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

(Mount Clipping in Space Below)

Arresting Officer In London Expected As Ray Witness

By CHARLES EDMUNDSON

Detective Supt. Tommy Butler of Scotland Yard, who arrested James Earl Ray at London's Heathrow Airport June 8, is expected to be a key witness when Ray goes on trial in November on a charge of murdering Dr. Martin Luther King Jr.

Atty. Gen. Phil M. Canale last night confirmed that Superintendent Butler's name is on the list of prosecution witnesses Criminal Court Judge W. Preston Battle ordered given to Ray's attorneys.

The list is understood to contain the names of other detectives from London and those of several FBI investigators.

The list is described as "potential witnesses." But Superintendent Butler, a 55-year-old bachelor famed for such things as solving London's 1963 seven-million-dollar train robbery, is considered certain to be subpenaed.

Meanwhile Ray, in his suite at Shelby County Jail, was reported by Mr. Canale as "averaging nine hours sleep in 24 and no more disturbed or nervous than any other defendant called on to answer an indictment by which he could be sentenced to die."

The attorney general described Ray's condition in an answer filed in the Criminal Court clerk's office to charges that bright lights and television cameras interfere with the prisoner's sleep and possibly endanger his health.

Arthur J. Hanes of Birmingham, chief counsel for Ray, had charged that the conditions of Ray's imprisonment constitute "cruel and unusual punishment."

Mr. Canale agreed that microphones have been installed in Ray's cell but denied this constitutes a violation of the prisoner's right to private counsel.

The microphones are used for security purposes only and are turned off when Mr. Hanes and Ray confer, the attorney general said. Tests have been made and have proved to Mr. Hanes' admitted satisfaction that his conferences with the defendant are private and not overheard, Mr. Canale said.

Mr. Canale described as "ridiculous to the point of being ludicrous" Mr. Hanes' charge that television cameras are being used as a substitute for a lineup in preparing witnesses to identify Ray at the trial.

"If this were done, it would not be competent evidence under United States Supreme Court decisions," Mr. Canale added.

Mr. Hanes and his son, Arthur Hanes Jr., are to spend today in Memphis going over items of evidence, including the white Mustang in which Ray is said to have escaped from Memphis after shooting Dr. King April 4.

Mr. Hanes is also expected to file today his reply to Judge Battle's order to show cause why he should not be held in contempt of the court's order forbidding publicity that might interfere with a fair trial. The contempt hearing is set for 9:30 a.m. tomorrow.

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

Page 15

The Commercial Appeal

Memphis, Tenn.

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Edition: Final
Author:
Editor: Frank B. Ahlgren
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Classification:
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FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Hanes Confers With James Ray

Son Outlines Defense For Father On Contempt Of Court Citation

Attorney Arthur J. Hanes conferred more than two hours with his client, James Earl Ray, at the Shelby County Jail yesterday while his son, Arthur Hanes Jr. prepared to defend his father against a contempt of court citation.

Judge W. Preston Battle, who is scheduled to conduct Ray's trial on a charge of murdering Dr. Martin Luther King Jr., will hear arguments this morning on a contempt citation issued against Mr. Hanes Sr.; Renfro Hays, a private detective, and two newspaper reporters.

Mr. Hanes, Mr. Hays, Charles Edmundson of The Commercial Appeal and Roy Hamilton of the Press-Scimitar are asked to show cause why they should not be held in contempt of a court order to restrain pre-trial publicity in the case.

Also set for today are arguments on motions by defense attorneys for relief of what they charge is a violation of Ray's constitutional right to confer privately with counsel. They charge Ray's cell is "bugged" with microphones they cannot be sure are turned off even when jail attendants say this is the case.

They also charge that constant bright lights and television cameras in Ray's cell constitute an "electronic form of cruel and unusual treatment."

In the contempt hearing Armistead Clay, attorney for the Memphis Publishing Co., is expected to argue that the restrictions sought would be a violation of the guaranties of free speech and a free press contained in the first article of the Bill of Rights.

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

Page 40

The Commercial Appeal

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Lawyers Battle in Court Over Reports About Ray

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

Page 1 and 4

MEMPHIS PRESS-SCIMITAR

Memphis, Tenn.

Date: 9-27-68
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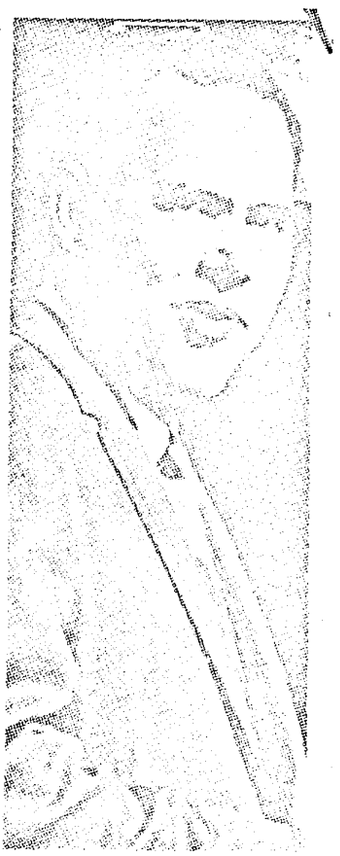
28

TWO CONTEMPT DEFENDANTS CONFER WITH ATTORNEY

Arthur Hanes, attorney for James Earl Ray, and Roy Hamilton, Press-Scimitar reporter, defendants in the contempt case, are shown with Arthur Hanes Jr., attorney for his father. —Press-Scimitar Staff Photos by William Leavitt



RENFRO HAYS

Before contempt hearing started.

Judge Hears Testimony On Contempt

Hanes and Son Duel With Lucius Burch

Arthur Hanes took the witness stand in Criminal Court today and had heated exchanges with a prosecutor over whether Hanes was guilty of violating a court order against talking "for publicity."

Hanes, defense lawyer for James Earl Ray in the slaying of Dr. Martin Luther King, was one of four persons ordered to show cause why they should not be held in contempt of Judge Preston Battle's court order to restrain pre-trial "publicity."

CHARGED

Named with Hanes were Renfro T. Hays, a private detective employed by Hanes; Charles Edmundson, a reporter for The Commercial Appeal; and Roy Hamilton, a reporter for The Press-Scimitar.

Serving as prosecutor was Lucius Burch, who is also one of a seven-member committee of the Memphis and Shelby Court Bar Association appointed by Battle to assist in restraining publicity.

Judge Battle had ordered both defense and prosecution attorneys, their agents and employes, all law enforcement officials of Memphis and Shelby County, all potential witnesses and all employes at the Courthouse and the County Office Building from "giving interviews or making extra-judicial statements prejudicial to a fair trial by an impartial jury." All of these persons were served with a copy of the order and Memphis newspapers and other news media were sent a copy of the order.

ORDERS READ

The hearing opened with a reading of the court orders issued by Judge Battle concerning publicity. Stories from The Commercial Appeal and The Press-Scimitar were read, along with the stories published on Sept. 12 for which Hamilton and Edmundson were ordered to show cause why they should not be held in contempt.

Bubba Blackwell, Criminal Court Clerk, produced lists with Hamilton and Edmundson's signatures on which they had signed for copies of Judge Battle's orders issued on July 30. This was an at-

Turn to Page 4—LAWYERS

Lawyers Clash as Judge Hears Contempt Cases

From Page 1

tempt to show that the two reporters had knowledge of the court's orders, even though newspapers were not cited in them.

The junior Hanes made a motion to exclude all the evidence presented and to dismiss the petition against his client. He said that the evidence presented "is not prima facie evidence against him that these conversations ever took place at all," that they were hearsay evidence.

DENIAL

Judge Battle interrupted: "Does he deny these conversations took place?" The young lawyer seemed a little hesitant about answering. Battle insisted: "Answer my question. Does he deny these conversations?"

Then young Hanes said: "Yes, he must deny the substance of the reports (of the conversations). He is in the process of preparing major litigation. If he is going to be subjected to hearsay evidence, he would be subject to the will or vagary of any reporter or editor across the country." He said his father would "be spending all his time" defending himself against such charges.

Battle refused to dismiss the charges and said: "There are real issues to be decided here and now." He referred to the attorneys for the defense as "lawyers who show proneness for making press statements" and holding press conferences.

Burch asked if the senior Hanes said he had been misquoted by Hamilton and Edmundson. "If so, we want it in the record by a sworn statement," Burch said.

BURDEN OF PROOF

The junior Hanes asked: "Your honor, is the burden of proof on the defendant?"

Battle replied: "No, on the petitioners to the case, but they have a right to ask for an affidavit that says he was misquoted."

Hanes read several parts of the Commercial Appeal article of Sept. 12 and denied that they constituted any violation of the order.

Battle then asked about the statements in The Press-Scimitar article of Sept. 12 and about the statements alledgedly made in an interview printed in an Associated Press report from Birmingham.

Battle asked if the senior Hanes made the statements that were reported in the story of the Birmingham interview. Hanes replied: "No, not to Mr. Hamilton."

