

11-10
Jh

REC'D - CIV RIGHTS
FBI

REC'D - CIV RIGHTS
FBI Nov 12 7 55 AM '68

Nov 12 11 53 AM '68

FD-350 (Rev. 7-16-63)

Readers To Get Best Seat At Ray Trial

(Mount Clipping in Space Below)

In this century there has been a handful of American trials internationally regarded as history makers.

Tuesday, another will be added to the list. A 9:30 a.m. on that day the trial of James Earl Ray, a Missouri State Penitentiary escapee charged with the murder of Dr. Martin Luther King Jr., will begin. The world will watch and listen — and read.

Since a high-powered rifle cracked at 6:01 p.m. April 4 and a bullet penetrated the jaw of Dr. King, The Commercial Appeal has assigned many men and devoted many man-hours to the job of keeping its readers informed of all the developments in a case that required one of the most extensive manhunts the world has ever witnessed.

The men who are the most familiar with the case, those who were working when the shot was fired and wrote about the crime and the funeral, the manhunt and the capture, the return to Memphis and a cell in the Shelby County Jail, will be our readers' eyes and ears beginning Tuesday.

Angus McEachran, assistant metropolitan editor, will direct this newspaper's staff of writers, photographers and artists who will cover the trial from the Criminal Courts Building.

Mr. McEachran, who has directed a majority of the coverage of this case, went to London June 8 when Scotland Yard arrested Ray. For a week his daily reports captured a part of the complicated and mysterious life of James Earl Ray. Born in Memphis, Mr. McEachran has built a reputation for enterprising news stories and skillful writing. He attended George Washington University and Memphis State.

Charles Edmundson, veteran court reporter, will provide a running account of the trial from the seat reserved for The Commercial Appeal. Mr. Edmundson's first taste of courtroom coverage came at the Scopes trial or the Dayton Monkey Trial at Dayton, Tenn., in 1925. Taking military training at Fort Oglethrope, Ga., he got leave to cover the climactic days of the test of Tennessee's law against the teaching of evolution for a now defunct Knoxville newspaper.

Mr. Edmundson, a Nieman Fellow at Harvard and a graduate of the University of Tennessee, also covered the trial of the Scottsboro Negroes, charged with criminal assault, at Decatur, Ala., in 1932. At the conclusion of the case Judge James E. Horton declared the jury's guilty verdict "unsupported by evidence" and set it aside. The judge was never elected to public office again. Mr. Edmundson has had a distinguished journalistic career that has brought him worldwide assignments from The Commercial Appeal, The St. Louis Post-Dispatch, Fortune magazine and The United States Foreign Service.

Staff writer Gregory Jaynes, who was sent to Toronto after the capture of Ray and who, like Mr. McEachran, pieced together a side of the life of the accused slayer, will de-

(Indicate page, name of newspaper, city and state.)

— PAGE 50

— COMMERCIAL APPEAL

— MEMPHIS, TENN.

Date: 11-7-68
Edition:
Author: FRANK R.
Editor: AHLGREN
Title:

Character:
or
Classification:
Submitting Office: MEMPHIS

☐ Being Investigated

44-38861-

ENCLOSURE

scribe the drama surrounding the trial, concentrating on events outside the courtroom.

