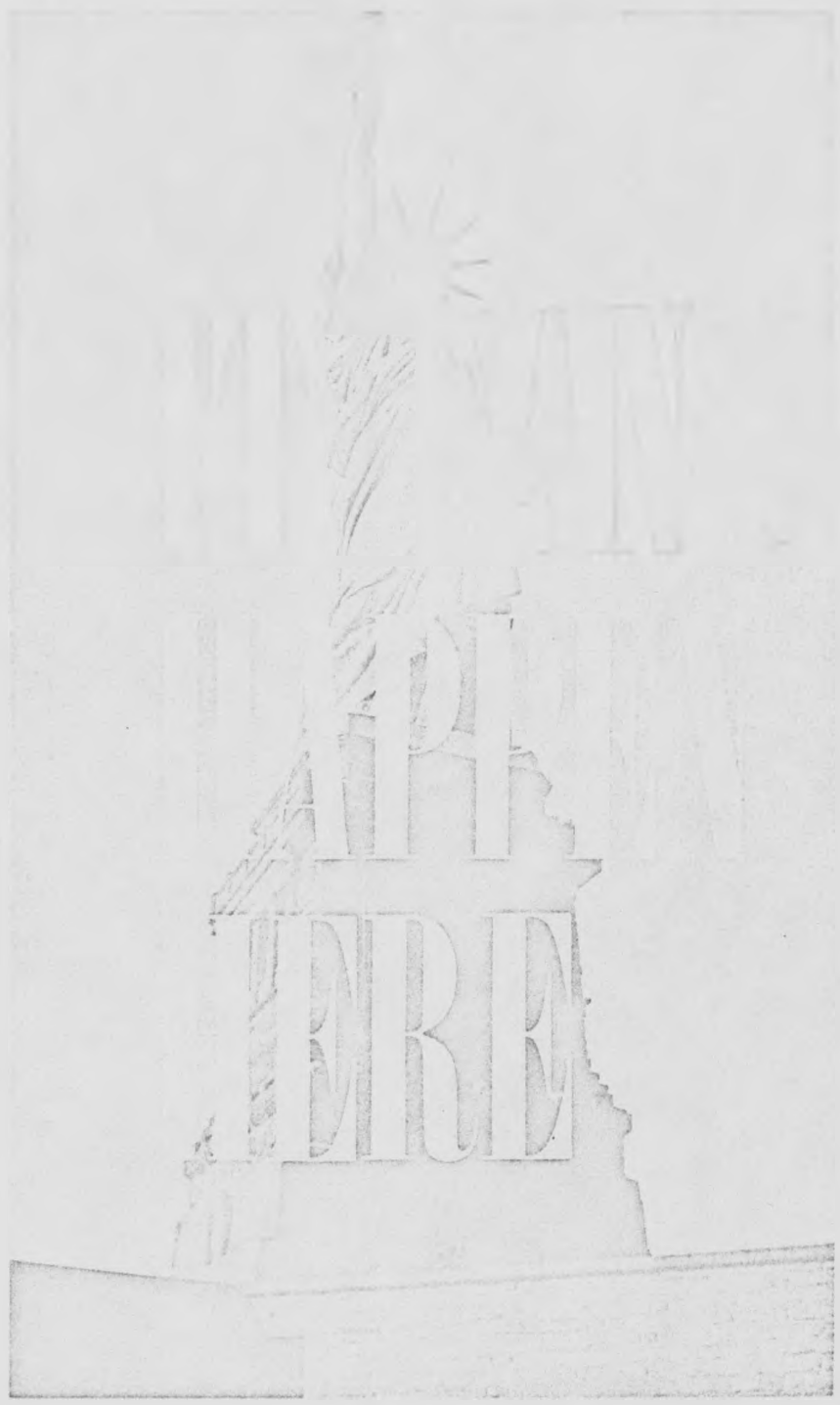

James Earl Ray Loses Court Suit

MEMPHIS, Tenn., Dec. 1 (AP). — A suit brought by James Earl Ray to prevent publication of certain events about his life and the slaying of Dr. Martin Luther King Jr. was dismissed Monday by U. S. District Court Judge Robert M. McRae Jr.

"There is not enough proof to go forward in the matter," the judge said.

letter 12/29/69

I attended Communist schools, with Rev. Martin Luther King, to get information for the United States Goverment.

Make up, or perhaps I can have you removed, like I did Judge Fortas, Warren and more to go. 100% American

Learn to pray to "God"

December 29, 1969

U. S. District Court Judge,
Robert M. McRae, Jr.
Memphis, Tennessee

Dear Judge McRae, Jr:

As a Goverment Informer,
I am giving you the
truth, Rev. Martin
Luther King, was
a Communist and
paid by Cuba
and Russia.

How do I know?
The truth is that

AFTER 5 DAYS RETURN TO

ZIP CODE

PHILADELPHIA, PA
AM
30 DEC
1909

6c FRANKLIN D. ROOSEVELT U.S. POSTAGE

6c FRANKLIN D. ROOSEV U.S. POSTAGE

AIR MAIL

Personal

U. S. District Court Judge,
Robert M. McRae, Jr.
Memphis, Tennessee.

44-38861-5846

(Memphis letter to Bureau, 1/5/70)

EVIDENCE

MEMPHIS 44-1987
BUFILE 44-38861

RE: MURKIN

ENCLOSURES TO BUREAU (12) -- ATTENTION FBI LABORATORY

EVIDENCE

321

44-1987-346

ENCLOSURE

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

UNITED STATES GOVERNMENT

Memorandum

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

TO : DIRECTOR, FBI (44-38861)

DATE: 12/10/69

FROM : SAC, LOS ANGELES (44-1574) (RUC)

SUBJECT: JAMES EARL RAY, aka;
Dr. MARTIN LUTHER KING, JR. - VICTIM
OO: Memphis

Re Kansas City airtel to the Director dated 8/13/69.