AP REPORT

Battle replied: "No, it was not made to Mr. Hamilton. It was made and disseminated in an Associated Press report which was picked up by Mr. Hamilton." Then Battle said he wanted to know if Hanes had ever made any extra-judicial (outside the courtroom) statements concerning the Ray case. At that point the junior Hanes offered to put his father on the stand and did so.

The senior Hanes took the stand. After being shown the newspaper clippings admitted that he had made complaints about Ray's treatment in open court, he said: "I did not set up any interviews. I did not call any press conferences."

He said he had declined to answer many questions put to him by newspaper reporters. The junior Hanes asked if he had ever intimated that Ray might not be able to stand trial Nov. 12 as scheduled because of his treatment in the jail.

EARLIER TRIAL

The senior Hanes said in reply: "As a matter of fact, I think this case should have gone to trial earlier. It was set earlier, but obviously for political reasons or some other reasons it was reset until Nov. 12."

POSTPONEMENT

The junior Hanes reread the statement concerning the postponement from The Press - Scimitar article of Sept. 12 and asked if he denied ever making that statement outside the courtroom. The senior Hanes said he did.

Burch asked the senior Hanes if he denied making the statement attributed to him concerning Ray's treatment in the jail. He again denied making the statement.

Hanes continued: "I'm more interested than anybody else, except the judge, in seeing that my client gets a fail trial. I ask you, am I going to do anything to prejudice my client's case?

Burch replied: "Are you also interested in the State getting a fair trial?"

MERITS

"I certainly am, sir," replied Hanes. "I have told the press around the world I would not comment on matters going into the merits of this case."

During the exchange between the two attorneys, they frequently interrupted each other, causing the junior Hanes to complain to the court about the by-play. He also objected to the manner in which Burch questioned the senior Hanes.

His objection was overruled.

Hanes continued his statement: "I have not called any press conferences for publicity. I don't need it. This case itself attracts publicity.

DEFENSE

"I am concerned with the problem of pre-trial publicity. I have argued against it before this court and I believe in it. But I'm going to defend my client with everything in my might."

Burch asked the senior Hanes if he intended in the future to make any statements in violation of the court's order prohibiting extra-judicial statements.

The two attorneys then discussed what constituted extra-judicial statements.

Burch asked Hanes if he thought the statements concerning Ray's treatment "will cause sympathy in the community."

Hanes replied he couldn't judge that. He said the question of whether Ray could get a fair trial could only be determined after a jury had been selected.

Hanes said in reply to a Burch question: "I had a lot of reporters call me, but I have not made any statement prejudicial."

'BUG' STATEMENT

Burch said: "Have you ever made a statement outside this courtroom to any person that . . . Ray has 'enough to bug anybody' because of tight security and bright lights in his cell?"

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

(Mount Clipping in Space Below)

Hanes May Quit As Ray Attorney

By JOHN MEANS

Attorney Arthur J. Hanes Sr. punctuated the end of a day-long legal skirmish yesterday by telling Criminal Court Judge Preston Battle he may step out of the James Earl Ray case.

The [illegible] attorney, who has represented the accused slayer of Dr. Martin Luther King since his arrest in [illegible], told Judge Battle and a courtroom full of lawyers, [illegible] that "serious [illegible] have arisen [illegible] me and my client as [illegible] best way to conduct his [illegible] and it is possible I may withdraw from this case."

The announcement came at the end of yesterday's [illegible] battle on four [illegible] court cases.

A committee of seven [illegible] neys, appointed by [illegible] [illegible]

[illegible] and [illegible] The [illegible] investigator, Robert [illegible] Mr. [illegible] and [illegible] accounts [illegible] by Mr. Edmundson, [illegible] are the basis [illegible] contempt citations.

"I did not originally mean to take the witness stand," Mr. Edmundson testified. "But in view of the reflections cast on The Commercial Appeal by the allegations of Mr. Hays — and Mr. (Lucius) Burch's insistence that my refusal to take the stand constituted a reflection on The Commercial Appeal and on my reputation as a reporter — I could not let it go by without taking the stand and I did [illegible]."

The [illegible] is probably unique in the nation's courts. The four were ordered to show cause why they should not be held in contempt of court at the suggestion of the committee of lawyers whose standing in court is that of "amicus curiae"—friends of the court. With Mr. Burch as spokesman, the committee acted as the prosecutors, making it necessary for the accused men, or-

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

PAGE 1

COMMERCIAL APPEAL

MEMPHIS, TENN.

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Classification:
Submitting Office: MEMPHIS

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OCT - 1 1968
FBI — MEMPHIS

"respondents," to defend themselves.

After Mr. Hays testified he did not make the statements attributed to him, Mr. Burch told Judge Battle the case against him was "a very weak case," since his testimony was not contradicted. It was then that Mr. Edmundson demanded that he be allowed to testify.

Roy Hamilton, reporter for the Memphis Press-Scimitar who also faces contempt charges, did not take the stand.

In his just-before-adjournment statement, Mr. Hanes attacked the lawyers' committee, saying, "I think prejudice is showing like a grandmother's petticoat under a granddaughter's miniskirt. I'm going to do everything I can to defend my client against whatever arises, including committees of lawyers. I do not know what their motives are, although I have my ideas."

Judge Battle commented from the bench that "Mr. Burch certainly does not need me to defend him but a charge of any prejudice against Mr. Burch or anyone on this committee, the court thinks is utterly ridiculous.

"We'll finish this matter Monday. Adjourn the court."

FD-350 (Rev. 7-13-63)

(Mount Clipping in Space Below)

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

Page 1-10

MEMPHIS PRESS-SCIMITAR

MEMPHIS, TENN.

Date: 9-30-68

Edition: Home

Author:

Editor: CHARLES H. SCHNEIDER

Title:

Character:

or

Classification: 44-1987

Submitting Office: Memphis

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OCT - 1 1968

Stories [illegible] by Hamilton [illegible] Edmundson on Sept. 12 [illegible] defendants were responsible for [illegible] Hanes' order [illegible] they show cause why they should not be held in contempt of [illegible] statements concerning the Ray case set for trial Nov. 12.

[illegible]

[illegible]

[illegible]

[illegible] said "Yeah, I've got a statement to make — [illegible]"

[illegible]

[illegible]

[illegible]

The State denied both motions. He said that while he "could [illegible] sympathize" [illegible]

[illegible] morning [illegible] up [illegible] Edmundson [illegible]

[illegible] could be used against the press.

[illegible]

The other two defendants' were [illegible] to comment [illegible] said with a laugh: "Yeah,

Hays, when asked if he would comment, said: "No, sir, I'm not [illegible]"

[illegible] afternoon, [illegible] hearing [illegible] attorney Hanes that the defendant, James Earl Ray, was subjected to cruel treatment by means of the lights and TV cameras trained on him in his cell.

[illegible]

There was speculation that Ray would be brought down from jail for the hearing. The senior Hanes said he wouldn't call Ray, but the judge might want him, in connection with Hanes' motion that the TV camera and lights in the prisoner's cell are [illegible] him.

[illegible] to this speculation was that today, for the [illegible], Sheriff William [illegible] was [illegible] in the courtroom.

[illegible]

Much of the morning session consisted of a hot verbal battle between reporter Edmundson and Robert Livingston, attorney for Hays, over the Sept. 12 story which Edmundson wrote.

In Edmundson's 8-paragraph story Hays was quoted as saying security measures for Ray at the [illegible] County Jail compared with "devices [illegible] by Communist police agents to destroy the health and balance of their victims."

Edmundson quoted Hays as saying Ray's health was threatened by bright lights left shining night and day in his cell, by constant monitoring of the prisoner by TV cameras and by uninterrupted lack of privacy.

The conditions are not the result of intentional persecution, Edmundson quoted Hays as saying.

[illegible] Jr. was prosecutor today for the bar association committee pushing the contempt action. He replaced Lucius Burch, who was prosecutor Friday and was out of the city today. Arthur Hanes Jr. defended his father.

ETHICS

Early in the session the question of press ethics featured a verbal battle between Edmundson and Livingston.

The clash was over a story Edmundson wrote about an interview with Hays. Last Friday Hays said he talked with Edmundson three times, including once at Hays' home.

Edmundson said Friday

[illegible]

[illegible] Edmundson: "I didn't see him there in the sense of recognizing him."

Livingston: "How did you know where his office was?"

Edmundson: "That would involve giving away certain sources. I did not feel that I had to protect Hays any longer when he came here and told deliberate falsehoods. I no longer felt any responsibility to protect him as a source."

Livingston asked Edmondson if he made any attempt to find his notes after he learned that Hays had filed a flat denial to any [illegible] that Edmondson had in his story.

FACTS

Edmondson said he thought it was a legal move and paid little attention to it. "I am not so deeply interested in legal formalities as I am the facts," said Edmondson.

There was a skirmish between Edmondson and Livingston over what indirect and direct quotations meant in a reporter's vocabulary. Edmondson said heatedly "Indirect quotations don't represent a word-for-word account. They are an accurate reflection of what he (Hays) told me."

Livingston questioned Edmondson about a phrase in his story saying Hays "said last night." Edmondson said "he came to my office fairly late in the afternoon — about 4:45—and it was about 6:15 when he left."