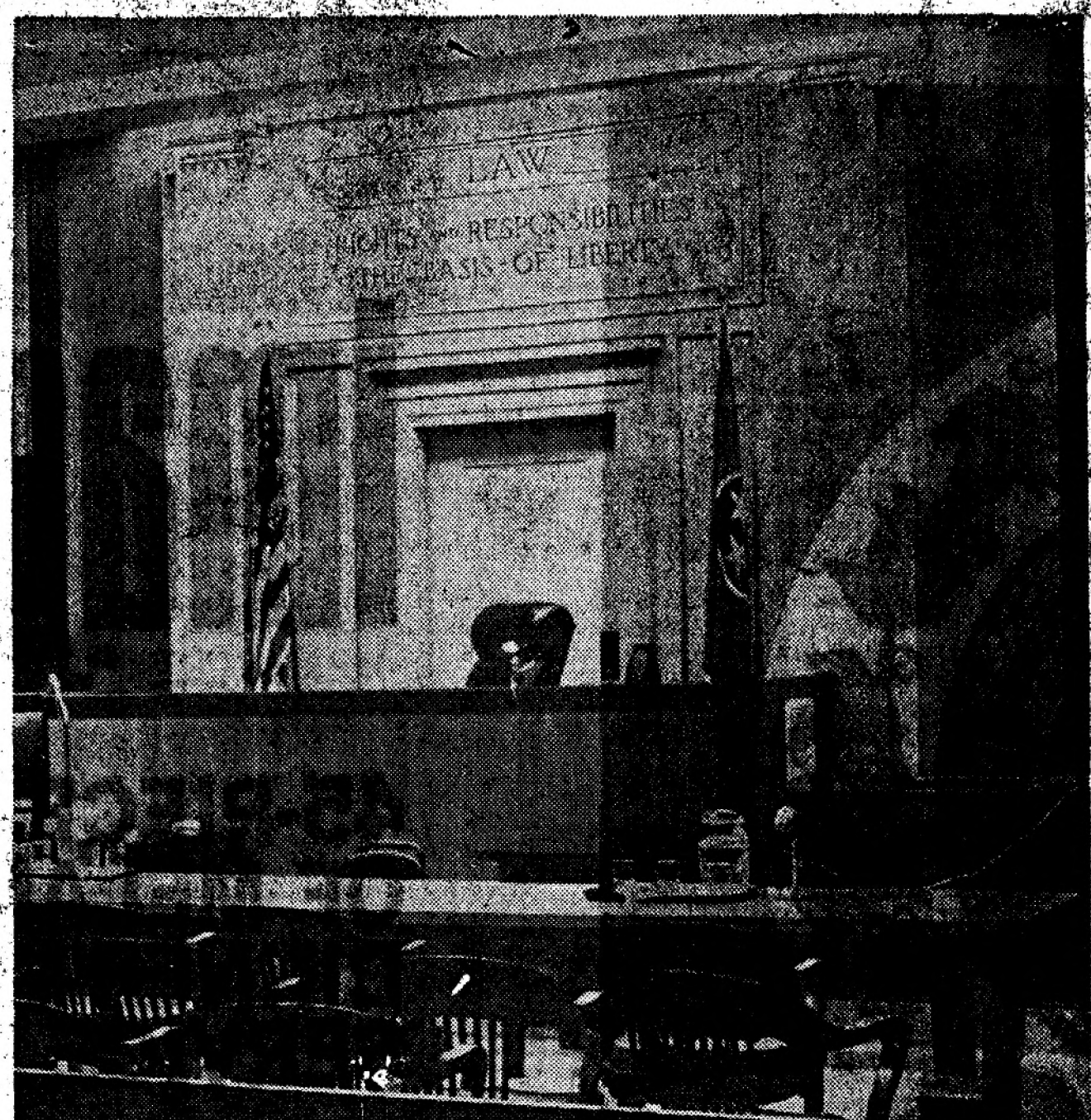
Mr. Jaynes has another reason for attending the trial. He has been subpenaed by the defense as a result of his reporting minutes after the death of Dr. King. Mr. Jaynes was born in Florence, Ala. He attended Memphis State.

Others accredited to cover the trial for this newspaper include Jimmie Covington, also a veteran court reporter and assistant metropolitan editor; photographers Robert Williams and Fred Griffith.

The Commercial Appeal's coverage also will include the dispatches of The New York Times News Service and The Commercial Appeal-Chicago Daily News Service as well as the Associated Press and United Press International.

In a cooperative effort with leading national and foreign newspapers, The Commercial Appeal and Memphis Press-Scimitar have arranged for pool transcripts of the testimony. The court has supported this plan to help make up for the lack of space in the courtroom.

It all adds up to a first-rate effort for our readers. It is an effort that was begun at 6:01 p.m. April 4. It will continue until the case is closed.



Gregory Jaynes

Charles Edmundson

Angus McEachran

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Ray Trial Defense To Report 'Ready'

King Murder Case To Go To Court Tuesday

The defense will announce ready when Division 3 of the Shelby County Criminal Court opens Tuesday morning for the trial of James Earl Ray, chief defense counsel Arthur Hanes Sr. said yesterday.

Mr. Hanes and his co-counsel, Arthur Hanes Jr., were in Memphis yesterday for a conference with their client and defense witnesses. They said that Ray, charged with the murder of Dr. Martin Luther King Jr. here April 4, is in good condition. They conferred with him for more than an hour in his cell at the Shelby County Jail.