Enclosed for the Bureau are four copies of a Letterhead Memorandum (LHM) and for Memphis two copies of an LHM recording interview of JOHN HAMILTON MORRIS regarding his allegation that JAMES EARY RAY was paid to kill MARTIN LUTHER KING, JR.

A review of Los Angeles files reveals MORRIS to be the subject of Bureau files 91-25689 and 91-12519.

EX-PAT. C.

1 cc: CID
1 cc: CRIM. DIV.
6 cc: CID
EJM: fal 12-29-69

ST. 104

REC-93

9 ~~DEC 22 1969~~

(2) - Bureau (Encls. 4)
2 - Memphis (Encl. 2) (44-1987)
1 - Los Angeles

58 JAN 9 1970

ENCLOSURE

TJA/jah
(5)

SEE

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

5010-108

DEC 22 12 23 PM 69

F B I
REC-D BISHOP

DEC 30 2 18 PM 1969
RECEIVED DIRECTOR
F. B. I.
REC'D DOM INTELL DIV

DEC 22 10 31 AM '69

DEC 22 2 49 PM '69

DEC 22 11 41 AM '69
REC'D DELOACH
F B I

REC'D SULLIVAN
FBI JUSTICE
DEC 30 2 23 PM '69

DEC 22 1 22 PM

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
Los Angeles, California
December 10, 1969

In Reply, Please Refer to File No.

JAMES EARL RAY;
Dr. MARTIN LUTHER KING, JR. - VICTIM

On December 1, 1969, John Hamilton Morris was interviewed at the Los Angeles County Jail, Los Angeles, California, regarding information contained in a letter written by him on July 22, 1969, to Peter Goldman, 444 Madison Avenue, New York, New York. This letter contained information that James Earl Ray was paid by "Big D".

Morris stated that he is a journalist, that as a journalist he has his sources, and that as a journalist he does not reveal the identity of his sources. Morris stated it was common knowledge that Ray was paid to kill Martin Luther King. Morris was asked to explain what he referred to as common knowledge. He said that everyone knew that the Central Intelligence Agency (CIA) was behind the murder of Martin Luther King. He continued that the CIA backed the Minutemen and Robert De Pugh of the Minutemen. The CIA wanted King out of the way so it had De Pugh make the arrangements. Ray being a small time criminal, was selected to do the actual killing and CIA the brains behind the whole scheme. When De Pugh was no longer needed by the CIA, he was arrested. Morris said that this scheme is common knowledge.

Morris volunteered that he has been declared medically and criminally insane.

Records of Atascadero State Hospital, Atascadero, California, as of April 13, 1959, revealed that John Hamilton Morris, born [redacted] at Martin, Michigan, was admitted to that hospital on September 22, 1958, as criminally insane. At that time, he had a criminal record dating back to September 26, 1940, and had over 20 arrests, including grand theft, car theft, mail fraud, postal loss, forgery, and money postal orders. These records reveal that Morris was not found criminally insane by this hospital and had been turned over to the court in San Mateo, California, for further action.

ENCLOSURE 4

JAMES EARL RAY,
Dr. MARTIN LUTHER KING, JR. - VICTIM

John Hamilton Morris appeared at U. S. District Court, Southern District of California, Los Angeles, on February 23, 1967, for jury trial. At the conclusion of the trial on February 24, 1967, Morris was found guilty of violation of Title 18, Section 2113 (a), U. S. Code. On March 20, 1967, Morris was sentenced to 15 years custody of the U. S. Attorney General.

Morris filed an appeal of this conviction April 21, 1969, before the U. S. Court of Appeals for the Ninth Circuit. He based his appeal on his not having been protected under Title 18, U. S. Code, Section 4244, in that under this statute, the U. S. Attorney failed in his responsibility to move for a determination of competency where he had reasonable cause to believe the accused might be incompetent. His appeal argues that under the same section and by Constitutional mandate, it was incumbent on the court to order a determination of competency, where reasonable cause appeared to indicate the accused might be incompetent; said failure violated Morris's guarantee of due process under the Fifth Amendment of the Constitution.

The appellant further argues that the court-appointed counsel failed to provide that assistance guaranteed by the Sixth Amendment of the Constitutional rights of due process in the fair trial.

The final point of the appellant's argument is that the Court's sentencing procedure was both a failure of its statutory responsibility and an abuse of its discretion under Title 18, U. S. Code, Section 4244; and under 4208 (b) which provides for committment of the accused to the custody of the Attorney General for a period of time not to exceed six months, for the purpose of evaluation to assist the trial court in passing a meaningful rehabilitative sentence.

On July 28, 1969, Assistant U. S. Attorney Darrell Mac Intyre, Los Angeles, advised that on July 24, 1969, a decision was received from the Ninth Circuit Court of Appeals that the conviction of John Hamilton Morris had been reversed.

JAMES EARL RAY,
Dr. MARTIN LUTHER KING, JR. - VICTIM

Morris appeared at U. S. District Court, Los Angeles, and entered a plea of guilty to violation of Title 18, Section 2113 (a), U. S. Code. Trial was set for November 4, 1969. Morris was to be afforded psychiatric examination prior to trial date. As of December 9, 1969, the trial of Morris had not commenced.

The Los Angeles Herald Examiner, daily metropolitan Los Angeles newspaper, in its issue of July 5, 1968, carried an article on Page A-1 captioned, "Dynamite Hijack Try Just a Dud", datelined Las Vegas, Nevada (UPI). This article reported that a Federal prisoner identified as John Hamilton Morris, 48 of Martin, Michigan, tried to hijack a commercial airliner, July 4, 1968, by falsely reporting he had dynamite on his person. His high altitude plot failed completely.

The U. S. Attorney at Las Vegas was expected to take this incident before the Grand Jury and ask for an indictment charging Morris with attempted hijacking.

The following is an arrest record of John Hamilton Morris, FBI Number 4 222 144:

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.