Livingston said he still wanted to know what Edmondson meant by "night."

Edmondson said, "I consider night begins at 8 p.m."

STORY WRONG

Several times Livingston questioned Edmundson about why some statements in Edmundson's story were direct quotations and some indirect.

Edmundson told Livingston that he considered himself a better judge of how the story should be written than Livingston.

Edmundson turned to the judge and objected to some of the questions Livingston asked. Battle warned Livingston not to "rag the witness."

Livingston then asked if Edmundson had ever had other complaints about his reporting. Edmundson brought laughs from spectators when he said he had and that chief among them was Burch, chairman of the bar committee. Edmundson offered to describe the circumstances of the complaint, but Judge Battle ruled that it was not pertinent.

Edmundson repeated his statement that all of the information printed in his story was correct and that he, in fact, had left out many things Hays had told him concerning the case.

Hays, in rebuttal testimony said the interview between himself and Edmundson in the Hays home took place before the story in question was printed.

Hays said the interview in

FD-350 (Rev. 7-18-63)

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[illegible]

[illegible] DOJ request for [illegible] the [illegible] burden [illegible] this [illegible] is [illegible] by, if necessary, [illegible] Supreme Court, report [illegible] the [illegible] of our [illegible] that the judge's in- [illegible] in this news- [illegible] the license, if [illegible] nullify by being in [illegible] guarantee [illegible] of the Bill of Rights to the United States Constitution.

In [illegible] case, our attorneys will [illegible] available [illegible] to a [illegible] determination of this [illegible] important matter.

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

Page [illegible]

THE COMMERCIAL APPEAL

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Page 1

THE COMMERCIAL APPEAL

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FBI — MEMPHIS

[illegible]

[illegible] Judge Battle: I think you're [illegible] a dead horse. Don't [illegible] the witness.

[illegible] Battle also overruled [illegible] to dismiss the case [illegible] Mr. Hays on the [illegible] Lucius Burch, [illegible] prosecutor in [illegible] trial, was the attorney for Dr. Martin Luther King Jr., at the time Ray is [illegible] of playing him, the [illegible] is prejudiced [illegible].

[illegible] of the "friend of the court" committee, who brought the contempt charges, was not in court yesterday. His place was taken by Lee Harrison Jr., another member of the "friend of the court" committee.

Other members of the committee, appointed by Judge Battle to advise him on judicial and procedural procedure, are Alan Hanover, Lee Hardin, James Causey, Cooper Turner Jr. and Don Owens. Mr. Owens is president of the Memphis and Shelby County Bar association.

[illegible] counsel, [illegible] is the duty of the court to determine [illegible] the witness [illegible] to [illegible].

[illegible] Edmundson [illegible] "I don't take my cues from you, or from any orders you may have in [illegible]."

The attorney [illegible] part of Mr. Edmundson's [illegible].

Q—Did [illegible] Mr. [illegible] and [illegible]?

A—[illegible] this [illegible] month?

[illegible]

[illegible]

[illegible] "I don't think [illegible] witness [illegible] him [illegible] witness [illegible] him [illegible].

Q—[illegible] Mr. [illegible]?

A—[illegible] Mr. Edmundson [illegible] Judge Battle [illegible] how to write a [illegible] brief [illegible] the courtroom. "I don't tell you how to [illegible] law."

Q—Why didn't you put it in [illegible] Counsel?

A—I didn't want to, Judge, isn't he arguing here?

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

(Mount Clipping in Space Below)

[illegible]

James Earl Ray strode [illegible] into Criminal Court [illegible] [illegible] his [illegible] in the Shelby County Jail.

Accused in the slaying of Dr. Martin Luther King Jr., Ray goes on trial Nov. 12. Yesterday he did not take the stand and did not speak a word to anyone as he sat behind his attorneys, Arthur Hanes and Arthur Hanes Jr. Ray wore a blue, pin-striped suit, a light [illegible] shirt and blue tie and had a fresh haircut.

His appearance was delayed from last Friday by a hearing in which Mr. Hanes and three others were accused of contempt of court in connection with publicity in his case. Security measures planned for Friday were put into well-rehearsed operation yesterday afternoon.

[illegible] Battle ruled that the [illegible] and microphones in Ray's jail cell constitute [illegible] security measures. [illegible] photo-sensitive [illegible] cell [illegible]

[illegible] Morris [illegible] officers have been [illegible] to inspect any [illegible] to Mr. [illegible] their [illegible] his [illegible] cell in the County [illegible] Billy J. [illegible] out of the [illegible]

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

Page 1

THE COMMERCIAL APPEAL

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tums," Captain Smith said. "We don't read the notes, we just inspect them."

This brought a request from Robert Dwyer, executive assistant attorney general, that Judge Battle order more stringent security measures, including that all Ray's notes should be read. Judge Battle overruled the request, before proceeding to overrule Mr. Hanes' motions to relax the electronic and double-guard vigil over his client.

Mr. Hanes began the hearing by announcing that Ray "has reaffirmed his faith in us . . . we have agreed to continue to represent the defendant." Mr. Hanes had suggested last Friday that differences between him and Ray in trial strategy might cause him to step out of the case.

The lights in the court building dimmed perceptibly at 3:45 p.m., startling deputies in the hallway. Inside the courtroom, Judge Battle looked up at the offending light fixtures, and smiled. Spectators smiled at each other, and the hearing continued.

Four blocks away in the Light, Gas and Water Building technicians said they conducted a routine switching of power substations. "The flickering affected most of the city. But that's all it was . . . a flickering."

Ray appeared somewhat pale, though Captain Smith said he had gained some weight on his jail diet. The officer said he had been averaging about 6½ hours sleep a night, and Judge Battle commented in [illegible] that "he has been [illegible] Ray has been sleeping more than I have lately."

Lawyers, newsmen and [illegible] spectators [illegible] to the same rigid [illegible] searches, [illegible] of [illegible] and [illegible] Ray's [illegible] in [illegible] he [illegible] officers. Three [illegible] deputies sat behind him.

He sat quietly [illegible] occasionally, scratching his [illegible] ear now and then. He seemed calm.

Mr. Hanes' reference to "high-powered lights" was the subject of Captain Parker's testimony, when Mr. Dwyer asked him if he had determined the brightness of the 24-hour-a-day lights.

"I checked them with a light meter," Captain Parker said. "In the cell block, outside the cell, they measure nine foot candles. Inside the cell, the reading is six. It's five here in the courtroom, and on an overcast day outside, the reading is 65."

Captain Parker also said Ray "seems a little more relaxed than when he first came here, when he didn't know what was going to happen to him. And he appears to have gained a little weight." He said Ray spends about $20 a month at the jail commissary for "sandwiches, orange juice and milk" in addition to his regular prison fare.

Mr. Hanes dwelled at length on the closeness of the television cameras pointed at Ray's cell, as he questioned Sheriff Morris:

Q—You do have television cameras there?

A—That's correct.

Q—Are they ever turned off, or are they on continuously?

A—They are on continuously.

Q—How many are there?

A—Two.

Q—How far is that from where he sleeps?

A—Would say six or eight feet.

Q—And it would show him when he lay down on his bed or when he went to the bathroom?

A—You could see a movement, but you could not see the details.

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

(Mount Clipping in Space Below)

Press-Scimitar Plans to Appeal Contempt Ruling

Attorneys for The Memphis Press-Scimitar today planned legal action before the Tennessee Supreme Court in an effort to overturn a decision of Criminal Court Judge W. Preston Battle holding one of its reporters in contempt of court.

The newspaper vowed editorially to take the case to the U.S. Supreme Court, if necessary, for relief from the judge's orders against pre-trial out-of-court news concerning the James Earl Ray murder case.

The newspaper said it would continue to print the news despite the conviction of Roy B. Hamilton, its courthouse reporter, and three others also held guilty of contempt.

Also held in contempt were Charles Edmundson, reporter for the Commercial Appeal, which will take action along with The Press-Scimitar; Arthur Hanes, counsel for Ray, who is accused of murdering Dr. Martin Luther King Jr., and Renfro Hays, Memphis private investigator for Hanes.

NEWS STORIES

News stories in the two newspapers Sept. 12 involving the four men held in contempt were the basis for Judge Battle's contempt action.

The judge refused to sentence the two newspaper reporters, despite a request from attorneys, saying he would withhold punishment pending their actions in the future.

The newspapers' counsel contended this placed the reporters and their newspapers in an untenable position and relief would be sought from other courts, if necessary.

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

Page 1

Memphis Press-Scimitar

Memphis, Tenn.

Date: 10-1-68
Edition: Home
Author:
Editor: CHARLES H. SCHNEIDER
Title:

Character:
or
Classification: 44-1987-
Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-214

SEARCHED ..... INDEXED .....
SERIALIZED ..... FILED .....
OCT - 3 1968
FBI — MEMPHIS

Ezra Z. Bryan, of Cleveland, counsel for Scripps-Howard Newspapers, and Armistead Clay, attorney for Memphis Publishing Co., represented the reporters in court.

STATEMENT

Battle, before announcing his decision, read a long prepared statement citing the reporters' articles, criticizing Hanes and Hays for making extra-judicial statements and adding that he believed Edmundson's testimony but not Hays'.

