FBI

Date: 9/10/74

Via AIRTEL

(Priority)

TO:

DIRECTOR, FBI (44-38861)

FROM:

SAC, WFO (44-703) (RUC)

MURKIN (00:ME) Sp

U.S.Government Printing Office: 1972 - 455-574

ReWFOairtel, 6/1/74, and BAairtel, 8/28/74.

Mr. JOHN G. PARSONS, Chief, Department of Urban Project Coordination, U. S. National Park Service, on 9/6/74, advised he conducted a hearing at Brunswick, Maryland on 6/7/72, of the Chesapeake and Ohio Canal Advisory Commission. Mr. PARSONS advised the hearings were recorded by a court reporter whose identity he does not recall but which can be determined through Hoover Reporting Company. He recalls the reporter, a male, was driven back to his motel after the meeting by PARSONS. The motel was located next to the Hawaiian Restaurant in Brunswick. This reporter, who performs considerable work for the National Park Service, relies heavily upon tape recorders in his work.

Mrs. DORIS HOOVER, Hoover Reporting Company, 320 Massachusetts Avenue, Northeast, on 9/9/74, acknowledged the reporting of the hearing of the Chesapeake and Ohio Canal Advisory Commission held 6/7/72, was performed by DAVID GAINES, an employee of her company. She stated SHIRLEY GAINES, wife to DAVID GAINES, is not an employee of the company and, to her knowledge, does not perform court reporting work for any other company.

2 - Bureau
2 - Memphis (44-1987) EX 109
1 - Alexandria
1 - WFO (44-703)

WBS: ctw
(6) COPIES MADE, DATE 5/4/78 BY
(6) COPIES MADE, DATE 5/4/78 BY
REGISS. RE MILL ALIST JETT
REVIEW AT FBILD AND ON DELIVERY
TO HSCA RE HEQUEST DATED
(SEE BUFILE 62-117290)

2025 RELEASE UNDER E.O. 14176

Sent \_

SEP II 3 27 PH 974 PE OF FBT 3 26 PH 974

FBI

Date: 9/19/74

		Date: 9/19/74
Transmit the	e following in	pe in plaintext or code)
Via	AIRTEL	(Priority)
	TO: DIRECTOR, FBI	(44-38861)
		IA (44-149) (RUC)
	MURKIN OO: MEMPHIS	
D	Re Baltimore	airtel to Bureau 8/28/74.
	Leesburg Pike, Apt. 532 advised that they do no	ID and SHIRLEY GAINES, 6171 Falls Church, Virginia, t have any information concerning HARRIS. They advised that IS was strictly accidental and t with HARRIS since.
	They advised Alexandria Office if ad available concerning BI	that they will contact the ditional information becomes LL HARRIS.
	2 - Bureau 2 - Memphis (44-1987) 1 - Alexandria	FOR REVIEW AT FBING AND/OR DELIVERY TO HSCA RE REQUEST DATED 5/3/18 (SEE BUFILE 62-117290)
	DJB:smb (5)	REC-67 44-38861-5964
		EX-112 12 SEP 20 1974
		SIXX
5 Sept	oved: Special Agent in Charge	SentM Per

SERENET INVESTIGATIVE

SEP 20 4 53 PH 374

THE SEPT OF JUSTICE THE FBI

SEP 20 5 05 PM '74

OPTIONAL FORM NO. 10
MAY 1962 EDITION
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UNITED STATES GOTTRNMENT

# Memorandum

ro :DIRECTOR, FBI (44-38861)

DATE: 10/8/74

FROM SAG, ALEXANDRIA (44-149) (RUC)

SUBJECT: MURKIN

(OO: MEMPHIS)

got

Re WFO airtel to the Bureau, 6/18/74; and Alexandria airtel to the Bureau, 9/19/74.

On 9/27/74, DAVID GAINES, 6171 Leesburg Pike, Apartment 532, Falts Church, Virginia, provided SA DONALD J. BARTNIK with a copy of a transcript that he had made of a June, 1972 conversation between his wife SHIRLEY GAINES and one BILL HARRIS. GAINES advised that he makes such transcripts for a profession and wished to provide the FBI with a transcript.

HARRIS advised that on 9/26/74, he had also provided a copy of the transcript to JAMES LESAR, an attorney with the office of Bernard Fenserwald, 910 16th Street, N. W., Washington, D. C. He advised that the Fenserwald firm was supposed to be involved in representing JAMES EARL RAY.

On 9/30/74, a review of the transcript provided by GAINES showed only minor differences when compared to the transcript provided with referenced WFO airtel. The transcript provided by HARRIS will be retained by Alexandria.

2 - Bureau 2 - Memphis (44-1987) 1 - Alexandria DJB:klg EX 104

EX 104

EXT

(5)

1 5 1974 Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Apartment 532, Fills Charge, Varges, V in in in the part of the part Yeargabalo, principal landación Torner received by indepond airded propagation depresent. Affective. 

EARL RAY. \*MARKS advised that or 8/20,700 he and also provided a copy of the transcript to UAMAS LASAR, at attracts which the office of Menhard Fersenwald, 910 100. Street, 100 kg. We hington, b. C. He strike, that the loss samples in the was supposed; to the loss of the Same of Same of

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Oct 5 4 38 PH 774

U.S. DEPT. OF JUSTICE - Newburg (Fe-)

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TOD: KIS Alexanera

9 4 38 PH '74

REG'D - CIV RIGHTS

AIRTEL

10/11/74

To:

SAC, Memphis (44-1987)

From:

Director, FBI (44-38861) - 5766

MURKIN

1 - Mr. Lawn

ReMEteletype dated 10/7/74.

Enclosed are two copies each of two newspaper articles concerning Harold Weisberg. Also enclosed are two copies of a list of materials furnished to Harold Weisberg by the Civil Rights Division, U. S. Department of Justice, on 6/24/70, as a result of a civil action filed against the Department of Justice and the Department of State in which Weisberg demanded copies of all the legal papers which were employed in the extradition of James Earl Ray.

Bufiles reveal that Weisberg has written numerous letters requesting unsuccessfully that the Bureau make available to Weisberg certain records concerning captioned matter, as well as records concerning another unrelated investigation conducted by this Bureau.

A copy of enclosed material may be furnished to Henry Haile, State Attorney General's Office, Nashville, as requested in referenced communication.

Bufiles and indices Albany Division contain no information pertaining to Herbert I. McDonald, based upon available information

Enclosures (6) OCT 1 1974

FBI

SEE NOTE PAGE TWO...

Assoc. Dir.