Mr. Hanes declined to comment on reports that he would ask Judge W. Preston Battle, chosen to conduct the trial, to recuse himself in favor of another judge. Mr. Hanes is reported to feel Judge Battle showed prejudice in the degree by which he has sought to limit pretrial comment by counsel.

The first week of the trial is expected to be taken up with the choice of a jury. Although nearly 700 veniremen were chosen at the beginning of the fall term of court, a special venire is expected to be required. Supplementary veniremen are not expected to be called until it becomes clear the regular venire will be exhausted.

Of a list of 300 prospective witnesses earlier submitted to Circuit Court Clerk James A. Blackwell, about 120 have been subpenaed. Receiving subpenas today, at the request of the defense, will be Fire and Police Director Frank Holloman, Patrolman W. B. Richmond, Vester L. Moore, a former City Park ranger, and Thomas Fox, a reporter for The Commercial Appeal.

(Indicate page, name of newspaper, city and state.)

PAGE 28

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 11-7-68

Edition:

Author:

Editor: FRANK R. AHLGREN

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-38861-

ENCLOSURE

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-38861) DATE: 11/6/68

FROM : SAC, NORFOLK (44-268)

SUBJECT: MURKIN

Enclosed for the Bureau are eleven copies of an LHM entitled "ASSASSINATION OF DR. MARTIN LUTHER KING, JR." which are being submitted for possible dissemination at the Bureau. Enclosed for Memphis are two copies of this LHM.

Inasmuch as the statements made by Mrs. MARY PATRICIA BOLIN were admittedly made in an effort to obtain sympathy of her estranged husband, the Norfolk Division does not contemplate any further action regarding this matter.

EX-102

REC 46 44-38861-5347

1cc: AAG Civil Rights Division
Form 6-94

1 cc CIVIL RIGHTS UNIT NOV 19 1968

ENCLOSURE

12 NOV 12 1968

11 ③ - Bureau (Enc. 11)
2 - Memphis (Enc. 2)
2 - Norfolk (44-268)
(26-9228)

RLM:aaa
(7)

54 NOV 20 1968

NOV 13 1968

REC'D CIV RIGHTS
FBI
Nov 18 9 32 AM '68

(1)
MTM:jes

5 - NORFOLK (SQ-3558)
5 - NEWARK (SQ-3)
3 - DETROIT (SQ-1)

1 cc Civil Rights Div NOV 13 1968

Form 8-01
To: AAG Civil Rights Division

NOV 15 1968

REC 19

DIRECTOR, FBI (100-448)

SAC, NORFOLK (44-503)

MURKIN

Enclosed for the Bureau are eleven copies of a letter dated "ASSASSINATION OF DR. MARTIN LUTHER KING, JR., AND THE NATIONAL ALLIANCE OF PEOPLE" addressed to Congressman Richard H. Poff, as the Bureau requested. Enclosed for Newark are eleven copies of a letter dated "MLK, JR." and the enclosure as the Bureau requested.

YMCA is a member agency of the United Fund. The National Alliance of People has at no time been a member of the United Fund and is not a member agency. The Norfolk office has contacted the United Fund and advised that the YMCA is not a member agency and is not a member of the United Fund.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Norfolk, Virginia

In Reply, Please Refer to File No.

November 6, 1968

ASSASSINATION OF
DR. MARTIN LUTHER KING, JR.

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On October 30, 1968, MARY PATRICIA BOLIN was interviewed at the Norfolk Office of the Federal Bureau of Investigation at which time she admitted being separated from her husband and further admitted that she had told her husband that she and the individual, with whom she was living in a common-law status, had committed several armed robberies and also that she had information regarding the individual who assassinated Dr. MARTIN LUTHER KING, JR. She admitted that she had made the statement to her husband that this individual had received $500,000.00 and was hiding out in the State of Florida, but further admitted that these statements were all lies that she had fabricated and that she only told them to her husband inasmuch as he had lied to her on previous occasions about his activities. She admitted that she had told these things to her husband in order to obtain sympathy from him, but stated that she did not, in fact, have any information whatsoever regarding the assassination of Dr. MARTIN LUTHER KING, JR.

Mrs. BOLIN further admitted that she is presently out on bond for insufficient funds checks being cashed at Norfolk and further stated that she did not, in fact, try to commit suicide in 1967, while residing in Florida.