"Justice demands a fair trial by an impartial jury both for James Earl Ray and the State of Tennessee," Battle emphasized.

Bryan contended that the withholding of sentence would put the reporters "in limbo" as to what they could print about the Ray case. Clay argued that it was clear the U.S. Supreme Court "deliberately refrained" from authorizing such orders that could be used against the press.

NEWS ACCOUNT

The newspaper account by Edmundson, who from the stand clashed body with Robert Livingston, Hays' lawyer, had quoted Hays as saying Ray's health was threatened by bright lights left shining day and night in his cell, by constant monitoring by TV cameras and by lack of privacy.

Edmundson's article also quoted Hays as comparing security measures for Ray with "devices used by Communist police agents to destroy the health and balance of the victims."

Hays from the stand denied making any such statements.

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

(Mount Clipping in Space Below)

WHEN JAMES EARL RAY steps into a Memphis courtroom on Nov. 12, the State of Tennessee will announce "ready for trial," with a case based on one of the biggest criminal investigations in history.

It began almost simultaneously with the crack of a high-powered rifle from the rear of a shabby rooming house at 6:01 p.m. April 4. Even as Dr. Martin Luther King Jr. fell mortally wounded in the second floor balcony of the Lorraine Motel, 406 Mulberry, Memphis police assigned to guard the civil rights leader sprang into action.

From there the hunt for Dr. King's killer spread across the country and crossed international boundaries into Canada, Portugal and England.

Before it ended 69 days later on June 9 with the arrest of Ray at the London airport, the three most respected national police agencies in the Free World — the FBI, Scotland Yard and the Royal Canadian Mounted Police — had worked on the case.

During this period and beyond, literally thousands of persons were questioned and interviewed about Ray's activities. Masses of physical evidence, ranging in size from a white Mustang found abandoned in Atlanta to a passport confiscated in London, were examined, fingerprinted and sifted for clues.

From this wealth of material, Shelby County Atty. Gen. Phil Canale and his assistants, Robert K. Dwyer and James Beasley, will attempt to prove to a jury of 12 that James Earl Ray "beyond a reasonable doubt and to a moral certainty" shot and killed Dr. King and should die in Tennessee's electric chair.

Just how strong is the state's case? What will be its strategy? Who are its key witnesses?

The state, of course, is under strict court orders not to comment publicly on any of these points, and full details of its case will not come out until unfolded at the trial.

However, much of the evidence against Ray has already been revealed, and the prosecution is expected to have few surprises. In fact, it has already been required by the trial judge, W. Preston Battle, to turn over its list of 300 prospective witnesses and some 21 items of physical evidence to Ray's lawyers, Arthur J. Hanes and Arthur J. Hanes Jr. of Birmingham, to inspect.

Lacking an eyewitness to the shooting, the state will have to depend on circumstantial evidence to connect Ray with the crime.

The state has witnesses who can place Ray — or a man fitting his description — in Memphis immediately before and after the slaying. One of the strongest prosecution witnesses will doubtless be Charles Quitman Stephens, a partly disabled World War II veteran who said he heard the shot and saw the assassin in the rooming house hallway moments later.

The state also has what has been described as the death weapon, a 30.06 Remington pump-action rifle with telescopic sight, which Ray allegedly bought at a Birmingham sporting goods store. The state also has his white Mustang, the car in which the prosecution will contend Ray drove to Atlanta and abandoned after the murder.

Orig & 1 copy sent to Bureau 10/11/68 MR

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

Page 21

Memphis Press-Scimitar

Memphis, Tenn.

Date: 10-10-68
Edition: Home
Author:
Editor: Charles H. Schneider
Title:

Character:
or
Classification: 44-1987-
Submitting Office: Memphis

☐ Being Investigated

44-1987

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OCT 11 1968
FBI — MEMPHIS

44-1987-Sub-C-815

The Conspiracy Question

As the trial date approaches, the question is still being asked: Was there a conspiracy? Before the clampdown on statements to newsmen, U.S. Atty. Gen. Ramsey Clark said there was no evidence of a conspiracy. There has been no hint since then that the state will proceed on any other assumption than Ray — and Ray alone — is responsible for Dr. King's death.

And Ray's defense?

Except to deny the charge at his extradition hearing in London and plead not guilty at his Memphis arraignment, there has been no inkling from Ray or his attorneys as to what his defense will be. There have been reports that he will claim he was set up as a "fall-guy," and somebody else killed Dr. King, but these are unverified and only rumors. Whether he will even take the stand in his own defense is not known.

The senior Hanes, a former FBI agent and former mayor of Birmingham, suggested at a news conference in Memphis that Ray was the "victim of a Communist plot," but didn't elaborate. That remark, incidentally, got Hanes in trouble with Judge Battle, who subsequently stiffened his court ban on publicity.

Attorneys have estimated the trial will last six weeks.

Both sides are now busy with preparations, with the trial just a month away. What follows is a reconstruction of the crime and the events leading to Ray's arrest — a record from which the prosecution and defense will draw. All of the information was taken from stories published previously, and many of the witnesses quoted below are expected to testify at the trial.

The Lone Wolf

From his known background, Ray emerges as a somewhat shadowy, enigmatic figure. He has a police record of stick-ups, burglaries and smaller crimes dating back to 1949. A psychiatrist once described him as a typical "habitual criminal" whose only motive in crime was money. He was a lone wolf on the outside, a drifter who showed a preference for staying in skid row hotels and rooming houses where questions were few. But he enjoyed bars and girls, and he liked to dance.

Born March 10, 1928, in Alton, Ill., a Mississippi River city just north of St. Louis, Ray was the oldest of three sons of James Earl and Lucille Ray. His father, a railroad switchman and laborer, died in 1947. Missouri prison records show his brothers as John Ray of St. Louis and Jerry Ray of Wheeling, Ill. He also has a sister, Miss Melba Ryan, of Quincy, Ill.

Ray dropped out of school in Alton after the 10th grade. He enlisted in the Army in 1946 and was given a "general discharge" in 1948 for "ineptness and lack of adaptability." On Dec. 17, 1959, he was convicted of armed robbery and auto theft in St. Louis and sentenced to 20 years in the Missouri State Penitentiary at Jefferson City. It was while serving that sentence that he escaped by hiding in a bread truck on April 23, 1967.

Ray's whereabouts for the next four months are unknown—he reportedly was in Chicago at least part of the time. A man believed to be Ray turned up in Birmingham in August, and there, according to the FBI, set about establishing his identity as Eric Starvo Galt, the first of many aliases he is said to have used over the next several months.

Ray stayed at a boarding house in Birmingham. The proprietor, Peter Nicholas Cherpes, said Ray told him he had worked earlier at the Ingalls Shipbuilding Corp. in Pascagoula, Miss.

On Aug. 26, the day after he checked in, William D. Paisley, sales manager of a lumber company, ran an ad in the Birmingham News offering to sell a white 1966 Mustang.

Paisley said Ray, as Galt, paid him $1,995 cash for the car, drawing the money out of a safety deposit box in a local bank. It is one of the more interesting sidelights that Ray never seemed to be at a loss for ready cash after his escape. There is no knowledge of his being involved in further burglaries or robberies, at least in this country.

He checked out of the boarding house on Oct. 7, 1967. The FBI said he had driven the Mustang more than 19,000 miles from Aug. 30 until April 5, 1968, when it was found, in a housing project parking lot in Atlanta.

Agents said that during this period Ray-Galt made several trips to the West Coast and, while there, took dancing lessons in Long Beach, Calif., and a course in bartending in Los Angeles.

While living in California, Galt was known to have taken a trip to New Orleans in December, 1967. Charles Stein, a Los Angeles songwriter, said he made the trip to New Orleans with Galt and several times Galt attempted to telephone a New Orleans man.

Stein said Galt claimed the man was an important industrialist.

There seem to be discrepancies contained in published accounts of Ray's — or Galt's — movements and whereabouts at this time.

For instance, Thomas Reyes Lau, director of the Los Angeles bartending school, said that Galt graduated on March 2, 1968.

But one day earlier, on March 1, 1968, the Highway Patrol at Montgomery, Ala., received a phone call from a man who identified himself as Eric S. Galt asking for a duplicate driver's license to replace the one he claimed to have lost.

The caller asked that the duplicate be mailed to him at an address in Birmingham. This was done.

Two service station employes — Jimmy Phillips, 30, and Henry Rowell, 20 — told the FBI they saw Galt in his 1966 white Mustang in their station in September and October of 1967 when he was supposed to be taking bartending lessons in California. They said they also saw him in mid-February of 1968.

The FBI traced S & H green stamps found in the Mustang to the service station where Phillips and Rowell work. This station is a short distance from the boarding house used by Galt from mid-August to October. It was also reported Galt visited Canada in the summer of 1967 and took a six-week course in locksmithing in Montreal.

FBI agents learned that Ray had stayed in a hippie boarding house in Atlanta sometime prior to April 3. The FBI found a map of the city of Atlanta in his room on April 14—10 days after King's death. On the map, which bore Ray's thumbprint, four locations had been circled in pencil —Dr. King's Atlanta residence, the office of the Southern Christian Leadership Conference, the boarding house where the map was found and the parking lot in Atlanta where the Mustang was eventually abandoned.