Dep. AD Adm. \_
Dep. AD Inv. \_
Asst. Dir.:

Admin. \_
Comp. Syst. \_
Ext. Affairs \_

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Gen. Inv. \_\_\_\_ Ident. \_\_\_\_ Inspection \_\_ Intell. \_\_\_\_

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Legal Coun. \_\_\_\_
Telephone Rm. \_\_\_
Director Sec'y \_\_\_

MAIL ROOM

TELETYPE UNIT

REC'D GEBHARDT Oct 11 12 15 PM 1974 Oct 11 11 01 AM 1974 LEGAL COUNSEL U. S. DEPT. OF JUSTICE MAIN

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Airtel to SAC, ME RE: MURKIN

NOTE: The Memphis Division advised in referenced communication that a hearing for James Earl Ray is scheduled on 10/22/74 to determine whether Ray was coerced into entering a guilty plea on 3/10/69 to the murder of Martin Luther King.

Attorney Henry Haile, State Attorney General's Office, Nashville, had requested that the Bureau furnish him, on a confidential basis, any information available which would assist him in determining the veracity, competency, and bias of 2 witnesses who will testify for Ray, Harold Weisberg, an author, and Herbert I. McDonald, a ballistics expert from Ithaca, New York. Memphis Division recommended that any pertinent information be made available to Haile.

A review of Bufiles reveals that Weisberg has written several books critical of the Warren Commission, the FBI, Secret Service, and various police agencies. Gleaned from these files are copies of two newspaper articles pertaining to Weisberg which might be of assistance to Attorney Haile in analyzing the credibility of Weisberg as a witness. The first is an article which appeared in the Montgomery County Sentinal, Thursday, December 15, 1966, entitled "'Whitewash' Author is Man on the Go," which makes reference to Weisberg's theory of an FBI, Secret Service coverup before the Warren Commission. The second article, which appeared in "The Evening Star," October 25, 1973, reveals that Weisberg had lost his bid before the U. S. Court of Appeals to gain access to FBI files pertaining to the John F. Kennedy assassination.

Bufiles also reveal that Weisberg was furnished all of the legal papers utilized in the extradition of Ray from Great Britain, including material submitted by the States of Tennessee and Missouri, affidavits from witnesses, as well as affidavits from Special Agents of the FBI linking Ray to the assassination. That Weisberg is in possession of this material might be of assistance to Attorney Haile in further assessing the credibility of Weisberg.

On 10/8/74, ASAC George Steel, Albany Division, advised that indices contain no reference to Herbert I. McDonald.

On 10/9/74, Mr. Jack E. Herington, Office of Legal Counsel, reviewed enclosed material and advised that this material could be furnished to Mr. Haile, State Attorney General's Office, Nashville, Tennessee.

Warren Commission Critic Weisberg

In the Limelight

# 'Whitewash' Author

Is Man on the Go Harold Weisberg, Montgomery County's critic io: the Varren Commission report, is a man

His pace has picked up steam since he published his second running again on a week-long book, "Whitewash II: The FBI- trip through the mid-west and Secret Service Cover-Up,\* early this month.

on the go these days.

"ast week he spent four dawn to post-midnight days in New York, followed by a stopover in Philadelphia for a four-hour radio broadcast.

on to the West Coast. Stops include Chicago, Ill., Madison, Wisc., San Francisco, Calif. and Los Angeles, Calif.

Weisberg's original book, "Whitewash: The Report on the Warren Report," was one This week he's off and of the first in the current rash of attacks on the commission 44-3886/-596 and placed him to and placed him to an anal spotlight. placed him in the inter-

ENCLOSURE

Umas Country

vince the tires has a wi fachlished in a general milition in May 1906, Weisbern has traveled across the country and appeared on national television programs as well as audience participation radio shows in California, Ohio, Illinois and Pennsylvania.

He is confident his followup to the first volume will help sharpen the criticism of the Warren Commission and the aftermath of the Kennedy assassination.

\*My second book brings this to a new point," he said last week at Coq d'Or, the Hyatistown farm where he once raised geese. "It may sound immodest but this dates everyone's work except my own.

"The turning point in this whole thing was my appearance on a television show in New York in July," declared Weisberg, pulling on a cigarillo and squinting behind silver rimmed glasses.

\*Four lawyers were lying in wait to fear me up. It was rough. It took me an hour and a half to teach them silence is golden," he laughed. "The sparks really flew.

#### Credibility Basis

"But that show laid the basis for credibility. It opened the eyes of the most influential minds in New York. People realized that those who say something is wrong are realily seeking the sanctity of our

See WEISBERG on A7

Weisberg

Continued from Page O

society. Total unknowns are saying we must have the truth."

Weisberg attributes his success as a critic to "a rugged refusal to do anything but face reality and deal with nothing but fact. I'm the only one who's dealt extensively with the commission's findings," he added.

Convinced his first book "couldn't writ" until a publisher could be found to put it out, Weisberg financed the operation himself.

To date 22,500 books have been printed in four editions and Dell Publishing Co. has just come out with a paperback edition guaranteeing a minimum of one-quarter million on the first printing.

"Whitewash II" had 10,000 printed in the first edition, copies of which are being distributed to stores and individuals.

"A lot of people wrote ages ago and asked us to send the next book as soon as it was out," Weisberg explained. He estimated he has received over 3000 letters.

Many fans already are in line for the third book, "Whitewash All: The Archive," which is in the works, Welsberg added.

His current trip across the country is in the usual whirl-wind fashion. The agenda is crowded with television and radio appearances, press conferences, speeches, seminars, buil sessions, autographing sessions and meetings with wholesalers.

"One morning!'m supposed to do a 5:30 TV appearance after it 3 a.m. radio show," Weisberg ceclared. "Can you imagine such a schedule? But I'll do it, too." Interest Abroad

Weisberg is concentrating on the international as well as the national interest in the Kennedy assasination.

His first book is being disributed throughout the English-speaking world in the Dell edition.

It has been serialized the "Arriba," a newspaper in Madrid, Spain, and "Panozama," a large German magazine. An Italian publishing company has contracted for the book and is coming out with an Italian edition next month, Weisberg said.

Weisberg is satisfied that his doubts about the Warren Comphission finally are reaching people. In addition he is delighted with the many new friends he has made through his books.

"Lil (his wife) and I have so many new friends now," he smile!, rubbing his closecropped to we halr. "So many people has aritten us.",

"People are wonderful,"
Welsberg declared. "At every
point along the way there's
teen someone there waiting with
a hand outstretched to help.
Reople want to be helpful and
that's what counts."



Vear No. 7

Published Every Thursday

THURSDAY, DECEMBER 15, 1966

424-7700

# JEK Files Stay Closed, Count Rules

Author Harold Veisberg has lost his old before the U.S. Court of Appeals here to gain access to FBI files on the assassination of former President John F. Kennedy.

In an 8-1 decision announced yesterday, the court upheld a lower court ruling that the FBI analysis of bullet fragments and scrapings from the assassination scene did not qualify for release to the public under the federal Freedom of Information Act.