12-14-66
(139-PLM)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

J. Edgar Hoover
Director.

The following FBI record, NUMBER 4 222 144, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
War Dept Wash DC	John Hamilton Morris #6578257	enlisted 8-23-39		
PD Honolulu TH	John H. Morris #A-11460-D-1	2-26-40	vag	to Mil Auth
PD Sacramento Calif	John Hamilton Morris #28181	12-28-44	enrt to Martinez Calif BT and enrt to Los Angeles Calif PT	taken to Martinez 12-30-44 *claim dism because resitution was made.
SO Martinez Calif #27961	John Hamilton Morris #-- SO Sacramento Calif	12-30-44	503 CVC	1-22-45 rel 1-22-45 on 2 y prob
PD Los Angeles Calif	John Morris #75882	2-18-45	GT fug from Seattle	3-15-45 rel to Seattle Wash Auth 5-28-46 sent to time served and rel to return to Calif
SO Los Angeles Calif	John H. Morris #A-57532	3-9-45	GL - Wash	3-20-45 rel co Seattle Wash
PD Seattle Wash	John Hamilton Morris #30511	3-21-45	GL-money from hotel	5-26-45 time spent in jail
SO Seattle Wash	John Hamilton Morris #22088	3-26-45	GL	5-28-45 sent t time served to return to Cali
PD Jersey City NJ	John H. Morris #10578	4-7-47	poss stolen auto and RS 2-109-6 Ms 1 burning auto	4-17-47 papers to GJ 5-20-47 bill on both c
SO Jersey City NJ	John Hamilton Morris #31492	4-18-47	rec stolen motor vehicle mal burning of a motor vehicle.	5-20-47 no b of indictment No. 250 April term 1947 c
SO Jersey City NJ	John Hamilton Morris #31492	5-1-47	Vio Postal Laws	

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

16—70532-2 U. S. GOVERNMENT PRINTING OFFICE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

12-14-66
(139-PLM

J. Edgar Hoover
Director.

2 The following FBI record, NUMBER 4 222 144, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
USM, Newark, NJ	John Hamilton Morris, #11520	custody 5-1-47	Vio. of Dyer Act	6-16-47, 3 yrs.
USM, Newark, NJ	John Hamilton Morris, #11520	not given	forging checks, etc	sent. 3 yrs. 6-16-47
Federal Ref., Chillicothe, Ohio	John H. Morris #27423	7-9-47	NMVTA, using mails to defraud	3 yrs.
USP, Terre Haute, Ind	John H. Morris #5090	8-27-47 (in trans. from Chillicothe)	trans. stolen auto int. Using mails to defraud	3 yrs.
USP, Leavenworth Kans	John H. Morris #64506	11-5-47 (in trans. from USP Terre Haute, Ind)	mails to defraud and NMVTA	3 yrs.
Medical Center for Fed Prisoners Springfield Mo	John H. Morris #6954-H	1-11-49 trans from USP Leavenworth	NMVTA & using mails to defraud	3 yrs. (3-3 yrs conc 2-13-50 disch CR.
USM, Springfield, Mo.	John Hamilton Morris #1211	2-13-50	forged Securities in Interstate Commerce	pend. 2-15-50, remova to Kans.
PD, Topeka, Kans.	John Hamilton Morris #7945	3-21-50	interstate vio (checks)	USM prisoner

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

16—70582-2 U. S. GOVERNMENT PRINTING OFFICE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

12-14-66
(139-PLM)

J. Edgar Hoover
Director.

3 The following FBI record, NUMBER 4 222 144, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
USM Topeka Kans.	John Hamilton Morris #CR-13666	2-21-50	Interstate Comm. Viol.	3-21-50, sent. 5 yrs. on ct. 1; 5 yrs. on ea. of cts.2,3 4,6,7, & 8 to run concurrent & to run concurrent with peri of imprisonmen imposed on ct. 1. and pay costs of this prosecution. serve at USP, Leavenworth, Kans.
US Penty Leavenworth Kans	John H. Morris #66575	4-20-50	transp I/S forged Secur	5 yrs 9-27-53 Cond Rel
SO Riverside Calif	John Hamilton Morris #61246	3-1-56	Title 18 Sec 500 USC	Federal
PD Indio Calif	John Hamilton Morris #20787	3-1-56	raising & cashing US Postal Money Orders	held for USM
USM Los Angeles Calif	John H. Morris #24036	3-6-56	forg postal Money Order	11-12-57 case dism
SO Los Angeles Calif	John Hamilton Morris #A-57532/ B-412495	3-6-56	forgery/Postal Money Orders	5-2-56 rel cus Springfield Mo
USM Los Angeles Calif	John H. Morris #24242	4-27-56	subersive use of US Mails	
Med Center for Fed Prs Springfield Mo	John Hamilton Morris #P-185-H	5-5-56 MCFP Rec fr. USM S-Calif	altering P.O. money orders	T-18 Sec. 4240 return to court 8-27-57

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

16—70582-2 U. S. GOVERNMENT PRINTING OFFICE

12-14-66
(139-PLH)

U. ED STATES DEPARTMENT OF JU CE
FEDERAL BUREAU OF INVESTIGA N
WASHINGTON 25, D. C.

J. Edgar Hoover
Director.

4 The following FBI record, NUMBER 4 222 144 , is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
SO Springfield Mo	John Hamilton Morris #S-20937	8-27-57	H/F U SCM (subversive use of mails Postal MO viol)	to be TOT US Calif
PD Los Angeles Calif	John Hamilton Morris #LA 75 882-M	11-12-57	forg of fict name forg 4 cts	nt glty by reason of insanity D45 1-29-58 Co 196783 on ch of warr 130792(4) fo fict name fo 4 cts
SO Los Angeles Calif	John Hamilton Morris #A-57532/B-516022	11-7-57	failure to appear for jury trial	11-12-57 rel case dism & cust Los Ang PD
PD San Mateo Calif	John Hamilton Morris #28219	6-6-58	forg (chex)	7-10-58 held ans Sup Crt see supplem
SO Redwood City Calif	John Hamilton Morris #24505	7-10-58	forg & ETE Fresno & San Jose PD	1-26-59, 1 Co J susp on 1-27-59 to Fresno S 1-5-59 diss
St Bu Sacramento Calif	John Hamilton Morris #ASH 6096	9-22-58	criminally Insane 1368 PC Atascadero St Hosp Atascadero Calif	
SO Fresno Calif	John Hamilton Morris #60409	2-12-59	PC 836 escape	2-12-59 no chgs filed
PD Fresno Calif	John Hamilton Morris #12972	2-18-59	forg-PT escape	see supplem
FBI Chgo Ill	John Hamilton Morris #--	8-24-59	bank robb	

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on da formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTE ONLY AS INVESTIGATIVE LEADS.