FBI agents also found a TV set they later learned "Galt" had obtained in a trade with a girl friend in Los Angeles.

The Visitor at the Rebel Motel

On April 3, 1968, the night before Dr. King was slain while he was in Memphis to lead the sanitation strikers, a man checked into the Rebel Motel, 3466 Summer, under the name of Eric S. Galt.

Mrs. Henrietta Hagemaster, the clerk who registered him, did not remember the kind of car he drove but did recall it had Alabama tags. Miss Christine Kelly, the manager, said he signed in at 7:15 p.m. and signed out before 1 p.m. She said he paid $6.24 for Room 34 and made no telephone calls through the switchboard. Ivan B. Webb, night clerk, said he apparently did not leave the motel that night.

"His car was there all night, and there was light in his room all night," he said. The FBI later took dirt samples from the ground in front of Room 34 and dusted the room and its contents for fingerprints.

A man fitting the same description but using the name of John Willard checked into a rooming house at 418-22 S. Main at 3:15 p.m. April 4, the day of the shooting.

"He was a clean, neat man," said Mrs. Bessie Brewer, the manager. "I unlatched the door and I showed him Room 8, a $10 a week kitchenette, but he said he only wanted a sleeping room."

Mrs. Brewer said she showed him a room without a bath, and he replied, "This will be fine."

Mrs. Brewer said, "We went back to the office. He said his name was John Willard and I wrote out a receipt. He paid with a $20 bill." B. L. Reeves, 75-year-old retired hotel clerk, saw the man as Mrs. Brewer was talking to him.

A Clouded Interval

The man's actions between 3:15 p.m. and 6:01 p.m., when the fatal shot was fired, apparently from the window of a common bathroom at the end of a hall, are cloudy.

He never lay down on the bed. There is evidence he sat on the edge of it for some time. He also moved around the room, which has a well-worn wardrobe and a single window with yellow and green curtains in a flowered design. The curtains had been laid on the top of a nearby mantel, possibly to avoid obstructing his view.

From the window there is a clear view of Room 306 at the Lorraine Motel — Dr. King's room — but the window is at such an angle that it would be difficult to shoot out of it. Police assumed he sat in the room and watched the Lorraine through binoculars. Ralph Carpenter, employe of Memphis' York Arms Co., 162 S. Main, was the man who sold the binoculars to Ray, official sources said.

Between 3.15 and 5 p.m. the man apparently left the room, went down to Main Street and came back with the weapon. Charlie Stephens, who occupied the adjoining room, said that around 5 p.m. the man went to the bathroom and stayed about 25 minutes.

"Willie Anchutz — the man in No. 4 — tried to get in the bath and then knocked on my door. I told him that was the man who had rented No. 5. He (Anchutz) returned to his room," said Stephens.

Stephens said he heard the shot a short time later. "I was in the kitchen working on my radio. When that explosion went off, it sounded like a German 88.

"I went to the door and walked out into the hall. I could

see the man at the offset in the hall. He had in his hand something wrapped in newspaper," said Stephens.

Frank Brewer, husband of the landlady, said Anchutz also got a glimpse of the killer immediately after the shooting.

"He said he saw him running downstairs carrying something wrapped."

The Rev. Jesse Jackson, an SCLC official of Atlanta, who was standing with King on the balcony of the motel across the street, said the shot knocked King off his feet. He said it sounded like "a stick of dynamite, or a big firecracker."

Chauncey Eskridge, long-time confidant and attorney for King's SCLC, and Solomon Jones, King's chauffeur, were standing on the parking lot below.

"He (Dr. King) had a kinda surprised look on his face and he fell very slowly," said Jones.

The bullet tore a gaping hole in Dr. King's jaw and neck. The civil rights leader died in the emergency room at St. Joseph Hospital. His death touched off a wave of rioting and disorders in Memphis and throughout the nation.

Other Witnesses

While authorities are convinced the shot was fired from the rooming house, by a man standing on the bathtub with the rifle propped on the window sill, at least one witness—Solomon Jones—reported seeing a man jump out of some bushes behind the rooming house and run immediately after the shooting.

"He had something white on his face," said Jones.

Meanwhile, other witnesses saw a man dump a suitcase and a rifle in the doorway of Canipe Amusements Co., 424 S. Main. Guy W. Canipe, part owner of the firm, and two customers, Bernell Finley and Julius Graham, said they heard a "thump" in the doorway, looked out "and there was this gun lying in the box, just sitting there."

Apparently no one saw the man get into the car, but several witnesses told police they saw a white Mustang speeding from the area moments later.

Lloyd Jowers, owner of Jim's Grill, over which the rooming house is located, said a white Mustang was parked in front of his white Cadillac.

David Wood, 25, of 3639 Townes, was drinking beer at Jim's Grill, which is next door to Canipes. He saw the Mustang parked in front of the cafe. "The car had no front tag and no inspection sticker, so it must have been from out of state," he said. Six other persons corroborated Wood's account.

Mysterious Broadcast

Some of the patrons said the Mustang had a citizen's band radio aerial. At 6:36 p.m., 35 minutes after the shooting, there was a mysterious broadcast over the police radio describing a high-speed chase in which a white Mustang was being purseud by a blue Pontiac out Austin Peay Highway, north of Memphis.

It apparently was a bogus broadcast, but a full explanation has never been given. It was picked up by a youth on a citizen's band radio in his car. He pulled up alongside Lt. R. W. Bradshaw in Car 160 and asked him to listen, and Bradshaw relayed the broadcast over his police radio, according to reports.

About 12 hours after Dr. King's death, Mrs. John Riley, housewife, looked out of her kitchen window at a white Mustang in the Atlanta apartment parking lot. The family discussed it because they had not seen it before. Another resident, Mrs. Ernest Payne, saw the car arrive. She said a "nice looking man" got out, locked it and walked away carrying a small black book.

However, the car wasn't reported to police until five days later on April 10 when Mrs. Riley and her 13-year-old son, Johnny Niesen, realized it matched the description of the getaway car being sought. The Mustang is now believed to be in Memphis for possible use at the trial.

Description of the Fugitive

When the FBI released the name of James Earl Ray as the suspect, Raymond Curtis, a prisoner awaiting trial on a murder charge in Dalton, Ga., told a newsman that he knew Ray and had served time with him in the Missouri State Prison.

Curtis described the fugitive as a man addicted to narcotics, a drinker, gambler and a good shot. He told of "million-dollar bounty" on Dr. King's life, offered by "The Businessman's Association," and said Ray told him before escaping a year earlier, "I'll collect it."

A 1966 psychiatric report on Ray was released by Dr. Donald Peterson, superintendent of the Missouri State Hospital where Ray was once examined. "We didn't find anything to indicate he was a killer or had tendencies to kill," Dr. Peterson said. "There was nothing in his mental makeup to indicate anything but a habitual criminal whose crimes were all associated with money."

From Atlanta the search shifted to Toronto, Canada.

Mrs. Adam Szpakowski, a Polish immigrant who runs an old three-story boarding house in Toronto, told authorities that a man later identified as Ray took a room at her place under the name of Paul Bridgman on April 8.

Bridgman, incidentally, is the name of a Toronto school teacher. There is also a real Eric S. Galt, who lives in the Toronto suburb of Scarborough.

Mrs. Szpakowski said Ray stayed with her two weeks. Every morning, she said, he rose early and walked down a half block and caught a trolly, returning later in the day.

Authorities said Ray obtained a faked birth certificate in the name of Ramon George Sneyd, a Toronto policeman, and used this to get a passport to England.

From April 19 to May 6 he stayed at a boarding house operated by a Chinese landlady, Mrs. Gee Loo. She told police she recalled Ray had one visitor, "a fat man." On May 2, she said, the fat man came by and gave an envelope to Sneyd.

Patti Stanford, a dancer in the Silver Dollar Bar in Toronto, recalled that the man known as Sneyd came in two or three nights in a row with another man who had fair skin and wore a yellow T-shirt.

"He (Ray) looked at me sort of like he didn't approve," she said. "The first night I smiled at him, he looked sort of disgusted."

Ray bought a plane ticket for London through the Kennedy Travel Bureau in Toronto, paying $345 for a 21-day excursion trip. He left on May 7 and arrived in London on May 8.

From the records it seems that Ray left London for Lisbon, Portugal, almost immediately, cashing a return half of his airline ticket he had bought on May 2.

His home base for 10 days in Lisbon was a pink-washed room overlooking a shabby back street. In the $1.80 a day Hotel Portugal in the Rua Joao Daf Regras, where he stayed until May 17, he was known as "Ramond George Sneaya." In signing the registry, he gave his occupation as "none," his age as 36 and his nationality as Canadian.

Room clerk Juan Santo said the guest paid his bill regularly and "was extremely well behaved. He spent quite a lot of time in the room at rather odd hours, in during the day time and out at night."