ASSASSINATION OF
DR. MARTIN LUTHER KING, JR.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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On October 17, 1968, PAUL C. BOLIN, Navy Serial Number 7781754, assigned to the USS ORION, telephonically advised that approximately six weeks prior to that date his wife, MARY PATRICIA BOLIN, from whom he is separated, made several statements to him indicating that she and another individual, with whom she was living in a common-law status, had stolen a rented car from Florida and were wanted in several states for armed robbery and other crimes. He stated that although his wife had tried to [redacted] on several occasions, he felt that she was mentally unstable and armed with several weapons. He further stated that his wife told him that she had knowledge of the person's identity who killed Dr. MARTIN LUTHER KING, JR., that this individual received $500,000.00 for the assassination, and was hiding out in the State of Florida.

On October 30, 1968, MARY PATRICIA BOLIN was interviewed at the Norfolk Office of the Federal Bureau of Investigation at which time she admitted being separated from her husband and further admitted that she had told her husband that she and the individual, with whom she was living in a common-law status, had committed several armed robberies and also that she had information regarding the individual who assassinated Dr. MARTIN LUTHER KING, JR. She admitted that she had made the statement to her husband that this individual had received $500,000.00 and was hiding out in the State of Florida, but further admitted that these statements were all lies that she had fabricated and that she only told them to her husband inasmuch as he had lied to her on previous occasions about his activities. She admitted that she had told these things to her husband in order to obtain sympathy from him, but stated that she did not, in fact, have any information whatsoever regarding the assassination of Dr. MARTIN LUTHER KING, JR.

Mrs. BOLIN further admitted that she is presently out on bond for insufficient funds checks being cashed at Norfolk and further stated that she did not, in fact, try to [redacted] in 1967, while residing in Florida.

ASSASSINATION OF
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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Norfolk, Virginia

In Reply, Please Refer to File No.

November 6, 1968

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ENCLOSURE

ASSASSINATION OF
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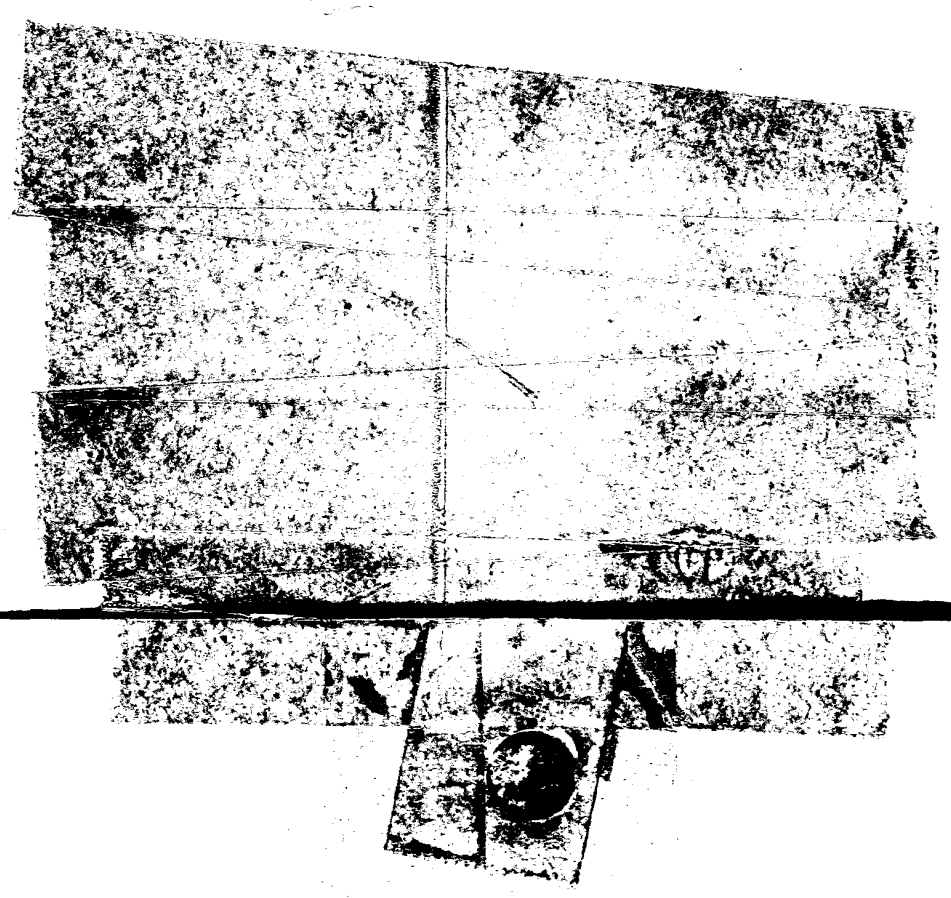

44-38861-5348

ENCLOSURE

FD-36 (Rev. 7-22-64)

F B I

Date: 10-25-68

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AM (Priority)

TO: DIRECTOR, FBI (44-38861)
ATTN: INSPECTOR NORMAN J. McDANIEL
IDENTIFICATION DIVISION

FROM: SAC, MEMPHIS (44-1987) P

MURKIN.