16—70582-4 U. S. GOVERNMENT PRINTING OFFICE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

12-14-66
(139-PLH)

J. Edgar Hoover
Director.

5

The following FBI record, NUMBER 4 222 144, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Chgo Ill	John H. Morris #E-48842	8-24-59	GP	TOT USM Chgo 8-25-59
USM Chgo Ill	John H. Morris #60391	8-25-59	bank robbery	2 yrs & $500. 12-23-59
Cook Co Jail Chgo Ill	John H. Morris #239175	8-25-59	safe keeping USM	1-10-60 del t USM
USP Leavenworth Kans	John Hamilton Morris #77308-L	1-11-60	bank rob	2 yrs
USP McNeil Isl Wash	John Hamilton Morris #28201-M	6-22-60	bank robb & armed bank robb	10 yrs & 5 m & 11 das
USPen Leavenworth Kans	John Hamilton Morris #77308-L	5-31-61	Bank Robbery	5-31-61 Rec from USP McNeil Islan as transfer 8-10-66 MR
USM Los Angeles Calif	John Hamilton Morris #089-21749	12-7-66	Bank robbery	

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on dat formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

16—70583-4 U. S. GOVERNMENT PRINTING OFFICE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

12-14-66
(139-PLH)

J. Edgar Hoover
Director.

6 The following FBI record, NUMBER 4 222 144, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
	As John Hamilton Morris wanted by Los Angeles Calif PD petty theft.			
*	John H. Morris if appre prior to 9-21-54 notify Chief US Prob Off US Crt House Rm 826 Chgo Ill per inf rec therefrom 10-1-53.			
*	WANTED: John H. Morris for viol of cond rel - warr issued 12-23-53. Notify US Bd of Par Wash DC by telephone per inf rec therefrom 1-6-54.			
	IN CUSTODY PER PRINT No 24242 USM Los Angeles Calif.			
*	NO LONGER WANTED: per inf rec US Bd of Paroles Wash DC 5-23-56 (Warr withdrawn 5-17-56 & Case closed)			
	NYC NY 1947 fraud use of mails; 7 yrs (as on prt #24242)			
	#12972, 2-4-59 & 2-19-59, 2-4-59 forg disp interest of justice no chgs filed on PT 2-19-59 escape red to PC 650½, 3 yrs prob 180 das SS deft PG to PC 650½.			
	#28219, 1-26-59 final disp subj sent to one year Co Jail susp.			
	WANTED: John Hamilton Morris Location Desired Notify by phone USSS Intell Div Rm 825 1800 G St NW Wash DC inf rec 4-20-66 (To remain in effect until 4-13-69)			
	Federal Parole or mandatory release extends to 12-4-69 inf rec Chgo Ill			

SUPPLEMENT

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

16—70582-2 U. S. GOVERNMENT PRINTING OFFICE

2/5/70

1 - Mr. McDonough

AIRTEL

EX-106

REC-120

TO: SAC, Memphis (44-1987)

FROM: Director, FBI (44-38861)

MURKIN

RePHairtel 1/15/70 and BuLab report 2/2/70.

Reference is made in Philadelphia airtel 1/15/70 to a Memphis letter dated 1/5/70.

Bufiles do not indicate copy of such letter was directed to Bureau. If not furnished Bureau previously, do so now or submit appropriate communication for dissemination if information involved indicates such action would be advisable.

1 - Philadelphia (44-1368)

EJM:js
(5)

MAILED 8
FEB 5 1970
COMM-FBI

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM ☑ TELETYPE UNIT ☐

7-2

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

[redacted]
1-19-70
PJB

Laboratory Work Sheet

[redacted]

Re:
[redacted]

File #
Lab. #

5848

Examination requested by: [redacted]

Examination requested: [redacted]

Date received: [redacted]

Result of Examination:

Examination by: [redacted]

Specimens submitted for examination

[redacted] One christmas card, one [redacted] piece of paper and one envelope bearing the known handwriting of [redacted] VICTORIA CRAIG

7-1b

REPORT of the

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: FBI, Philadelphia (44-1368)

Re: MURKIN

Date: February 2, 1970
FBI File No. 44-38861
Lab. No. D-700116085 LF

Specimens received 1/16/70

K490 One envelope and accompanying greeting card, one sheet of blue ruled paper, one photocopy of a portion of an envelope, one photocopy of articles regarding Victoria Craig, and two pages of news letter, all bearing known handwriting of VICTORIA CRAIG

Result of examination:

It was concluded that the questioned writing on previously submitted Q413 through Q417 was prepared by the writer of specimen K490.

The submitted material is returned herewith. Photographs have been made.

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

FD-36 (Rev. 5-22-64)

FBI

Date: 1/15/70

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (44-38861)
ATTN: FBI LABORATORY

FROM: SAC, PHILADELPHIA (44-1368)(P)

SUBJECT: MURKIN

700116085

Re Memphis letter dated 1/5/70.

Enclosed herewith for the Bureau are sample handwritings of VICTORIA CRAIG, aka "Yankee". The writing is being forwarded to the Laboratory because of the similarity in handwriting in referenced letter and the handwriting of VICTORIA CRAIG.