Dina Dores, a shapely hostess at the Bar Bohemia in Lisbon, said Ray came in several evenings, drank beer and talked to the girls. "He didn't have much conversation," she said. "He sat in a corner sipping a few glasses of beer."

Visit to an Embassy

A curious episode occurred in Lisbon. He visited the Canadian embassy and said the name on his passport was spelled wrong. He asked to have it changed from Sneya to Sneyd. He was issued a new passport in the name of Sneyd on May 16. At that time international police authorities had not yet discovered that Ray was traveling under that identity.

Also in Lisbon an unidentified man who was recruiting arms and mercenaries for Biafra came forward later and told authorities he had been approached "by an American who we now think would have been Ray, who wanted to go to Biafra. But he talked to us only once and never came back."

Ray arrived back in London on May 17. Again he picked out his familiar haunts of run-down boarding houses in fading neighborhoods as a place to stay. Two small hotel keepers remembered him as a guest in May. They said he did his own washing in his room, kept his door locked in contrast to the usual British custom, was none too interested in morning tea and kept to himself.

According to some reports, Ray was seen at this time with a man at Earl's Court Hotel and that a woman with an American accent telephoned the hotel looking for Sneyd.

On June 4, Ian Colvin, a reporter for the London Daily Telegraph, reported he received a phone call from a man who called himself Raymond Sneyd, asking for information on how to join one of the mercenary armies in Africa. Two days later, said Colvin, the man called back and he gave him an address in Brussels, Belgium.

But time was running out. After a painstaking check of Canadian passport files by the Royal Mounted Police, a corporal matched Ray's photograph with one on Sneyd's passport—and an international police alert was put out for Raymond George Sneyd.

Three days before his capture, Ray switched to another backstreet hotel, the Pax in London's Pimlico district. Mrs. Anna Thomas, keeper of the Pax, said he appeared worried. "When I brought breakfast to his room, he asked me to leave it outside the door," she said. Ray's nervousness seemed to increase when he was twice informed that his planned flights from England to Brussels had been delayed.

The Arrest

On June 9, the man called Sneyd checked out of the Pax and went to London's Heathrow Airport and bought a ticket for Brussels.

It was 7:50 a.m. London time. It was 3:50 a.m. in New York. It was 12:50 a.m. Memphis time. It was a time when the nation was still in grief over the assassination of another leader, Sen. Robert Kennedy, on June 5.

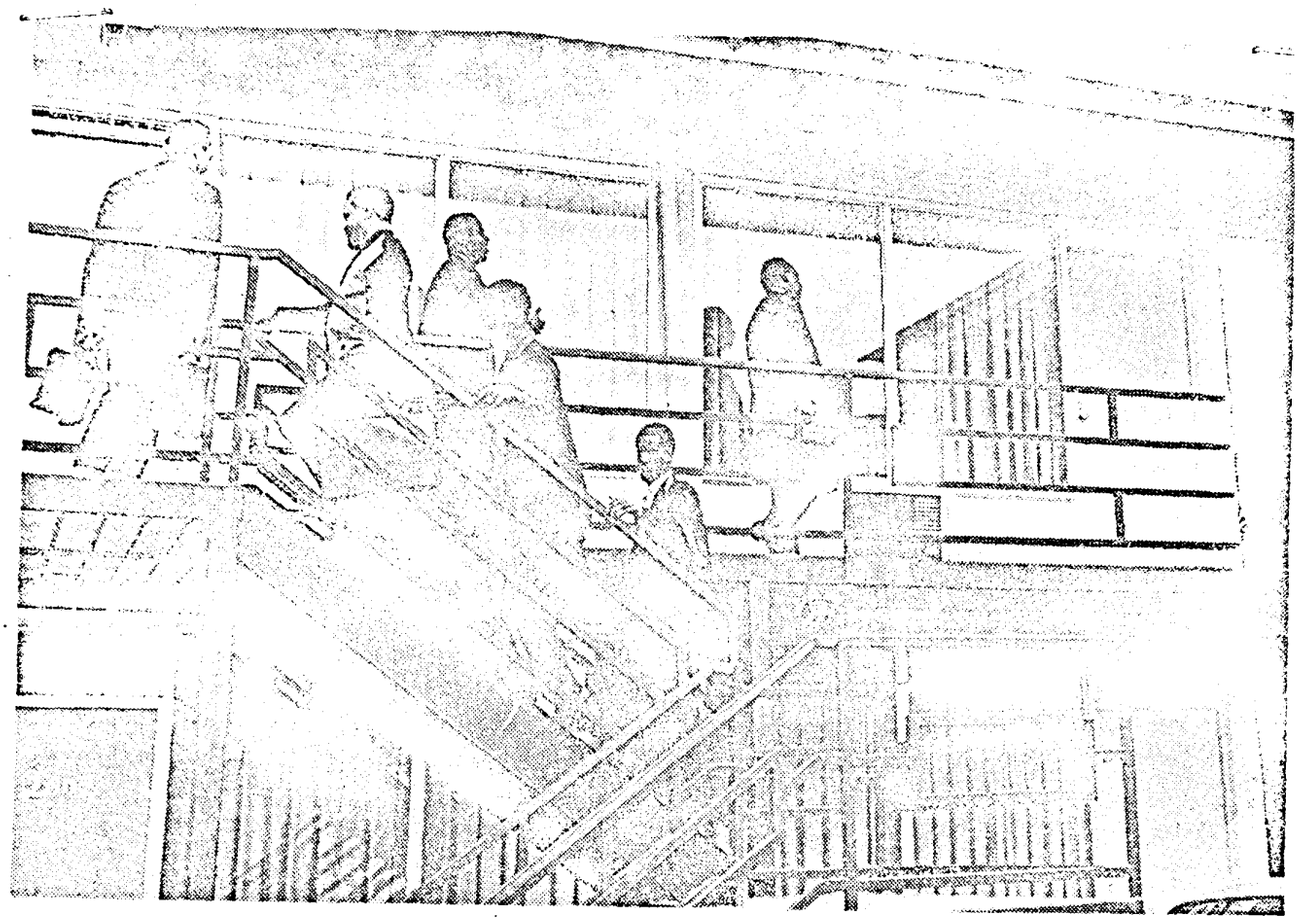
Wearing horn rimmed glasses and a light raincoat which hid the bulge of a loaded pistol on his hip, the man called Sneyd stepped into the transient lounge. Scotland Yard's Detective Chief Supt. Tommy Butler, of Great Train Robbery fame, and Detective Chief Insp. Ken Thompson were waiting.

Would he step into a private room? An official inquiry must be made. There was no resistance. The chase was over.

After legal maneuvers in London courts, Ray was extradited and returned to Memphis on an Air Force jet which landed at the Naval Air Station at Millington in the early morning darkness of July 19.

He now awaits his "Trial of the Century" in a heavily guarded, television-monitored cell in the Shelby County Jail.

RAY ARRIVES IN MEMPHIS
Sheriff William Morris takes custody.



—Press-Scimitar Staff Photo by Tom Barber

DR. MARTIN LUTHER KING (RIGHT) ARRIVES APRIL 3 AT THE LORRAINE HOTEL
This was the scene of the slaying the following day.

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

(Mount Clipping in Space Below)

Lecture By FBI Agent Angers Ray's Attorney

By CHARLES EDMUNDSON

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

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

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

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

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

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

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

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

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

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

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

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

— Page 1

— The Commercial Appeal

— Memphis, Tenn.

Date: 10-16-68
Edition: Final
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Editor: Frank R. Ahlgren
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FBI — MEMPHIS

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

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

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

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

Mr. Hanes will be in Memphis today and tomorrow interviewing witnesses and examining items of evidence in possession of Atty. Gen. Phil Canale. He took time off yesterday afternoon to buy Ray a new supply of shirts, size 15½, sleeve-length 32, and a pair of shoes, size 9½-C.

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

(Mount Clipping in Space Below)

Reporters Ask For New Trial

Declaring there is "no material evidence to support a finding of guilt," two Memphis newspaper reporters yesterday asked Criminal Court Judge W. Preston Battle to set aside their conviction of contempt of court.

Charles Edmundson of The Commercial Appeal and Roy Hamilton of the Memphis Press-Scimitar were [illegible] guilty of contempt of court Sept. 30. Judge [illegible] deferred sentencing, saying the newsmen could achieve "purgation" by future conformity to the judge's orders on publicity in the case of James Earl Ray, charged with killing Dr. Martin Luther King Jr.

Yesterday's plea, filed by Armistead Clay, attorney for the respondents and for the Memphis Publishing Co., states Judge Battle's finding of guilt is "against the law and the evidence."

It also says punishment "would be in violation of the defendants' rights to free speech and a free press, both as citizens and newspaper reporters."

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

___ Page 21

___ The Commercial Appeal

___ Memphis, Tenn.

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Date: 10-16-68
Edition: Final
Author:
Editor: Frank R. Ahlgren
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FBI — MEMPHIS

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

(Mount Clipping in Space Below)

Hanes Calls Court Group Hypocrites

Says Prosecution Allowed Comment In Ray Case

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

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

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

SHOW CAUSE

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

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

NO PLEA

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

Hanes said he had not filed a plea to set aside Battle's decision in the contempt

Orig & one copy filed Bureau 10-17-68

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

PAGE One

MEMPHIS PRESS-SCIMITAR

MEMPHIS, TENN.