The "Commercial Appeal," a Memphis, Tennessee, morning newspaper, on Friday, October 25, on Page 25, carried an article captioned "FBI Aide Cited by Court Panel." This article restates in general the information previously attributed to GEORGE BONEBRAKE of Washington, a senior fingerprint expert. The article continues by stating that BONEBRAKE was ordered to show cause on December 6 why he should not be adjudged in contempt for violation of a criminal court order limiting pre-trial publicity in the case of JAMES EARL RAY. The charge reportedly is based on an interview with Mr. BONEBRAKE published in the September 11 issue of the "Wichita Beacon," Wichita, Kansas. This information which appeared in the "Wichita Beacon" has previously been furnished to the Bureau.

In addition, the article states that "In Washington, a Justice Department spokesman said there would be no comment before Judge Battle's attested order reaches Washington." The article further quotes from the "Katzenbach Guidelines" governing utterances of department personnel.

Xerox copies of the newspaper article are enclosed.

Copies of the petition for contempt have previously been furnished for the Bureau's assistance and guidance. Two copies of the petition, which was actually filed on 10/24/68, are attached hereto for the Bureau's information. The only additions to this petition are Xerox copies of the newspaper articles which are labeled "Exhibit A," "Exhibit B," and "Exhibit C." One additional page has been attached to the petition which bears

ENCLOSURE

REC 58 44-38861-5348

(3) BUREAU (Enc. 4) (AM)
1 MEMPHIS
RGJ:BN (4)

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

14 OCT 28 1968

53 NOV 8 1968

Check Designated

REC'D - DIRECTOR
FBI

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RECEIVED

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OCT 29 4 01 PM '68

U.S. DEPT OF JUSTICE

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FBI

OCT 30 9 00 AM '68

REC'D - DIV
FBI

the signature of Judge W. PRESTON BATTLE, dated 10/24/68. This addition indicates that the matter has been set for hearing after the RAY trial.

Information was also received by the Memphis Division that a copy of this petition had been mailed to Attorney General RAMSEY CLARK this date.

FBI Aide Cited by Court Panel

Battle Orders Fingerprint Expert To Show Cause In Publicity Order

George Bonebrake of Washington, a senior FBI fingerprint expert, was ordered yesterday to show cause on Dec. 6 why he should not be adjudged in contempt for violation of a Criminal Court order limiting pretrial publicity in the case of James Earl Ray.

Criminal Court Judge W. Preston Battle ordered Mr. Bonebrake to appear before him on that date for the contempt hearing. Judge Battle said it was impracticable to hold the hearing before Ray's trial, set for Nov. 12.

Mr. Bonebrake is expected to be a key witness, giving fingerprint testimony, as the prosecution presents its case. Ray is charged with the deer-rifle slaying of Dr. Mrstin Luther King here April 4.

Judge Battle cited Mr. Bonebrake upon the recommendation of an amici curiae committee of the Memphis and Shelby County Bar Association. The committee, headed by Lucius Burch, advised Judge Battle it believes "George Bonebrake had actual knowledge of the aforesaid orders, decrees and injunctions issued by this court . . . Your petitioners aver therefore that there is strong cause to believe that respondent George Bonebrake is in contempt."

The charge is based on an interview with Mr. Bonebrake, published in the Sept. 11 issue of the Wichita (Kan.) Beacon. Mr. Bonebrake was quoted as saying Ray's fingerprints were found near the scene of Dr. King's murder in Memphis.

"There is no doubt in my mind that Ray at least handled the murder weapon," Mr. Bonebrake was quoted as saying. He was in Wichita to speak on fingerprint identification at a police seminar.

In Washington, a Justice Department spokesman said there would be no comment before Judge Battle's attested order reaches Washington. But he read the "Katzenback Guidelines" governing utterances of department personnel.