A dissenting opinion was filed by Chief U.S. Appeals Court Judge David Bazelon. He said that without some mechanism for the public to look at the FBI analysis, "the public will have to rely entirely upon the Justice Department's opinion that the results of the . . . tests are adequately shown in the report of the Warren Commission."

Weisberg, who has written four books on the assassination, has maintained that the Warren Commission report was a "whitewash" and did not tell the full story behind the president's death.

The Washington Post Times Herald	
The Evening Star (Washingt	(no.
The Sunday Star (Washingto	m) 🚅
Daily News (New York)	
Sunday News (New York) _	
New York Post	
The New York Times	: سيند
The Daily World	
The New Leader	
The Wall Street Journal	
The National Observer	
People's World	

Date 00T: 25 1973<sup>3</sup>

//- 3886/- 5966
ENCLOSURE

### I. Material Submitted by the States of Tennessee and Missowri

- A. Application for Requisition for International Extradition for James Earl Ray executed by the Governor of the State of Tennessee and directed to the Secretary of State of the United States.
- B. Petition for Application for Requisition in International Extradition of James Earl Ray addressed to the Governor of the State of Tennessee by Phil M. Canale, Jr., District Attorney General, 15th Judicial District, State of Tennessee (attaching various other documents described below).
- C. Affidavit of Dr. J. T. Francisco, pathologist, attesting to the cause of death of Martin Luther King and attaching autopsy report.
- D. Affidavit of Robert V. Wenzler, with exhibits, stating results of survey of area where Martin Luther King was killed.

EUGLOSURF

44-38861-5966

ENCLOSURE

- E. Affidavit of Guy Warren Canipe, Sr., Memphis storekeeper, with exhibits, concerning his finding of a package with the murder weapon in it.
- F. Affidavit of Inspector N. E. Zachary, Memphis Police Officer, with exhibits, regarding his on-the-scene investigation immediately following the murder and his discovery of various physical evidence.
- G. Affidavit of Captain R. L. Williams, Memphis Police Officer, regarding inspection of Ray's room in boarding house and discovery of physical evidence there.
- H. Affidavit of Cordra York, Sr., Memphis sporting goods dealer, regarding identity of binoculars.
- I. Affidavit of James D. Hamby, Memphis Police Officer, regarding recovery of bullet from Martin Luther King's body during autopsy.
- J. Copy of Tennessee indictment of James Earl Ray for merder of Martin Luther King.
- K. Certified copy of death certificate of Martin Luther King.
- L. Certified copy of autopsy report on Martin Luther King.
  - M. Certified copy of sections of Tennessee laws.
- N. Certificate of Fred T. Wilkinson, Director of the Missouri Department of Corrections, of Missouri criminal record of Ray.
- O. Certificate of James H. McAteer, Missouri Clerk of Court, describing record of conviction and sentence of Rev.
- P. Certificate of James C. Kirkpatrick, Missouri Secretary of State, setting forth Missouri statutes.
- Q. Affidavit of Fred T. Wilkinson, Director of Missouri Department of Corrections, regarding criminal record of Ray and certifying that fingerprints and photographs attached to his prior certification were those of Ray.

- II. Material From Private Persons
  Accumulated by the Department
  of Justice
- A. Affidavit of Donald F. Wood, gun salesman, Birmingham, Alabama, stating he sold weapon to man in attached photograph (Ray).
- B. Affidavit of Charles Quitman Stephens, resident of boarding house from which shot was fired, describing Ray's activities in boarding house.
- C. Affidavit of James H. Laue, friend of King, who was also an employee of the Community Relations Service of the Justice Department, who was in the next room from King, describing shot and discovery of King's body.
- D. Affidavit of Henrietta Hagemaster, hotel clerk, regarding hotel registration of Ray in Memphis.
- E. Affidavit of John Webster DeShazo, customer in Birmingham gun store, identifying attached photograph of Ray as man he saw purchase gun.
- F. Affidavit of Tomas Reyes Lau, bartending school operator, identifying attached photograph of Ray as pupil he had under alias of Eric Stavro Galt.
- G. Affidavit of Anna Christine Kelly, Memphis hotel clerk, regarding Ray's registration at hotel.
  - III. Material Prepared by the Department of Justice for the Signature of FBI Personnel
- A. Affidavit of Lyndal L. Shaneyfelt, FBI Agent and Photographic Expert, comparing photographs of James Earl Ray under various aliases and identifying him as the same person.
- B. Affidavit of George J. Bonebrake, FBI Agent and Fingerprint Expert, comparing fingerprints on murder weapon and binoculars with Ray's fingerprints and identifying them as the same (attaching fingerprint cards as exhibits).
- C. Affidavit of Robert A. Frazier, FBI Agent and Ballistics Expert, comparing murder bullet with weapon and establishing that bullet came from that or a similar weapon.

- D. Affidavit of Robert G. Jensen, FBI Agent in Memphis, describing weapons and physical exidence turned over to him by Memphis Police.
- E. Affidavit of Robert G. Jensen, FBI Agent in Memphis, with exhibits, describing registration card of Eric S. Galt (Ray) at hotel.
- F. Affidavit of James H. Mortimer, FBI Agent and Handwriting Specialist, with handwriting exhibits, identifying signature on hotel registration card as same as documents at partending school.
- G. Affidavit of Theodore J. A'Hearn, FBI Agent in Los Angeles, regarding Lau's identification of photographs of Galt (Ray).

FEDERAL BUREAU OF INVESTIGATION

UCT 071974

NR 003 ME PLAIN

TELETYPE

5:29 PM NITEL OCTOBER 7, 1974 JLC

TO: DIRECTOR, FBI (44-38861)

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

MURKIN

ASSISTANT ATTORNEY GENERAL HENRY HAILE, STATE ATTORNEY

GENERAL'S OFFICE, NASHVILLE, TENN., HAS ADVISED THAT SUBJECT

RAY TO BE GIVEN HEARING BEFORE JUDGE ROBERT M. MCRAE, JR.,

USDC, WDT, MEMPHIS, OCTOBER 22, 1974. EXPECTED TO TESTIFY FOR

RAY ARE HERBERT I. MCDONALD, A BALLISTICS EXPERT FROM ITHACA,

N. Y., AND HAROLD WEISBERG, AN AUTHOR WHO HAILE STATES HAS

PREVIOUSLY FILED SUIT AGAINST FBI REGARDING ASSASSINATION

OF PRESIDENT JFK.

MR. HAILE HAS REQUESTED THE BUREAU GIVE HIM ANY INFORMATION AVAILABLE WHICH WOULD ASSIST HIM IN CROSS EXAMINATION OF MCDONALD AND WEISBERG. HE WILL KEEP SOURCE OF SUCH INFORMATION STRICTLY CONFIDENTIAL BUT NEEDS ANY INFORMATION WHICH MIGHT HAVE A BEARING ON THEIR VERACITY, COMPETENCY, AND BIAS.