VICTORIA CRAIG, 4644 Strahle Street, Pennypack Gardens, Pa., is employed at the Western Savings Fund Society, Broad and Chestnut Streets, Philadelphia. Mrs. CRAIG was first contacted by this office on March 29, 1966, when the name VICTORIA CRAIG, 4644 Strable Street, Pennypack Gardens, Philadelphia, Pa., was found in a group of 4"x6" cards maintained in a file card box at "Minutemen" headquarters. At the time she appeared extremely emotionally unstable and claimed she had been a member of various subversive organizations for over 20 years. She said she had been an informant for HERBERT PHILBRICK in these matters.

She said she lived in Arlington, Mass., for most of her life but her husband and she moved to Florida and through some unexplained misfortune they lost their home. She came to Philadelphia about one year before the interview.

EX-116 REC-3 44-38861-5848

At the time of the interview, Mrs. CRAIG carried a large shopping bag with the official letters from prominent personages which included letters from legislatures, RICHARD Cardinal CUSHING of Boston, General WALKER and some letters from "REBEL", whom she identified as HERBERT PHILBRICK.

2 - Bureau (44-38861)(Encls. 7)(RM)
2 - Memphis
2 - Philadelphia (44-1368)
1 - 157-1721 (VICTORIA CRAIG)

EMC:kpb
(6)

Airtel SAC, ME
2-5-70 CJM:JS

22 JAN 1

Approved _____ Sent _____ M Per _____
Special Agent in Charge

"COPY AND SPECIMENS RETAINED IN LAB"

INDEX LAB FILES

ENCLOSURE

SEVEN

AIRTEL

TO: DIRECTOR, FBI (44-69691)
ATTN: FBI LABORATORY

FROM: SAC, PHILADELPHIA (44-1368)(P)

SUBJECT: MURKIN

Re Memphis letter dated 1/8/70.

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2 - Bureau (Enc. 3)(RM)
2 - Memphis
2 - Philadelphia (44-1368)
1 - 157-1721 (VICTORIA CRAIG)

LMO:kpk
(6)

JAN 19 1970

By letter dated 7/21/65, the Boston Office indicated that Mrs. CRAIG was a notorious letter writer who made generalized allegations of government mishandling and the Communist menace. According to this letter, she is known to use exaggeration, diatribe, and vituperation in her correspondence.

At the time of the interview, Mrs. CRAIG insisted she loved her country and burst into tears at the thought she was being investigated. She insisted the Minutemen were extremely loyal people and that she knew absolutely nothing which she felt might be dangerous in them. Since that time Mrs. CRAIG has forwarded to the Philadelphia Office numerous pamphlets put out by resistance type groups and Quaker groups concerning anti Vietnam war activities. Philadelphia Office accepts information from her but she has never been directed in any way to help the Philadelphia Office.

The Laboratory is requested to compare the handwriting of Mrs. CRAIG with sample handwritings furnished by Memphis. If the Laboratory so desires, they can keep the samples for their records as they need not be returned to Philadelphia.

Laboratory Transmittal Form
7-72

LAB FILE
1 - (Mr. Newbrough)

FBI
LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: FBI, Philadelphia (44-1368)

Date: February 2, 1970

Re: MURKIN

J. Edgar Hoover
John Edgar Hoover, Director

EX-105 REC-120

FBI File No. 44-38861
Lab. No. D-700116085 LF

Examination requested by: Philadelphia

Reference: Airtel 1/15/70

Examination requested: Document

Remarks:

MAILED 4
FEB 3 1970
COMM-FBI

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

Enclosures (3) (K490, 2 Lab report)
2-Memphis (44-1987) Enclosures (2) (2 Lab report)
WLN:taw (6)

MAIL ROOM ✓ TELETYPE UNIT ADMINISTRATIVE PAGE

FD-36 (Rev. 5-22-64)

FBI

Date: 1/12/70

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

Via AIRTEL AM
(Priority)

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987)(P)

MURKIN

Enclosed for the Bureau are two Xerox copies of "Memorandum Denying Petition for Certiorari" filed in the Supreme Court of Tennessee at Jackson on 1/9/70, in the case "State of Tennessee vs. JAMES EARL RAY."

ENCLOSURE

"ENCLOSURE ATTACHED"

2 BUREAU (Enc. 2)(RM)
1 MEMPHIS

RGJ:BN
(3)

EX-117

REC-127

44-38861-5849

10 JAN 14 1970

1 cc CRU
CRD 694(G)
EJM/rif 1/20/70

Note: Enclosed is a copy of a "memorandum Denying Petition for Certiorari" filed in the Supreme Court of Texas on 1/9/70.

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

64 JAN 27 1970

(3)
MCT:BM

1 MEMBERS
3 BUREAU (FBI - S)(BM)

FILED

JAN 9 1970

BESSIE BUFFALOE, Clerk

IN THE SUPREME COURT OF TENNESSEE

AT JACKSON

STATE OF TENNESSEE	)	
vs.	)	SHELBY CRIMINAL
JAMES EARL RAY	)	

MEMORANDUM DENYING PETITION FOR CERTIORARI

The petitioner, James Earl Ray, who will hereafter be referred to as defendant, was indicted in the Criminal Court of Shelby County, Tennessee, for the murder from ambush of Dr. Martin Luther King.

Murder in the first degree in Tennessee is described as follows:

> Murder in the first degree - Every murder perpetrated by means of poison, lying in wait, or by any other kind of willful, deliberate, malicious, and premeditated killing, or committed in the perpetration of, or attempt to perpetrate, any murder in the first degree, arson, rape, robbery, burglary, or larceny, is murder in the first degree. T.C.A. 39-2402.

The punishment for murder in the first degree in Tennessee is set out as follows:

> Punishment for murder in the first degree - Every person convicted of murder in the first degree, or as accessory before the fact to such crime, shall suffer death by electrocution, or be imprisoned for life or over twenty (20) years, as the jury may determine. T.C.A. 39-2405.