Rule 3 says, "We do not believe department personnel should refer (publicly) to investigative procedures, such as fingerprints, polygraphs (lie detector results), ballistics or laboratory tests. Such demonstrative facts constitute evidence which should be presented publicly for the first time to the trial aury in a court of law.

"Disclosure of such matters to the public before trial can be deeply prejudicial without any significant addition to the public's need to be informed."

Mr. Bonebrake is the fifth man to be charged with contempt of Judge Battle's pretrial publicity order. Ray's chief defense counsel and an investigator employed by him and two Memphis reporters were convicted Sept. 30 of contempt with sentence deferred.

MEMPHIS COMMERCIAL APPEAL
FINAL EDITION
10/25/68
Page 25

EDITOR: FRANK R. AHGREN

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MEMPHIS COMMERCIAL APPEAL
FINAL EDITION
10/25/68
Page 25

EDITOR: FRANK R. AHGREN

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE	'	
VS.	'	NO. 11645 MURDER - FIRST DEGREE
JAMES EARL RAY, ALIAS ERIC STARVO GALT, ALIAS JOHN WILLARD, ALIAS HARVEY LOWMEYER, ALIAS HARVEY LOWMYER	' ' ' ' '	NO. 16819 CARRYING DANGEROUS WEAPON FILED 10-24-68 J. A. BLACKWELL, CLERK BY E. E. Koster D. C.

PETITION FOR CONTEMPT

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

Your petitioners, Amici Curiae, show unto the Court as follows:

That petitioners are the duly appointed and acting Amici Curiae, having been so appointed by order of this Court on July 29, 1968;

That heretofore the Court on July 18, 1968 entered an order on Courthouse and Courtroom Procedures and Publicity, and on July 23, 1968 said Court entered an amendment to said order.

Further, under date of July 30, 1968, said Court supplemented said orders by a further order of Court prohibiting and enjoining the perpetration of certain specific acts in connection with the above-styled causes.

That all three of said orders are part of the record in these causes and, among other things, contain the following language in the order of July 30, 1968:

> "All lawyers participating in this case, their assistants, associates, staff members, investigators and employees under their supervision and control, County Medical Examiner, Jury Commissioners, Criminal Court Clerk, County Sheriff, Police Officials and other law enforcement officers, employees of this Court and all other persons employed in the 'Criminal Courts Buildings', their associates, deputies, assistants, staff members and personnel under their supervision and control, are forbidden to take part in interviews or press conferences for publicity and are enjoined from making extra-judicial statements about this case which . . ."

That said order of July 30, 1968 further prohibited all persons under the purview of said order from taking part in interviews or press conferences for publicity and enjoined them from making extra-judicial statements about this case which involve:

> "(4) the comments of the Declarant about the merits of the case and about any evidence which may be presented;"

Further, said order of July 30, 1968 contained the following paragraph:

> "All persons or entities subject to this Order who feel aggrieved by anything herein contained are hereby admonished that any such grievances or complaints should be judicially presented."

That there appeared in the Commercial Appeal, a newspaper of general circulation in Memphis, Shelby County, Tennessee, under date of Wednesday morning, October 16, 1968, an article under the heading: "Lecture By FBI Agent Angers Ray's Attorney", the one in which George Bonebrake, an FBI fingerprint specialist, is quoted. A copy of said item is attached hereto as "Exhibit A" and made a part of this petition.

That under date of Wednesday, October 16, 1968, there appeared in the Memphis Press Scimitar, a newspaper of general circulation in Memphis, Shelby County, Tennessee, an item entitled: "Hanes Denounces Court Group as 'Hypocrites'", in which said George Bonebrake is again quoted. A copy of said item is likewise attached hereto as "Exhibit B" and made a part of this petition.

That there appeared in the Commercial Appeal under date of Thursday, October 17, 1968, under the heading: "Hanes Resumes Verbal Onslaught", an item which again quoted the said George Bonebrake. A copy of said item is attached hereto as "Exhibit C" and made a part of this petition.

That your petitioners believe that the said George Bonebrake is a resident citizen of Washington, D. C., and is not amenable at this time to the processes of this Court, but that your petitioners respectfully recommend to the Court that should their

prayer for the issuance of a Scire Facias for a show cause order as hereinafter set out be granted by this Honorable Court against the said George Bonebrake, that a copy of this petition be mailed to the Honorable Ramsey Clark, the Attorney General of the United States, Department of Justice, by whom your petitioners believe said George Bonebrake is employed, requesting the said George Bonebrake to submit himself voluntarily to the jurisdiction of this Court so that a fair and proper hearing may be held. That, in the event said voluntary submission is not forthcoming, your petitioners recommend that this Court issue said processes at such time that said George Bonebrake shall come into and be within the jurisdiction of this Court.