IF SUCH INFORMATION IS AVAILABLE TO THE BUREAR, IT IS
RECOMMENDED THAT SAME BE FURNISHED CONFIDENTIALLY TO MR. HAILE
AS SOON AS POSSIBLE.

OCT 11 1974

END

Om 10/8/14 ASAC Deorge Steel, AL, advise time concerning Herbert I. McDonald.

Assoc. Dir. Dep.-A.D.-Adm. Dep.-A.D.-Inv. Asst. Dir.: Admin. Comp. Syst. Ext. Affairs Inspection Intell. Laboratory Plan. & Eval. Spec. Inv. Training \_ Legal Coun. Telephone Rm. Director Sec'y

MR 003 ME PLAIN

5:29 PM NITEL OCTOBER 7, 1974 JLC.

TO: DIRECTOR, FBI (44-38861)

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

MURKIN

ASSISTANT ATTORNEY GENERAL HENRY HAILE, STATE ATTORNEY GENERAL'S OFFICE, NASHVILLE, TENN., HAS ADVISED THAT SUBJECT RAY TO BE GIVEN HEARING BEFORE JUDGE ROBERT M. MCRAE, JR., USDC, WDT, MEMPHIS, OCTOBER 22, 1974. EXPECTED TO TESTIFY FOR RAY ARE HERBERT I. MCDONALD, A BALLISTICS EXPERT FROM ITHACA, N. Y., AND HABOLD WEISBFRG, AN AUTHOR WHO HAILE STATES HAS PREVIOUSLY FILED SWIT ACAINST FBI REGARDING ASSASSINATION OF PRESIDENT JFKED

MR. HARE HER REQUESTED THE BUREAU GIVE HIM ANY INFORMATION AVAILABLE HICH WEULD ASSIST HIM IN CROSS EXAMINATION OF MCDONALD AND WEISBERG. HE WILL KEEP SOURCE OF SUCH INFORMATION STRICTLY CONFIDENTIAL BUT NEEDS ANY INFORMATION WHICH MIGHT HAVE A BEARING ON THEIR VERACITY, COMPETENCY, AND BIAS.

IF SUCH INFORMATION IS AVAILABLE TO THE BUREAR, IT IS RECOMMENDED THAT SAME BE FURNISHED CONFIDENTIALLY TO MR. HAILE AS SOOM AS BOSCIPLE

AS SOOM AS POSSIBLE.

OCT 8 10 34 AM 1974

REC'D-CIV RIGHTS

FBI U.S. DEPT. OF JUSTICE

OCT 8 9 32 AH 1974

REC'D GEBHARDT

UNITED STATES

## Memorandum

Mr. J. B. Adams

Legal Counsel

SUBJECT: JAMES EARL RAY REQUEST FOR LABORATORY DATA

> On referral from the Director's Office, Inspector Herington spoke to James H. Lesar (1231 4th Street S.W. Washington D.C. 20024, telephone number 484-6023). Lesar alleged he was Ray's. attorney and was seeking copies of photographs of a bullet fragment removed from the body of Martin Luther King. He stated that his reason for calling the FBI was because he needed this data quickly and believed he could get it from us faster than from other sources. He noted that Ray had pled guilty but that the bullet evidence had been introduced into court and was presently being held by the court.

Lesar was advised that it would be impossible to furnish him copies immediately if at all since we would have to first check our records and he was further advised that if the evidence was not collected by the FBI we probably would not be in a position to furnish him a copy in any event without an appropriate release from the prosecutor or local investigating agency.

Contact with the Laboratory determined that the bullet evidence was submitted to the FBI Laboratory by the Memphis Police Department and our examination was accordingly made for that department.

Accordingly, attached is a letter to Mr. Lesar advising him that we are unable to be of assistance without specific authorization from the Memphis Police Department or the prosecutor. Bufiles indicate that James Lesar, the "present counsel for James Earl Ray" participated in a conference during November, 1973, at Georgetown University sponsored by the Committee to Investigate Assassinations REC-59 44 = 388627

1 - Mr. Adams

1 - Mr. Gebhardt

1 - Mr. White

- Mr. Mintz

-Mr. Farrington

- Mr. Herington

JH:deh.

OCT 15 1974

Continued

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ASSOCIATE DIRECTOR

M. Hd on Z 6

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S. DEPT. OF JUSTICE

Memorandum Legal Counsel to Mr. J. B. Adams RE: JAMES EARL RAY REQUEST FOR LABORATORY DATA

### RECOMMENDATION:

That attached letter be sent to Mr. Lesar.



Memorandum Legal Counsel to Mr. J. B. Adams RE: JAMES EARL RAY REQUEST FOR LABORATORY DATA

#### RECOMMENDATION:

That attached letter be sent to Mr. Lesar.

REC-59 44-38861-

Mr. James H. Lesar 1231 4th Street, S.W. Washington, D. C. 20024

Dear Mr. Lesar:

October 9, 1974

1 - Mr. Adams

1 - Mr. Gebhardt

1 - Mr. White

1 - Mr. Mintz

1 - Mr. Farrington

1 - Mr. Herington

This is to acknowledge your request on October 8, 1974, for photographs of a bullet fragment removed from the body of Dr. Martin Luther King

Although I would like to be of assistance, the evidence in question was submitted to the FBI Laboratory by the Memphis Police Department. Accordingly, we are unable to furnish the photographs you requested in the absence of specific authorization from that department or the prosecutor who handled the case.

Sincerely yours.

MAILED 6

C. M. Kelley

Clarence M. Kelley Director

NOTE: Based on memorandum Legal Counsel to Mr. J. B. Adams dated 10/8/74, captioned "James Earl Ray, Request for Laboratory Data" JH:deh.

JH:deh (8)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 12-6-96 BY 5P4-BJA

Dep. AD Adm. Dep. AD Inv. sst. Dir.:

Ext. Affairs

MAIL ROOM

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### RECEIVED

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PHYSICS&CHEMISTRY CORRESPONDENCE REVIEW F B I

A BINESE W TO C

GOMMUNICATIONS SECTION

OCT 26 1974

TELETYPE

NR 004 ME PLAIN

6:25 PM NITER OCTOBER 26, 1974 CNF

TO.

DIRECTOR

(44 - 38861)

FROM:

MEMPHIS

(44-1987) (P) 2PG

MURKIN. 00: ME.