The defendant was represented by privately retained able counsel, and entered a plea of guilty to murder in the first degree, which plea was accepted by the trial judge, the late Honorable Preston W. Battle, and the defendant was sentenced to ninety-nine years to be served in the State Penitentiary.

After this, the defendant, by letter, sought to have the sentence set aside and wrote the trial judge that he had fired his attorney and desired to re-open the case.

The trial court refused to grant the defendant any relief, and a petition for certiorari was filed in the Court of Criminal Appeals, which court heard the matter and refused to grant the petition.

The defendant has filed a petition for writ of certiorari to this Court and has, in effect, two assignments of error, (1) that certain letters written by him to the late Judge Preston W. Battle constituted a motion for a new trial, and (2) that the trial court erred in ruling that the defendant knowingly, intelligently and voluntarily entered a plea of guilty, thus waiving any right he might have had to an appeal.

The defendant upon the advice of his well-qualified and nationally known counsel pleaded guilty to murder in the first degree, the offense with which he was charged, a cold blooded murder without an explained motive.

Consequently, his right to appeal was waived, because it is well settled in Tennessee that when a defendant pleads guilty and fully understands what he is doing, as we believe this defendant did, there can be no legal ground to justify the granting of a new trial. Otherwise, the doors of our state prisons would remain ever ajar to those who are incarcerated therein on pleas of guilty, and who becoming dissatisfied, seek relief on motions for new trial. The dockets of our courts would become congested with such procedure, and these cases would never be closed. There must be a conclusion to litigation sometime, even in a criminal case, in spite of the liberal interpretations of the law by some of our courts. To allow such procedure would be permitting those defendants to toy with the courts.

In State ex rel. Richmond vs. Henderson, 439 S.W.2d 263, 264, it was said by this Court:

> "This rule has been applied to any number of situations arising in a criminal case, including that situation involving the advice or urging of defense counsel for the defendant to enter a plea of guilty. In cases in which this exercise of judgment by counsel (that of urging a defendant to enter a plea of guilty) has been attacked, it has uniformly been held that this is not a ground for invalidating the judgment. Davis v. Bomar, 344 F.2d 84 (6th Cir.), cert. denied, 382 U.S. 883, 86 S.Ct. 177, 15 L.Ed.2d 124 (1965); Application of Hodge, 262 F.2d 778 (9th Cir. 1958); Shepherd v. Hunter, 163 F.2d 872 (10th Cir. 1947); Crum v. Hunter, 151 F.2d 359 (10th Cir. 1945), cert. denied, 328 U.S. 850, 66 S.Ct. 1117, 90 L.Ed. 1623; Diggs v. Welch, 80 U.S.App.D.C. 5, 148 F.2d 667, cert. denied, 325 U.S. 889, 65 S.Ct. 1576, 89 L.Ed. 2002."

The Supreme Court, speaking further in McInturff v. State, 207 Tenn. 102, 106, said:

> "Now, we think it is axiomatic that the defendant, having confessed judgment for the fine and costs, had no right of appeal, nor did the court have the power to grant such an appeal, because no one can appeal either in a criminal or a civil case from a verdict on a plea of guilty or a judgment based upon confession of liability."

The defendant, in his motion for a new trial, if considered in its most favorable light could be construed as such, alleges that he was misled into entering a guilty plea, and in his petition for certiorari he alleged that he did not knowingly and voluntarily waive his right to appeal. The substance of the above allegations is that the defendant was deprived of his constitutional right (Sixth Amendment) to have the assistance of counsel. However, there is not one fact in petitioner's brief to support the above allegations.

In Hudspeth v. McDonald (1941), 120 F.2d 962, 968, the court said:

> "There is a vast difference between lacking the effective assistance of competent counsel and being denied the right to have the effective assistance of competent counsel. It is the denial of the right to have such assistance that gives the right to challenge a judgment of conviction by haboas corpus. It is held without exception that the right to have counsel may be waived and that it is only when it is not waived that the validity of the proceedings may be challenged..."

In the trial court the petitioner was represented by competent counsel. He entered a plea of guilty on the advice of his counsel, and there is no doubt that his counsel

explained to him that the penalty for murder in the first degree in Tennessee carried the death penalty, and that such plea was made with an eager ear, a willing mind and willing heart.

The defendant, after due and thoughtful consideration and after being properly advised, entered a plea of guilty to murder in the first degree, and thus took the known offered sentence of ninety-nine years, rather than taking the calculated risk of receiving a more severe penalty at the hands of a jury. He now seeks to back out of this trade with the State and asks for a new trial. There is nothing from which it can be inferred that the defendant was misled, or that his guilty plea was made involuntarily without knowing the consequences thereof, thus the defendant is precluded from any appellate relief.

We are not deciding on the defendant's guilt or innocence. He and his retained counsel made that decision themselves, with the approval of a jury and the trial judge. We are simply deciding whether or not, after he entered a plea of guilty and received a sentence of ninety-nine years, he can thereafter have a change of heart and make a motion for a new trial. We think not.

Experience teaches us that submissions in criminal cases are brought about by reason of the fact that the defendant and his lawyer realize that in pleading guilty and receiving a lesser sentence, the defendant thereby avoids the chance of a jury imposing a greater sentence.

In Tennessee, a reasonable person does not shoot and kill an unarmed, unsuspecting and innocent victim without just

punishment and retribution under our law. The defendant, by his own voluntary and uncoerced action received such, or what he thought was then just punishment, and will now not be heard to complain.

This well planned and well executed killing would indicate the defendant to be of at least or over-average intelligence, and certainly of such intelligence as to understand what he was doing when he went to the "bargaining table," to decide his fate, - whether to plead as he did or take his chances at the hands of a jury. He made the bargain. There is no claim that the State or the court below coerced or influenced him in any manner to make this decision. It was his and his alone, with the aid of the advice of his chosen private counsel. Whether or not they made a mistake in judgment is not for us to say.