Date: 10-16-68

Edition: CHAS. H.

Author: SCHNEIDER

Editor:

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

SEARCHED ..... INDEXED .....
SERIALIZED ..... FILED .....
OCT 17 1968
FBI — MEMPHIS

44-1987-Sub-C-218

hearing. "I'm going to wait and see if he sentences me. I may at that time appeal. Still, on the other hand, whatever he decided to mete out to me, I could take it as long as that bunch (the committee) could live with their consciences."

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

EXAMINATION

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

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

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

FINGERPRINTS

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

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

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

"This was a real break for us," Bonebrake was quoted. "We had several names to go on but we didn't know which one was correct. Ray had purchased a car under the name of Galt, bought the rifle under another name and registered in Memphis using the name John Willard."

The story quoted Bonebrake as saying he expected to go to Memphis to testify on the fingerprint identification during Ray's coming trial. "There's no doubt in my mind that he (Ray) at least handled the murder weapon," he was quoted.

NO COMMENT

Bonebrake was in Wichita speaking to an area seminar on fingerprint identification for law enforcement agencies. A FBI spokesman said in Washington today that Bonebrake was out on assignment and was not available for comment. "We are not making any comment on that case whatsoever unless it was public knowledge," the spokesman said.

"Everybody seems to be leaning toward the prosecution. All the court officials seem to be," Hanes said.

"Three thousand FBI agents working on the case, the resources of the state of Tennessee, the press and this community are working to ensure that the state of Tennessee gets a fair trial.

"I am the only one standing between my client and the great forces of government. I will not be intimidated.

"It is pretty easy to admonish an unpopular lawyer who has an unpopular client and an unpopular case, to look upon him with disfavor.

"I never heard of a judge criticizing a sheriff or a prosecutor they live with and do business with every day."

Hanes said he did not believe his latest statements were in violation of Battle's anti-publicity order.

"I have not said anything, nor will I say anything, going to the merits of the case," he said. "But I will

say this, that when a lawyer is overcome by timidity in criticizing the courts we have lost a lot of individual freedom in this country.

"We should guard against any person or any court being immune to criticism. The time is past when a person or a committee can mount a pedestal, adjust his halo and say don't criticize my actions.

"In my opinion the flames of justice have flickered mighty low in the headwinds of the great forces which have been amassed against my client."

Hanes said he had complained to Battle about a picture released by Morris showing the sheriff leading a handcuffed Ray into jail. "It depicted him (Ray) as some kind of dangerous animal dragged from his cave," Hanes said.

"I asked the judge to let me have a photographer come in and photograph him as a normal human being. This was denied. I feel if the sheriff had a right to release the photograph, we certainly had the right to release one showing him as he normally is."

Hanes said he planned to go to the attorney general's office today to listen to the police radio tape recordings from the night that Dr. King was killed and to inspect any further evidence that has come into the office. He said he will remain in Memphis until tomorrow night.

THOMPSON

Meanwhile, it was also learned today that Hanes spent several hours yesterday conferring with Memphis attorney Russell X. Thompson.

Earlier in the case, Thompson was reported to be under consideration as associate counsel in Ray's defense, but Hanes later denied it.

Thompson confirmed Hanes was in his office in connection with preliminary work he had done previously but declined further comment.

Hanes' visit, however, again led to speculation that Thompson would become associated with him.

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

(Mount Clipping in Space Below)

Conspiracy Seen In King's Death

Author William Bradford Huie, the man who is buying James Earl Ray's life story, said last night on NBC's Tonight Show that he in convinced a conspiracy was involved in killing of Dr. Martin Luther King Jr. in Memphis.

Unlike the two other major political assassinations (the Kennedys), Huie said he believed the King killing was the result of "a conspiracy that had been in progress for quite some time. There was a lot of money paid for that killing."

Huie, from Hartselle, Ala., told TV host Johnny Carson that he sends written questions into Ray's jail by Ray's lawyer and that Ray writes him answers. He said he is traveling widely to verify information given him by Ray and that it will all be published after a jury is locked up in the case.

QaPbs

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

PAGE 74

THE COMMERCIAL APPEAL

Date: 10-17-68

Edition:

Author: FRANK R. AHLGREN

Editor:

Title:

Character:

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Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

Orig & one to Bureau 10-17-68.

44-1987-Sub-C-219

INDEXED

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OCT 17 1968

FBI — MEMPHIS

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

(Mount Clipping in Space Below)

Hanes Resumes Verbal Onslaught

Cites Story Quoting FBI Linking Ray, Prints

The attorney for James Earl Ray, charged with murdering Dr. Martin Luther King Jr., renewed his verbal onslaught against a court order to limit pretrial publicity in the case.

Arthur J. Hanes conceded that Criminal Court Judge W. Preston Battle, who has held him in contempt, has the right to forbid him to discuss the "merits of the case against Ray. But he can't get after me, according to the Reardon report, for commenting on other things."

"Other things," according to Mr. Hanes, embraces the conditions of Ray's imprisonment in the Shelby County Jail, the release of only one photo of Ray, showing him shackled and manacled, and the unsuccessful effort of a Ku Klux Klan attorney from Georgia to become associated in Ray's defense.

Judge Battle's order he said, has not prevented an FBI spokesman from giving interviews pointing to Ray as Dr. King's slayer.

Tuesday Mr. Hanes cited a story in the Wichita (Kan.) Beacon quoting George Bonebrake, an FBI fingerprint expert, as saying fingerprints taken of Ray in London matched "latent fingerprints" taken by detectives in Memphis shortly after Dr. King was slain on a motel balcony here last April.

A dispatch from Wichita said that, besides making the speech at a police seminar there on fingerprint identification, Mr. Bonebrake said in an interview afterward, "There is no doubt in my mind that Ray at least handled the murder weapon."

Orig. sent to Bureau 10-17-68

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

PAGE 56

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 10-17-68

Edition:

Author: FRANK R. AHLGREN

Editor:

Title:

Character:

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Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

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OCT 17 1968

FBI — MEMPHIS

157

44-1987-Sub-C-220

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

(Mount Clipping in Space Below)

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

PAGE 56

THE COMMERCIAL APPEAL

Date: 10-17-68

Edition:

Author: FRANK R. AHLGREN

Editor:

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-220

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

(Mount Clipping in Space Below)

Lawyers Discuss Blast by Hanes

A committee of lawyers advising Criminal Court Judge W. Preston Battle on publicity in the James Earl Ray case had a closed meeting today, but the Press-Scimitar learned that the subject was the vocal blast aimed at the committee and the court's pre-trial publicity order by Arthur J. Hanes, Ray's attorney.

Hanes yesterday referred to the lawyers as "a committee of Harper Valley PTA hypocrites" and criticized its publicity guidelines adopted by Judge Battle as favoring the prosecution.

The seven-member committee refused to meet with a group of newsmen of Sigma Delta Chi, national journalism fraternity, to discuss the publicity controversy despite a suggestion earlier by Judge Battle that it would be a good idea.

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

PAGE 1

MEMPHIS PRESS-SCIMITAR

Date: 10-17-68

Edition:

Author: CHARLES H. SCHNEIDER

Editor:

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-331

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

(Mount Clipping in Space Below)

Bar Article Opposes Battle's Stance

The Reardon report of the American Bar Association on pretrial publicity in criminal cases "does not restrict the press from printing any information it can get," says a Memphis attorney who helped write the report.

This is the opinion of Walter P. Armstrong Jr., a member of the Reardon Committee and chairman of the American Bar Foundation's Survey of Administration of Criminal Justice. Mr. Armstrong maintains this view — the opposite of that held by an amicus curiae committee appointed by Judge W. Preston Battle — in an eight-page article in a current issue of the Tennessee Bar Journal.

Mr. Armstrong refused yesterday to be interviewed on the subject since it is in controversy in Judge Battle's court. But he said he stood unqualifiedly on his Bar Journal article. It was published before Judge Battle held in contempt two Memphis newspaper reporters who wrote stories from interviews with Arthur J. Hanes Sr., attorney for James Earl Ray, charged with killing Dr. Martin Luther King Jr.

"I am convinced some guidelines are necessary for both the media and the bar if the right to a fair trial is to be preserved," Mr. Armstrong wrote. ". . .Against this background, let us consider the (Reardon) report and the so-called 'blackout' of news which it imposes.

"In the first place, it does not restrict the press from printing any information it can get. It does suggest certain restrictions upon attorneys, law enforcement officers, judges and judicial employes in releasing such information . . .

"No one denies the right of the press to print without prior restraint . . . You can't stop the newspapers from printing it if they can get it; but you can certainly stop them from getting it."

With the advice and assent of a bar committee headed by Lucius Burch, Judge Battle on Sept. 30 held Charles Edmundson of The Commercial Appeal and Roy Hamilton of the Memphis Press - Scimitar in contempt of court.

The court agreed with a defense contended that the newsmen had not been served with a copy of his order. But he held they were covered by it by extension as defined in previous contempt cases in Tennessee.