TESTIMONY BEING HEARD BEFORE JUDGE ROBERT M. MC RAE, JP. . USDC, WDT, MEMPHIS, TO DETERMINE WHETHER OR NOT SUBJECT JAMES EARL RAY WAS PROPERLY REPRESENTED AT THE TIME HE ENTERED GUILTY PLEA IN 1968. TWO OF SUBJECT'S BROTHERS HAVE TESTIFIED AS WELL AS FORMER DISTRICT AG AND FORMER PUBLIC DEFENDER. SUBJECT RAY TESTIFIED OCTOBER 25, 1974. RE CONRACTS ENTERED INTO BETWEEN WILLIAM BRADFORD HUIE, AND ATTORNEY ARTHUR HANES. RAY WILL CONTINUE TESTIMONY TUESDAY NEXT AND WILL THEN BE CROSS-EXAMINED. NOTHING PARTICULARLY INTERESTING OR SURPRISING HAS COME, FROM SUBJECT'S ATTORNEY HEARING THUS FAR. ATTEMPTING TO SHOW ATTORNEY PERCY FOREMAN DID NOT PROPERLY REPRESENT SUBJECT. FORMER DA AND FORMER PUBLIC DEFT 39 1974 HAVE BOTH TESTIFIED THEY THOUGHT RAY WAS WISE TO HAVE PLEADED GUILTY TO AVOID GOING TO ELECTRIC CHAIR. RAY EXPECTED TO TESTIFY MOST OF TUESDAY NEXT AND STATE AG WILL THEN HAVE TWO DAYS IN WHICH TO CALL HIS WITNESSES.

5 FAR CAGE ONE74

Dep.-A.D. Dep.-A.D.-Inv Asst. Dif.: Admin. Comp. Syst. Ext. Affairs Files & C Gen. Inv. Ident. Inspection Intell. Laboratory Plan. & Eval. Spec. Inv. Training Legal Coun. \_ Telephone Rm. Director Sec'y

Assoc. Dir.

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REC'S = CIV RIGHTS

Oct 25 8 05 AP 1974

RECEIVED GENERAL INVESTIGATIVE DIVISION 5710

Oct 26 7 59 PM '74

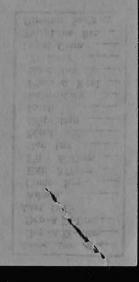
U. S. DEPT OF HISTORY

P DC1 379 (31)

LEFELABE

DEL SE ME

COMMUNICATIONS SECTION



ME 44-1987

PAGE TWO

BUREAU WILL BE KEPT ADVISED OF ANY PERTINENT DEVELOPMENTS.

END.

HOLD PLS

Ост 26 7 3 РМ МС

RECEIVED TELETYRE UNIT

UNITED STATES GOERNMENT

## $oldsymbol{M}$ emorandum

Mr. Jenkins

DATE: 10-31-74

r. F. Weber

MURKIN 44-3886

Morris Canningham. Washington representative of the Memphis Commercial Appeals called Inspector Bowers during the differences of 10-30-74 from Memphis, where he is covering the James Earl Rep hearing in Federal District Coupt. Canningham said Ray had testified to having sent a spiter to Senator James O. Eastland (D-Misso) effortly after he had been sentenced to prison for the King slaving. Ray alleredly baid hat he told Benater Eastland in the letter that he personally did not shoot ling, but was partially besponsible for his death. (News reports, 10-30-7 n the hearing confoborate this and indicated that Ray's letter to Senator idstantives rest into the recurs.)

Commingative is not the called Secret. Eastland at his residence in the same and a select bine about the barrer. Residence in the letter and said he advised from grains about it when it was received however. Commingham does not seed the letter that the letter is all the letter being the letter that the letter being the letter being the letter of the received from protoner. Commingham distributes he would be a letter to be received from protoner. Commingation while manual as higgs exed he call Becker by geter aims is the seasons also manual as higgs exed he call Becker by geter aims is the seasons as a second of all bowers in a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the letter and the seasons as a second of the seasons as a s Section 1 and 1 an

Sewers printed out to Comminguest that we were precisited from a presented from a presented from a present that the set of mine approves that the letter it located comminguest the letter it located comminguest the letter to the therefor a office and the legator could release the selection. Compagnish said that should be satisficated violation. e world de adviset as soon as this matter dould be checked out in the through the news room of the Mellsphis Commercial Appeal 1 526-6811 in Memphis.

This paster was checked Will Courtney Pace, Senatof Bastland who indicated he was aware of Eunningham's resuest.

A CONTRACTOR

Mr. McDermott

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MANUAL END

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on the hand, sprroborate one and tristened that Ray a letter to share E Kips; bue fine includity responsible for his death. (News reports; 🔫) -: that he had semile Arrand in the leman, and he betwoming and hot he had both sentaked to prison for the King Maying. Ray allogod to having part a star to density dames O. Basilant (D-hiles temprity giver Bay bearing in Reserved Metrics Certs. Candaghase safe Pay had destined atternment of 16-50-74 men. Menaphie, where he is covering this domice Angle Memphis Commercial Appeal, collect inspector Bowers certificate. ktorris Comingham, placking an epresentative altho

Kasilans, approves birnishing contents of the letter to Cuminghams. deterraine if the FBI could locate the letter and to tell howers that he from princers. Commandem said Realized Suggested be call bottom to forwarded the letter to the FSC as he does name aim in late latters he receives Commingual loss not recall this. He said textions had fold alm he had: Malenia he nivised Cuming ham about it when it was received, however, Charleshyl yad asked han seen thu master. The statland received the lette Commission sale he collect secretor Encelled at the 18

d Samed through the news room of the Manphie (humbere's Lancal rescoile MA 226-3331 in Mempine. actional metalline addition as soon as this matter could be checked out. he was due. Cumplignen este that should be estimated the operations e extended to the denator's estima and the Senator poolis released the it shouls Prater Caecharl derive, a copy of the letter, it located, could ong society Department regulations. It was pointed out to this, however, Bowers pointed on to handaging that we were infection from

ALLOGILY THE GTON Verietaria Bonton Mail External Action 4 00 PH'74 was checked the dictions there is the state of Country is MACONITION TO WAS A THAT ON THAT WAS SELECT AND THE TOP OF

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ASSISTANT DIRECTOR LONAL POPULATION

Cri X 8 21 M.

McDermott to Jenkins Memo

Re: MURKIN

He said that should we find the letter in question and furnish a copy to him, he would be glad to handle the matter with Cunningham for the Senator.

Buffies reflect that Senator Eastland made a copy of Ray's letter available to Inspector Bowers on 3-17-69. Accordingly, a copy of Ray's letter, see attached, has been made available to Courtney Pace on 10-31-74 so that he can handle the matter with Cunningham.

#### RECOMMENDATION:

For information.