In Tennessee, as in all other liberty loving civilized countries, ambush killers are not looked upon with much favor, to say the least. In a country where you do not shoot a sitting duck or a fowl unless in flight; where a rabbit or other game of the field is allowed its chance to run; and where one does not shoot down his fellowman unless that man has committed an overt act that would justify the defendant in so doing, jurors are inclined to deal harshly with such defendants. The defendant and his attorney, with his years of experience, knew this, and in the light of this knowledge of human nature to react violently against those who have committed unprovoked violence,

they made the decision to plead guilty and such plea, in the opinion of the Court, should stand.

The next question for consideration is whether the proceedings, at the time the defendant entered his guilty plea, were such a "farce" or "sham" that it can be said that the defendant was denied due process.

The concept of due process of law as contained in the Fourteenth Amendment is concerned solely with whether or not the State played any part in the wrong done the accused. U. S. v. Banmiller (1962), 205 Fed. Supp. 123.

> "And so where .... a defendant in a criminal case has retained counsel of his own choice to represent him it is settled by an overwhelming weight of authority that the commission by his counsel of what may retrospectively appear to be errors of judgment in the conduct of the defense (such as urging the defendant to plead guilty) does not constitute a denial of due process chargeable to the State." Davis v. Bomar (1965), 344 F.2d 84, 87.

> "Intervention by this (federal) court requires that the denial of relator's rights be the doing of the State. There is no indication here that the State participated in any such denial ...." U. S. v. Banmiller, supra, at 128.

In determining whether or not the writ should be granted, it should be kept in mind that it has become well-established law in this State that the writ of certiorari is not granted as a matter of right but it is a matter that addresses itself to the discretion of the Court. State ex rel. Karr v. Taxing District of Shelby County, 84 Tenn. 240; Ashcroft v. Goodman, 139 Tenn. 625; Gaylor v. Miller, 166 Tenn. 45; Biggs v.

Memphis Loan and Thrift Co., Inc. 215 Tenn. 294; and Boyce v. Williams, 215 Tenn. 704.

The Court finds that the defendant willingly, knowingly and intelligently and with the advice of competent counsel entered a plea of guilty to murder in the first degree by lying in wait, and this Court cannot sit idly by while deepening disorder, disrespect for constituted authority, and mounting violence and murder stalk the land and let waiting justice sleep.

Therefore, the petition for certiorari is denied.

ERBY L. JENKINS, S. J.

Dyer, C. J.
Creson, J.,
Humphreys, J.

Concur

McCanless, J., not participating

44-38861-5849

44-38861-5849

ENCLOSURE

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

JAMES EARL RAY DENIED NEW TRIAL

Guilty Plea Held Valid By Jurists

Opinion States He Waived All Appeal Rights

KNOXVILLE, Tenn. — (UPI) — Saying it could not sit idly by while "mounting murder and violence stalk the land," the Tennessee Supreme Court refused a new trial today to James Earl Ray, convicted killer of Dr. Martin Luther King Jr.

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

page 1

MEMPHIS PRESS-SCIMITAR,

MEMPHIS, TENNESSEE

Date: 1/8/70

Edition: Final

Author:

Editor: CHAS. H. SCHNEIDER

Title:

MURKIN

Character:

or 44-38861

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-38861-

C850

ENCLOSURE

The sharply-worded opinion said Ray had knowingly pleaded guilty in Criminal Court at Memphis to the slaying of the civil rights leader. The eight-page decision added that Ray had been represented by competent and nationally prominent counsel, and that he had waived all rights of appeal in entering his plea.

"The court finds that the defendant willingly, knowingly and intellingently with the advice of competent counsel entered a plea of guilty to murder in the first degree by lying in wait, and this court cannot sit idly by while deepening disorder, disrespect for constituted authority, and mounting violence and murder stalk the land and let waiting justice sleep," the Supreme Court said.

Ray is serving 99 years in the state penitentiary for the April 4, 1968, sniper slaying of King in Memphis. His bid for a new trial had been rejected by the state Court of Criminal Appeals and it was this decision that was appealed to the Supreme Court.

Today's decision traced the history of the Ray case through Tennessee courts, from his guilty plea at Memphis March 10, to his letter to the late Judge Preston Battle stating his intention to seek a new trial, through his subsequent appeals.

It said that Ray had waived his right of appeal. ". . . It is well settled in Tennessee that when a defendant pleads guilty and fully understands what he is doing, as we believe this defendant did, there can be no ground to justify the granting of a new trial," the court said.

"Otherwise, the doors of our state prisons would remain ever ajar to those who are incarcerated therein on pleas of guilty, and who become dissatisfied, seek relief on motions for a new trial."

The court rejected Ray's contention that his letter to Judge Battle two days after his imprisonment at Nashville constituted an automatic motion for a new trial which, because of Battle's death shortly afterward, must be automatically granted under Tennessee law.

The high court decision closed the door on efforts through the state court system for a new trial in the Ray case.

There are other possible avenues open, however.

Ray's attorneys have hinted that he might carry the fight into the federal courts.

At the time he pleaded guilty to the King slaying, Ray was represented by Percy Foreman, a nationally known attorney from Houston, Tex.

Foreman entered the case after Arthur Hanes, former Birmingham, Ala., mayor, had been dismissed by Ray.

Ray has carried on a running court battle with both Foreman and Hanes since his trial, petitioning federal court to declare invalid contracts with Ray for publication of a book about his involvement in the King murder.

William Bradford Huie, the author, also was involved in the suits but federal rulings in these petitions also have gone against Ray.

afternoon and clear tonight. Becc
partly cloudy Friday. Continued
cold through Friday. High this afte
noon in the middle 20s to low 30s, low
tonight 5-15 above zero, high Friday in
the middle 20s to middle 30s. Winds
northwesterly 6-14 m.p.h., becoming
light and variable late tonight or early
Friday: Outlook for Saturday: Partly
cloudy and not so cold.