That your petitioners believe the respondent herein named, George Bonebrake, had actual knowledge of the aforesaid orders, decrees and injunctions issued by this Court.

Petitioners aver, therefore, that there is strong cause to believe that respondent, George Bonebrake, is in contempt of the orders and injunctions of this Court by reason of the aforesaid articles and acts as alleged and that he should be cited to appear and show cause, if any he has, why he should not be held in contempt of this Court.

WHEREFORE, PREMISES CONSIDERED, PETITIONERS PRAY:

1. That proper process issue demanding George Bonebrake to appear before this Honorable Court and show cause, if any he has, why he should not be adjudged in contempt of this Court and its orders and, upon the hearing of said cause, the Court enter such other orders as may be proper in the premises.

2. For such other and further relief as the Court may feel right and proper under the circumstances.

Lucius E. Burch, Jr.

J. Alan Hanover

Cooper Turner, Jr.

James D. Causey

Leo Bearman, Jr.

Lee A. Hardison

Don G. Owens

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned Notary Public, the aforementioned petitioners, who state that they have read the foregoing petition and that the facts contained therein are true to the best of their knowledge, information, and belief.

Notary Public

My commission expires:
MY COMMISSION EXPIRES JAN. 10, 1972

F I A T

TO THE CLERK OF THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE:

File this petition and issue scire facias upon the petition ordering the respondent, George Bonebrake, to appear before this Court on the 6th day of December, 1968, at 9:30 A.M. o'clock to show cause why he should not be adjudged in contempt of this Court for violation and disobedience of the Court's orders.

W. Preston Battle
JUDGE

Lecture By FBI Agent Angers Ray's Attorney

By CHARLES EDMUNDSON

Arthur J. Hanes Sr., attorney for James Earl Ray, accused in the killing of Dr. Martin Luther King Jr., complained yesterday that a court order to limit pre-trial reporting in the case "protects the prosecution and only muzzles the defense."

"I am going to represent my client to the limit of my abilities, according to the law, and I am not going to be stopped," Mr. Hanes said.

He flew here from Birmingham yesterday to continue his examination of items of evidence the attorney general's office has been ordered to make available to him.

In an interview Mr. Hanes declared that prosecution witnesses have been making public statements "convicting my client and we have had no chance to counter them."

He cited a lecture by George Bonebrake, an FBI fingerprint specialist, in Wichita, Kan., Sept. 11 and quoted on Page One of the Wichita Beacon:

The Beacon identified Mr. Bonebrake as the man who "led the search through thousands of fingerprints on file with the FBI headquarters in Washington seeking identification of the killer." Mr. Bonebrake also testified at the extradition hearing for Ray in London in July.

"I was able to testify," Mr. Bonebrake was quoted as saying in Wichita, "that the latent fingerprints we found in Memphis matched those taken of the man arrested in London, and that the same prints matched those taken of James Earl Ray while he was at the Missouri Penitentiary."

Using a chart to compare "latent fingerprints" with "ink fingerprints," Mr. Bonebrake added, "This is what I did in London. I was able to show that the latent prints obtained in Memphis, the ones taken in London and the ones taken of Ray at the Missouri prison were all the same."

Mr. Bonebrake was addressing a Wichita area police seminar on fingerprint identification. In Washington yesterday the FBI said Mr. Bonebrake was out of town and not available for comment.

Frank Garofolo, assistant city editor of the Wichita Beacon, said yesterday that newsmen were permitted to attend the lecture and nothing was put off the record at the police seminar. A major in the Wichita Police Department objected the next day, Mr. Garofolo said, that the speech had been quoted too much in detail.

Judge W. Preston Battle has acknowledged earlier that his power to limit publicity applied only in the boundaries of his judicial district (Shelby County).

The order has a differing effect, Mr. Hanes said.

"While the accused and his attorneys have been ordered not to give interviews, key witnesses for the prosecution, such as Mr. Bonebreak, have been free to make statements. Atty. Gen. Ramsey Clark stated on Television that Ray committed this crime with no conspiracy involved. When I say the contrary I am held in contempt."