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#### Dear Sonator Eastland;

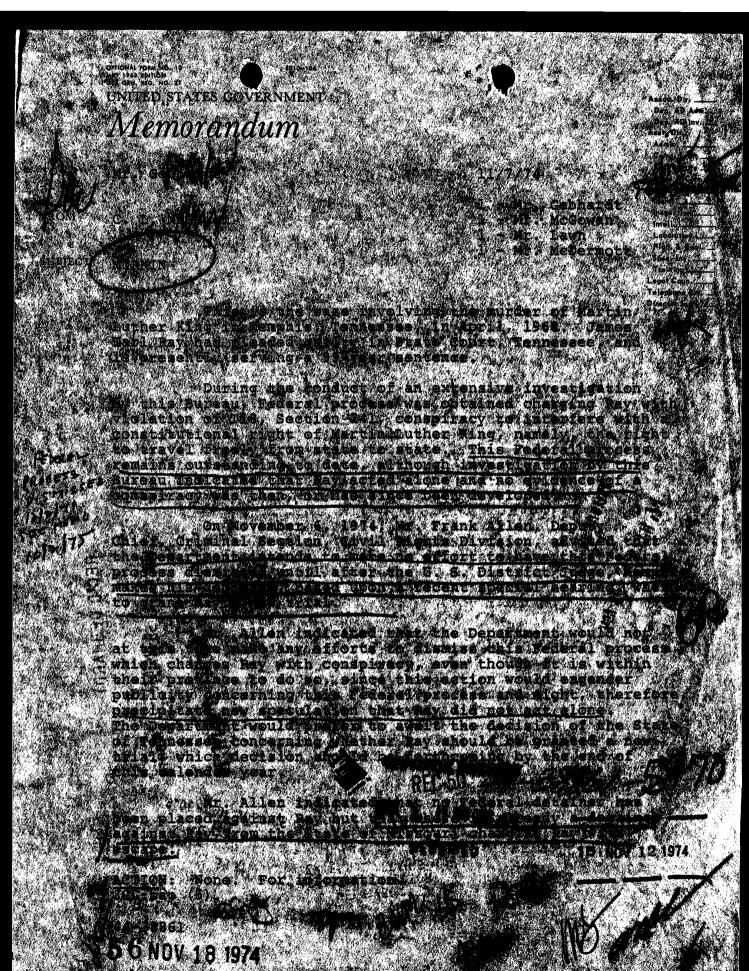
I read in the local newspaper where your committee is considering investigating the Dr. King case. I would like to inform you and the committee that I would cooperate in any such hearing. However, at the time I am going to attempt to get the guilty plea set aside, I know that the odds spainst having tols cone are greatly against me. Dut I think due to the unusual circumstances in the guilty plea it mite be possible. I perconaly did not shoot Dr. King but I believe I am partly responsible for his death. I will briefly attempt to explain why I entered the guilty plea. At the time Mr. Pery Foreman aggred to take over the calense from Mr. Arthur Hanes we had a verbal agreement that their would be no guilty plea, as I wanted to try the case in court. I had every reason to believe during the first two months Mr. Foreman was on the case their would be a trial, during that period Mr. Foreman had me sign a new contract with him and Mr. Huie giving Mr. Foreman all the money from any of Mr. Huie's money making ventures. (I had sign another contract with Mr. Hule and Mr. Hanes) Shortly after this Mr. Foreman came to visit me and he had a picture for me to look at. This picture was about 8 x 10 in. Mr. Foreman said Mr. Huie had given him the picture and that Mr. Huie had got the picture from someone in the federal government. The picture contain 2 or 3 men followed by two or 3 policemen. Mr. Foreman described on of the men in the picture as an 'anti communist' cuban refugee who was arrested at the time president Kennedy was shot. "The arrest took place in Dalias I was told" I was asked if I would identify the man if he was brought to Memphis. I said no, althou he did look similar to the person I was involved with. After I wouldn't identify this man, about all I was told was that I would go to the electric chair if I went to trial. I was even told my family wanted me to plead guilty, but I found out this was not so. But I did not plead guilty for the above reasons. I did so because I did not want to go to trial with a lawyer who thought he was going to lose. I believe if you think you will lose you proably will. On the day before I plead guilty I signed another contract with Mr. Foreman. In this one I agreed to give him \$165, 600, he agreed to give my brother \$500.00 in the event I wanted to hire another lawyer to reopen the case. Mr. Foreman wrote into the contract that if I embarres him (disagreed) in the court room he could withdraw, the old contract would go into effect and I would be without funds to hire another

44-3886/- 5961 INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE A CONTAINED BYNTHEM

attorney. Getting back to Mr. Hule for a minute, while Mr. Hanes was my attorney Mr. Hule asked me through him about public figures and various organizations. I got the impression that he thought their was a conspiracy but he wanted to name the tenspirators. And I sometime felt that my attorneys were working for him instead of for me. In closing I would like to say if I can't get the case reopen, their should be an invegestion, as I have signed over \$200,000 to attorneys and not 1/20 or the witnesses have been interview. No one went to Los Angeles or New Orleans where I think much of the evidence lies. Mr. Foreman said in open court that he didn't trust investigators, and the one Mr. Hanes hired never left Momphis. I would also like to say that despite what the papers and book writer's quote me as saying, I have no intention of discussing this case with anyone 'verbaly' until it is closed. If I have anything to say I will say it in court or to lawyers, or in letter form like this letter.

Sincerely, James E. Ray.

COPY:mls



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T. EDWARD BRASWELL, JR., CHIEF COUNSEL AND STAFF DIRECTOR

why

### United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, D.C. 20510

January 29, 1975

Heating by

MURKIN

Congressional Liaison
Department of Justice
Federal Bureau of Investigation
Ninth and Pennsylvania
Washington, D.C. 20535

Dear Sir:

The enclosed is respectfully submitted to you for every proper consideration. Please provide me with a report in duplicate and return the enclosure to me with your response.

Sincerely yours,

Henry M. Jackson, U. S. S.

HMJ: cb Enclosure

O. REC 59"

EX:103

44-38861-5971

CORRESPONDENCE

#ENCLOSURE

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La Habra California Jan. 21, 1975

Monorable Henry Jackson Congressman from the Great State of Washington

Scoop

Your Honor Mr Jackson:

You will perhaps remember me as the X-Shell Oil Company employee (Retired) who sided so much with you in getting action on the Alaska Pipe Line. Well you finally won that one. Now I have a problem maybe you could help me solves

Here of late I have been reading so much about the F. B. I. and C. I. A. on how they have been keeping tract of all bad Guys almost from infancy, I have news for them-they also keep secret all about the Good Guys that are around, believe me we have much more of the good Guys and Gals around than the Bad-I believe to belong to the latter.

You remember the murder of Wartin Luther King on April 4th, 1968 at 6.01 PM? of course you do well I was working for U. S. Post Office in La Habra at that time but now as I look at it seemed that I was destined to be the man who would put the finger on the Killer. I just got all the pictures and all I could dig up on James Earl Ray. So that if I did spot the man That would be all she wrote for him. I have a Photographic mind, so that also helps me. well on April 9th, 1968 I Did spot the man right here in La Habra I told the Police Chief in town and was at a loss, to find he would not help me. He said in a few words the F. B. I. told him hands off-I then called F B I in L. A. they never movedthen I wrote I Edgar Hoover-he finally called L. A. and a scuple ofmen came to my home-one of the mens name was O'Brien mind you this was a month after I spotted the man. well at least this is where the hunt finally got started. I heard there was supposed to have been a large reward-Dont know.