Temperatures

Station—	High Yest.	Low Today	24-Hr. Rainf.
Albuquerque	35	19	.00
Atlanta	30	8	.00
Birmingham	22	11	.00
Boston	26	13	.05
Chattanooga	21	11	.00
Chicago	5	—2	.02
Cincinnati	9	—3	.00
Dallas-Ft. Worth	41	19	.00
Denver	23	—8	.00
Des Moines	—1	—15	.00
Detroit	14	—5	.01
Fairbanks	3	—16	.00
Fort Smith	23	2	.00
Honolulu	78	66	.00
Houston	46	35	.00
Indianapolis	0	—13	.00
Jackson, Miss.	33	17	.00
Jacksonville	45	21	.00
Knoxville	27	21	.01
Little Rock	28	12	.00
Los Angeles	70	48	.00
MEMPHIS	20	10	.00
Miami Beach	58	39	.00
Minneapolis-St. Paul	—3	—14	.00
Mobile	32	20	.00
Nashville	15	5	.00
New Orleans	38	20	.00
New York	25	M	M
Oklahoma City	28	M	M
Pittsburgh	17	—5	.03
St. Louis	9	—1	.00
Salt Lake City	25	8	.00
San Francisco	53	50	.03
Seattle	45	40	.00
Shreveport	41	23	.00
St. Pete-Tampa	49	36	.00
Washington	35	9	.07

M—Missing.

Mississippi River

Mississippi River will change as follows:

At Caruthersville it will fall .3 foot by Friday, .8 foot by Saturday and 1.0 foot by Sunday morning.

At Memphis it will rise .4 foot by Friday and then fall .2 foot by Saturday and .6 foot by Sunday morning.

At Helena it will rise .8 foot by Friday, .3 foot by Saturday and then fall .2 foot by Sunday morning.

MISSISSIPPI RIVER			
St. Louis	30	0.9	+0.6
Cairo (Ohio R.)	40	37.0	—0.4
Caruthersville	32	27.4	+0.1
Memphis	34	22.4	+0.8
Helena	44	28.9	+1.1
Greenville Bridge	48	32.6	+1.4
New Orleans	17	5.5	+0.9
OHIO RIVER			
Cincinnati	52	29.1	—1.5
St. Francis River			
Madison	32	x13.9	+0.7
TENNESSEE RIVER			
Florence	18	13.9	+1.0
Pickwick, U.G.	—	410.3	—0.2
Pickwick, L.G.	—	373.8	—5.3
Kentucky, U.G.	—	356.3	—0.1
White River and Tributaries			
Greers Ferry, U.G.	—	450.6	—0.3
Clarenden	26	22.7	—0.3
Yazoo Tributaries			
Arkabutla Dam, U.G.	—	223.4	—0.3
Sardis Dam, U.G.	—	254.7	+0.1
Enid Dam, U.G.	—	246.4	+0.1
Grenada Dam, U.G.	—	213.2	—0.1

xYesterday; Rise; —Fall; U.G.,

condemned the Rev. James
his followers for the Sept. 29 tal
assembly chambers. There w
nay votes scattered among the a

Wins Awarc

One of the Nixon administrat
ranking black officials has be
Freedoms Foundation award fo
a neighborhood self-help project
ton state. **Arthur Fletcher,** ass
tary of labor, won the award
form a development corporati
pressed neighborhood in Pasco
residents bought stock in the
and now own a shopping center

Going Back

A 24-year-old ex-Marine w
Congressional Medal of Honor
plans to re-enlist at San Fra
because he "couldn't find ar
civilian that appealed to me."
A. Pittman, who has had only
since suffering an eye defect
said he spent 20 frustrating r
hometown of Stockton, Calif.,
come a law enforcement officer.

Forecast

Sunny this afternoon and clear tonight. Fair Friday. Continued very cold through Friday. High this afternoon around 18, low tonight about 5, high Friday near 24. Winds northwest 10-15 m.p.h. with gusts up to 25 m.p.h. this afternoon, becoming less than 5 m.p.h. tonight. Outlook for Saturday: Partly cloudy and not so cold.

Mid-South Weather

WEST TENNESSEE: Sunny this afternoon and clear tonight, becoming fair Friday. Continued very cold through Friday. High this afternoon 15-25, low tonight zero to 10 above, high Friday mostly in the 20s. Winds northwest 10-15 m.p.h. with gusts to 25 m.p.h. this afternoon, becoming less than 5 m.p.h. tonight. Outlook for Saturday: Partly cloudy and not so cold.

NORTHEAST ARKANSAS: Sunny this afternoon and clear to tonight, becoming partly cloudy Friday. Continued very cold through Friday. High this afternoon in the low to middle 20s, low tonight zero to 10 above, high Friday in the 20s to low 30s. Winds west to northwest 6-14 m.p.h., becoming light and variable by late tonight. Outlook for Saturday: Partly cloudy and not so cold.

NORTH MISSISSIPPI: Sunny this

FD-36 (Rev. 5-22-64)

FBI

Date: 1/8/70

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

Via AIRTEL _____
(Priority)

Mr. Tolson
Mr. DeLoach
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Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO : DIRECTOR, FBI (44-38861)

FROM : SAC, MEMPHIS (44-1987) (P)

SUBJECT: MURKIN (KILLING OF MARTIN LUTHER KING, JR.)

Submitted herewith for the Bureau's information is an article which appeared in the Memphis Press-Scimitar dated January 8, 1970. It is to be noted the article states that the Tennessee Supreme Court in an 8-page decision denied JAMES EARL RAY a new trial.

The Memphis Office will secure copy of this 8-page decision and forward same for completion of Bureau's file.

(2) - Bureau (Enc.-2) 1 cd end
1 - Memphis
RGJ:ME
(3)

ENCLOSURE

SI-117

REC-1 44-38861-5850

JAN 12 1970

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cc-Rosen

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

54 JAN 20 1970

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JAN 12 4 51 PM '70
REC'D DeLOACH
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JAN 12 1 05 PM 1970

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DIVISION 5710

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