Mr. Hanes said Judge Battle's order restricting pre-trial interviews is inconsistent with a statement by the judge that he has seen criminal cases "drenched in publicity" but ending with a "just result."

Judge Battle made the statement in denying a defense contention that widespread publicity before issuance of his order had made a fair trial impossible.

Mr. Hanes will be in Memphis today and tomorrow interviewing witnesses and examining items of evidence in possession of Atty. Gen. Phil Canale. He took time off yesterday afternoon to buy Ray a new supply of shirts, size 15½.

Commercial Appeal
10/16/68

"Exhibit A"

Memphis Press-Scimitar

FINAL EDITION

WEATHER FORECAST: High today 84. Low tonight 65. Chance of a few showers tonight. (Details on Page 2.)

PRICE TEN CENTS

88TH YEAR—NO. 299 MEMPHIS, TENN., WEDNESDAY, OCTOBER 16, 1968 TELEPHONES: NEWS AND GENERAL 526-2141 WANT ADS 526-5522 CIRCULATION 525-7601

'Like the Harper Valley P-TA,' Attorney Charges

nes Denounces Court Group as 'Hypocrites'

Arthur J. Hanes, attorney for James Earl Ray, socked it to a court-appointed committee in the Dr. Martin Luther King murder case today, calling them a "committee of Harper Valley P-TA hypocrites."

The reference is to the hit record, "Harper Valley P-TA," which recounts the tale of a mini-skirted widowed wife told by the P-TA that "as a mother, you're not fit." She wore her mini-skirt to the next meeting and "socked it to" the Harper Valley P-TA," recounting the vices of the members and branding them as "Harper Valley hypocrites."

Hanes called the committee 'hypocrites' because he contends that representatives of those prosecuting Ray are being allowed to make statements about the case while he has been criticized for making comments.

The seven-lawyer committee, headed by Lucius Burch, recommended to Judge Preston Battle that Hanes be required to show cause why he should not be held in contempt of Battle's order restricting pre-trial publicity. Battle held Hanes, a private detective in his employ and two newspaper reporters, in contempt but has not passed sentence.

"Sheriff (William) Morris said in a press conference that the man's (Ray's) cell is fine. I said I disagreed. Atty. Gen. Ramsey Clark stated on television that Ray committed this crime with no conspiracy involved," Hanes said.

"I suppose if I had opened my mouth and agreed with Ramsey Clark and Sheriff Morris, nothing would have been said about it. Nothing would have been heard from Mr. Burch's committee of Harper Valley P-TA hypocrites."

Hanes said he had not filed a plea to set aside Battle's decision in the contempt hearing. "I'm going to wait and see if he sentences me. I may at that time appeal. Still, on the other hand, whatever he decided to mete out to me, I could take it as long as that bunch (the committee) could live with their consciences."

Other members of the legal committee are J. Alan Hanover, Cooper Turner Jr., James D. Causey, Leo Bearman Jr., Lee A. Hardison, and Don Owens.

The Birmingham attorney flew to Memphis yesterday to continue his examination of the evidence the state is expected to introduce when Ray goes on trial Nov. 12 on a murder charge in the April 4 slaying of Dr. King.

Hanes complained that Battle's court order limiting publicity favors the prosecution and only limits the defense. He cited an interview with George Bonebrake, an FBI fingerprint expert, in Wichita, Kan., which was reported in the Wichita Beacon.

"Here is a man who is a key witness for the FBI telling the whole world that he is an expert for the bureau, that he testified in London and is going to testify in Memphis against James Earl Ray," Hanes said.

Bonebrake was quoted in the story as saying the fingerprints found in Memphis matched those "taken of the man arrested in London" and those taken of James Earl Ray while he was at the Missouri Penitentiary.

"Therefore, my testimony tended to implicate him in the murder of Dr. King as well as identify him as the fugitive wanted for escaping from the Missouri Prison," Bonebrake was quoted as saying. The FBI expert was identified as the man who "led the search through thousands of fingerprints on file at the Washington, D.C., FBI headquarters for the identification of the killer" and the "government's star witness in the extradition proceedings" against Ray.

Bonebrake was quoted as saying that "FBI agents obtained 'good' latent prints from a rifle believed used to kill Dr. King, from a telescopic sight on the rifle and from a pair of binoculars found at the scene."

"This was a real break for

Turn to Page 5—HANES

"Exhibit B"