I am enclosing enclosures, I have an original of the letters from J Edgar Hoover and L. A. ( You see how they shut a good guy up-just the same as the Bad.

You can give me a clear true answer to the above and I am also sure You will not beat it about the bush.

All the Luck in the World to You and Yours

Very Truly Yours

Kenneth R McBane 641 Galen Dr

Habra Ca 90631

: If this is out of your jurisdiction, am sure that you will allocate it properly

I Thank You

ENCLOSURE



#### UNITED STATES DEPARTMENT OF JUSTICE

#### FEDERAL BUREAU OF INVESTIGATION

11000 Wilshire Boulevard

Log Algorian Colors

July 31, 1970

File No.

Mr. Kenneth Mc Bane, 641 Galen Drive La Habra, California 90631

Dear Mr. Mc Bane:

Thank you for your recent letter.

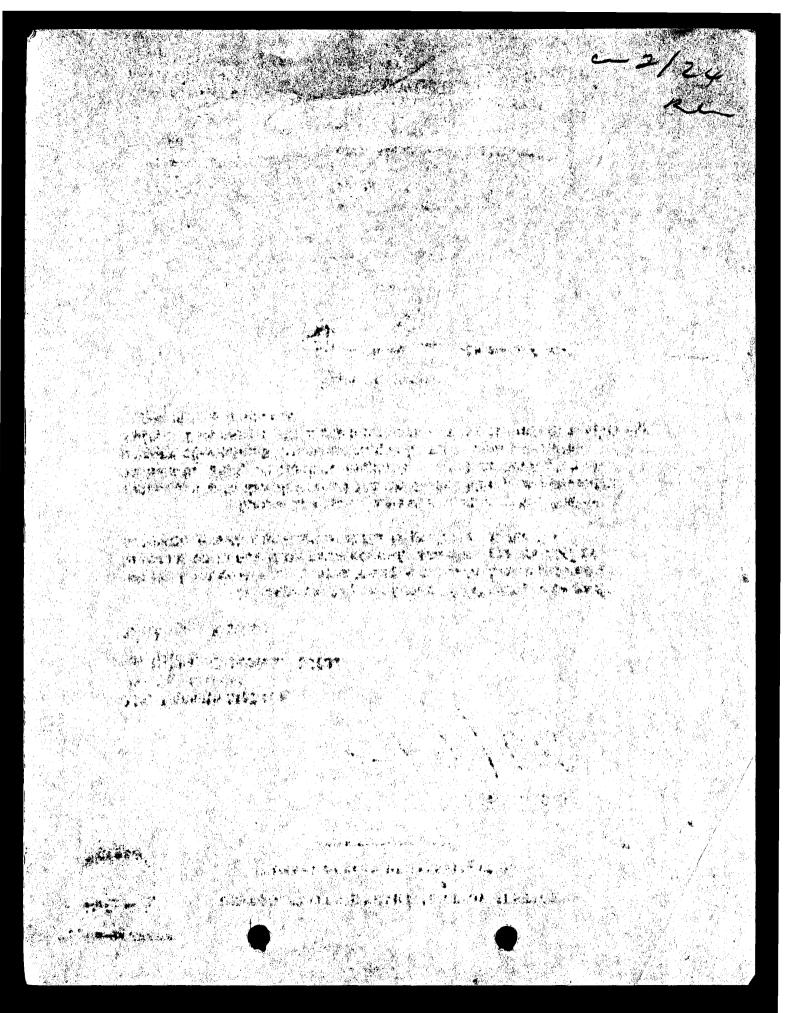
Please be advised that all information in this matter has been furnished to the appropriate local authorities.

Your interest in writing as you did is appreciated.

Very truly yours,

Special Agent in Charge

44-3886/-577/ SINCLOSURE





#### UNITED STATES DEPARTMENT OF JUSTICE

#### FEDERAL BUREAU, OF INVESTIGATION

July 17, 1970

Mr. Kenneth McBane 641 Galen Drive

Le Habra, California 20631

Deat Mr. McBane:

In response to your letter of July 9th, with enclosures, I am unable to furnish the specific data you requested as information in our files must be maintained as confidential in accordance with regulations of the Department of Justice.

James Earl Ray, who was sought by the FBI in connection with the slaying of Martin Luther King, was arrested on June 8, 1968, in London, England. He pleaded guilty on a murder charge and is now serving a 99-year sentence in the State of Tennessee. I regret I am unable to be of further assistance to you in this instance.

Sincerely yours.

Samuel Lands

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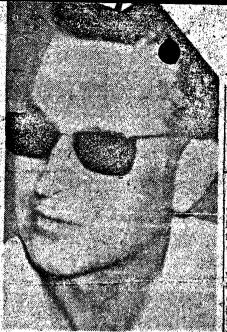


PHOTO SHOWS SUSPECT IN CALIFORNIA BUSINESS SUFF Photo at right was taken of James Earl Ray in Mexico

## FBI Releases Two New \*Pictures of Suspect Ray

more photographs of the murder. accused killer of Dr. Martin Luther King—one of them "an balcony, apparently by extremly good likeness."

Both were snapshots of James rooming house bathroom. Earl Ray, alias Eric Starvo accused of shooting King to death in Memphis April 4.

Ray in a business suit and tie were the same man. and shows almost his full face, taken in late January or early February somewhere in Califor-

The other, which the FBI said taken last November somewhere in Mexico, shows him wearing sun glasses and what appears to be a white sports shirt. The FBI said Ray is known to wear sun glasses frequently.

Allgarontha man man arm arm the FBI refused to say where or how they were obtained will be displayed throughout the country along with three other pictures of Ray which now appear on FBI's wanted pos-

Ray, who escaped from prison April 23, 1967, by hiding in a truck, is wanted by the FRY

WASHINGTON (UPI) -The illegal flight to avoid prosecu-FBI has distributed two tion in Tennessee for King's

rifleman 200 feet away in a

an escaped convict announced it had issued a that the 75-year-old emperor, of the coptic denomination of shooting King to warrant for Galt, but after Christian of the Coptic denomination of the coptic denominat checking some 53,000 finger-mation, persecuted Moslems is The "extremely good like prints, the FRI said two days his African nation. Moslem ness" is a candid photograph of afterwards that Galt and Ray form a great majority in I

### Some Protests Over Selassie's Indonesia Visit

JAKARTA (AP) - President Subarto welcomed Emperor The civil rights leader was Halle Selessie of Ethiopia to shot to death on a motel Indonesia for a six-day a state visit protested by some Moslem organizations. Reavily armed guards stood watch.

Thirfeen days later the FBI The organizations charged donesia, a minority in Ethiopia

> Two men from F. B. I. Los Angeles Came to visit with me today concerning the Ray case-it seems late, to me as it was a month ago April 10th, I saw this James Earl Ray. Both men had Grey hair one man's name was O'Brien, the other I don't recall-they seemed interested in what I saw, and said they would contact me latter. They say they are looking for the car-Woh after all this Time?? I told them a month ago to do this---

44-38841-5971

ENCLOSURE

	FBI 2Li
	Date: <b>2/27/75</b>
Transmit t	the following in(Type in plaintext or code)
	AIRTEL
Via	(Priority)
-7	
	TO: DIRECTOR, FBI (44-38861)
	FROM: SAC, MEMPHIS (44-1987) (RUC)
	SUBJECT: MURKIN
POLESED SON ITT	
2/7/019	The Bureau is again reminded of the fact that there remains outstanding in the U. S. District Court at
12/15	Birmingham, Alabama, a federal warrant charging RAY with a conspiracy to violate KING's civil rights. The Bureau
121	may desire to discuss with the Department once again the desirability of dismissing the complaint and warrant.
141	On 3/3/75 Ma FRANKALLEN, CRD, advised that
7/	the CRD will take no action on federal warrant until
* //	all appeals have been have been defied. 15 MAR 3 1975
11	2 - Bureau
	1 - Memphis JCH: jap (3)
	58 MAR 1975 1
App	roved: Sent M Per Special Agent in Charge

2/27/75

AIRTEL

TO: DIRECTOR, FBI (44-38861)

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

SUBJECT: MURKIN

to a trial on the charge of having murdered KING. writ of habeas corpus did in effect deny RAY to the right been properly represented. Judge McKAE in denying RAY's an evidentiary hearing to determine whether or not RAY had The 6th Circuit had ordered the District Court to grant RAY time of his guilty plea to the murder of MARTIN LUTHER KING. PERCY FOREMAN, had failed to properly represent him at the was based on the grounds that his attorneys, particularly an effort to obtain a new trial in state court. Wis appeal previously appealed to the 6th Circuit Court of Appeals in RAY's petition for a writ of habeas corpus. RAY had MCRAE, JR., WDT, Memphis, Tenn., denied subject JAMES EARL On 2/27/75, U. S. District Judge ROBERT M.

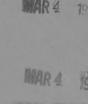
for the Bureau's information. be appealed to the 6th Circuit. This is being furnished RAY's attorney, ROBERT LIVINGSTON, was overheard telling television newsmen that Judge McKAE's ruling would

desirability of dismissing the complaint and warrant. may desire to discuss with the Department once again the a conspiracy to violate KING's civil rights. The Bureau Birmingham, Alabama, a federal warrant charging RAY with there remains outstanding in the U. S. District Court at The Bureau is again reminded of the fact that

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MAR 4 19

(3) JCH: Jap

1 - Memphis 2 - Bureau

UNITED STATES GOVERNMENT

# Memorandum

McGowan

Lawn

FROM

is the case involving the murder of Martin g in Memphis, Tennessee, in April, 1968: James Bari Ray had pleaded quilty in State Court, Tenness and is speachtly serving a 99-year sentate.

In October, 1974, an evidentiary hearing was conducted to determine whether James Earl Ray was properly represented by an attorney at the time he entered his guilty plea in 1968.

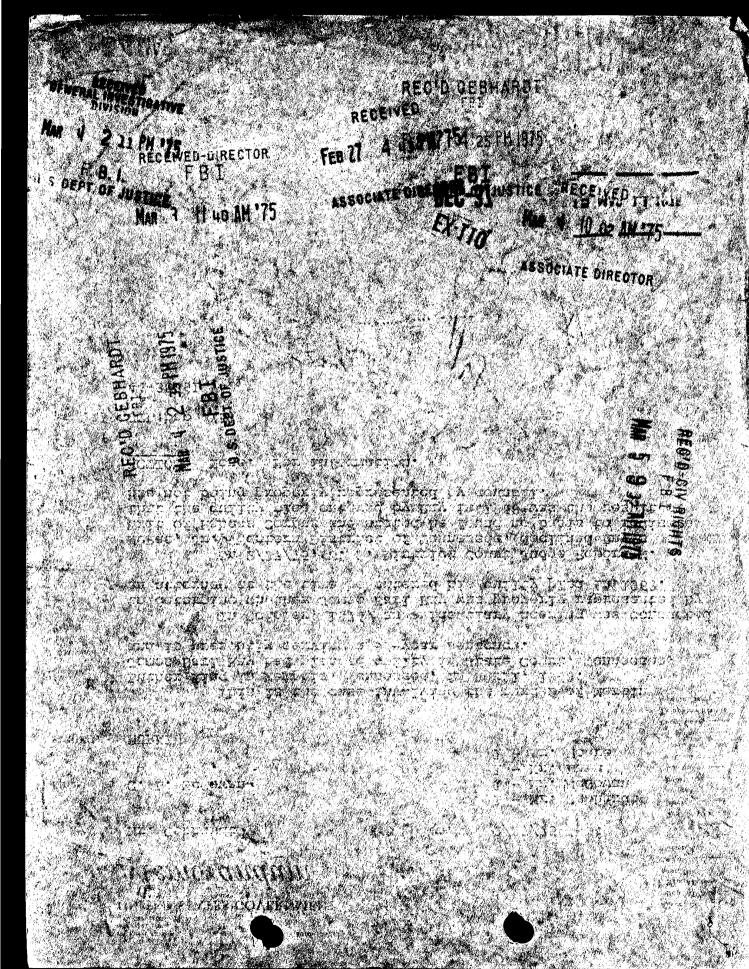
On 2/27/75, U. S. District Court Judge Robert M. McRae, Jr., Western District of Tennesses, declined Ray's . Writ of Habeas Corpus and stated he found no basis to indicate that the quilty plea entered by Ray in 1968 was the result of his not being properly represented by counsel.

None. For information.

JCL:bac

MAR 11 1975

MAR 19 1975



#### AIRTEL

3/28/75

To:

SAC, Cincinnati

From:

Director, FBI (44-38861)

1 - Mr. Lawn

MURKIN

On 2/27/75, U. S. District Judge, WDT, Memphis, denied petition of James Earl Ray for a Writ of Habeas Corpus.

Ray's Attorney, Robert Livingston, indicated that this ruling would be appealed to the 6th Circuit Court of Appeals.

CI should determine whether attorneys for Ray have appealed this matter to the 6th Circuit Court. SuLHM.

1 - SAC, Memphis (44-1987)

REC-11 44-38861-5974

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Comp Syst.
Ext. Alfairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training

Legal Coun. \_\_\_\_ Telephone Rm. \_\_\_

Director Sec'y

MAR 28 1975

FBI

MAILED 21

MAR 28 1975

FBI

TELETY

Special Agent in Charge

5Approved:10 1975

Sent \_\_

GENERAL INVESTIGATIVE

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1 S DEPT. OF JUSTICE