Ezra Bryan, attorney for Scripps-Howard Newspapers, and Armistead Clay, attorney for the reporters, disagree. They say that none of the categories "covered by extension" would include the respondents in this case.

They have filed a motion for Judge Battle too rehear the case and have announced that if relief is not granted, appeal will be taken to higher courts.

Besides Mr. Armstrong's interpretation that the Reardon report does not "restrict the press," the Kaufman report, a parallel document published two weeks ago and covering the federal courts, says specifically it disfavors, at this time at least, pre-trial publicity orders applying to the press. The Kaufman report expresses doubt that guarantees in the United States Constitution regarding freedom of speech and freedom of the press permit such orders being applied to the news media.

Mr. Armstrong quotes the opinion of the Supreme Court in Sheppard vs. Maxwell, "Given the pervasiveness of modern communications and the difficulty of effacing prejudicial publicity from the minds of jurors, the trial courts must take strong measures to ensure that the balance is never weighed against the accused."

The defense in the Memphis contempt case has pointed out that it would be virtually impossible, from the legal point of view, to prejudice the accused by quoting his attorney.

"Remember," says Mr. Armstrong toward the end of his article, "the Reardon report does not limit the press in what it can publish in any way, with one single exception. It does characterize as contempt of court the dissemination of a statement going beyond the public record of the court for the purpose of affecting the outcome of the trial." The Memphis reporters have not been taxed with trying to affect the outcome of the Ray trial.

Judge Battle's amicus curiae committee met yesterday to consider possible action on interviews with Mr. Hanes published in Wednesday's Press-Scimitar and The Commercial Appeal. Members of the committee would not comment on their conference. It is known they were offended by Mr. Hanes' phrase terming them "a committee of Harper Valley PTA hypocrites."

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

PAGE 33

THE COMMERCIAL APPEAL

Date: 10-18-68

Edition:

Author: FRANK R. ADLGREN

Editor:

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub C-222

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

(Mount Clipping in Space Below)

Tennessee Press Praises Policy Of Reporting Case

Special to The Commercial Appeal

KNOXVILLE, Oct. 21. — Efforts of two Memphis newspapers in defending the people's right to know and the right of an accused to receive a fair trial were commended Monday in a resolution approved by the directors and officers of the Tennessee Press Association.

Don J. McKay, associate publisher of The Oak Ridger and president of the TPA said, "We heartily endorse The Commercial Appeal and the Memphis Press-Scimitar for their publicly announced policy of continuing to report the James Earl Ray case according to their convictions of what constitutes legitimate news."

Judge Battle has held two Memphis reporters in contempt of court because they wrote stories concerning activities about the James Earl Ray case. Ray is awaiting trial in the slaying of Dr. Martin Luther King Jr.

"We believe a newspaper has a responsibility to keep its community informed. And we believe the people have a constitutionally guaranteed right to know what is going on in their community, including the courts.

"We believe Judge W. Preston Battle's restriction against publicity is in conflict with the free press guarantee of the First Amendment to the United States Constitution. We agree with the newspapers that such handcuffing of the press and blindfolding the citizens in a free country cannot be accepted by a responsible newspaper which must report all important happenings to the people."

The TPA directors, representing some 160 newspapers in the state, also commended Dan Hicks of the Monroe County Democrat for his publication of news hee feels the people have a right to know.

Mr. Hicks has been attacked and his office shot into by unknown persons because of his stories revealing the questionable operations of office holders in Madisonville and Monroe County, Tenn.

The directors said, "We especially commend Mr. Hicks for maintaining this courageous policy in the face of threats and, in at least two instances, attacks upon his person.

"His determination to report what he considers to be the facts in certain departments of his local government upholds the fundamental ethics of a good newspaper. We feel confident the citizens of his community will recognize the important role he and his newspaper are playing to protect their right to know about government, whether it be favorable or unfavorable to certain office holders."

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

PAGE 5

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 10-22-68

Edition:

Author:

Editor:

Title: FRANK R. AHLGREN

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub C-223

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

Battle Widens Net Of Contempt To Snare Fingerprint Expert

An FBI fingerprint expert in Washington will be asked to appear before Criminal Court Judge W. Preston Battle to show cause why he should not be held in contempt of an order restricting publicity in the case of James Earl Ray, charged with killing Dr. Martin Luther King Jr. April 4.

A special bar committee appointed to advise the court on pretrial publicity recommended that FBI Agent George Bonebrake be required to show cause why a lecture and interview at a police seminar in Wichita, Kan., were not in contempt of the court's order.

The Wichita Beacon on Sept. 11 quoted Mr. Bonebrake as saying "the latent fingerprints obtained in Memphis, the ones taken in London and the ones taken of Ray at the Missouri prison were all the same . . . There is no doubt in my mind that Ray at least handled the murder weapon." Mr. Bonebrake spoke in Wichita Sept. 11.

The bar committee recommendation, filed with the Criminal Court clerk yesterday, asked that United States Atty. Gen. Ramsey Clark direct Mr. Bonebrake to submit voluntarily to the jurisdiction of the court.

If he doesn't, the committee recommended that Judge Battle issue his "process at such time as the said George Bonebrake should come into this court."

Mr. Bonebrake is scheduled to testify in Ray's trial. The trial will begin Nov. 12.

Mr. Bonebrake's comments were read by the bar committee in the Oct. 16 issue of The Commercial Appeal. Arthur J. Hanes, chief counsel for Ray, reported the Bonebrake interview to a staff member of The Commercial Appeal. The facts were verified in phone calls to Wichita.

Mr. Hanes charged the court with a publicity order "that protects the prosecution and only muzzles the defense" and cited the Bonebrake statement.

Judge Battle earlier held four persons, including Mr. Hanes, in contempt for stories concerning the case. Others held in contempt, were Roy Hamilton, a reporter for the Memphis Press-Scimitar, Charles Edmundson, a reporter for The Commercial Appeal, and Renfro Hays, an investigator for Mr. Hanes.

Judge Battle withheld sentence, saying those held in contempt might purge themselves by future satisfactory conduct.

Attorneys for The Commercial Appeal and the Memphis Press-Scimitar have announced they will appeal the reporters' convictions on the ground that pretrial publicity rules are unconstitutional as applied to the press in the Ray case.

* * *

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

Page 61

The Commercial Appeal

Memphis, Tenn.

Date: 10-24-68
Edition: Final
Author:
Editor: Frank R. Ahlgren
Title:

Character:
or
Classification: 44-1987
Submitting Office: Memphis

☐ Being Investigated

44-1987 Sub-C-224

Serial

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

(Mount Clipping in Space Below)

Two-Month 'Missing Link' Reported In Ray Activity

CHICAGO, Oct. 23. — (AP) — James Earl Ray, charged with the murder of Dr. Martin Luther King Jr., worked in a north suburban restaurant for two months in early 1967, the Chicago Tribune said Wednesday in a copyrighted article.

The articles, in Thursday morning editions, said that Mr. and Mrs. Harvey Klingeman, owners of the Indian Trail Restaurant in suburban Winnetka, hired Ray as a dishwasher shortly after his escape April 3, 1967, from the Missouri State Prison in Jefferson City.

They found their employe, who gave the name of John L. Rayns, so efficient that they raised his salary from $103 to $117.50 a week, Mrs. Klingeman told the Tribune.

However, she said that Ray seemed preoccupied, received several phone calls a week, and—the day before he quit—received a strange, unidentified visitor at the back door.

The Klingemans were unaware that John L. Rayns was really James Earl Ray until mid-August, when a writer, (William Bradford Huie) commissioned by Ray to write his life story, contacted them.

They then informed the FBI.

Recalling Ray's record as her employe, Mrs. Klingeman said: "I'm sure there's good in him. I've hired at least 1,000 employes over the last 35 years and thought myself a good judge of people."

The day after the mysterious visitor appeared at the back door, Ray failed to come to work. One day later, the Klingemans got a letter from "Rayns," postmarked Quincy, Ill., asking that they forward his back pay to a Winnetka post office box.

He said that he was taking a job on a ship.

Later, the FBI located Ray's brother, Jerome, 32, working as a groundskeeper at a country club near the restaurant.

Note agents talking too much on page two and being quoted

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

Page 61

The Commercial Appeal

Memphis, Tenn.

Date: 10-24-68
Edition: Final
Author:
Editor: Frank R. Ahlgren
Title:

Character:
or
Classification: 44-1987-
Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-825

Mrs. Klingeman said she later learned that the Social Security number "Rayns" gave on his application for a job was that of James Earl Ray.

She said that she was told by FBI agents in an interview Aug. 24 that her information "had supplied the missing link" in the government's study of Ray's whereabouts from the time of the jailbreak until he was seized in London for the King assassination.

Mrs. Klingeman said that the FBI had shown her photographs of Ray that she and her husband identified as "Rayns."

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

(Mount Clipping in Space Below)

FBI Tries To Tag Voices In Ray Case

By ART PETACQUE
The Commercial Appeal-Chicago Daily News Service

CHICAGO, Oct. 24. — The United States Justice Department is using tape recordings of voices of James Earl Ray's acquaintances to determine whether they contacted him by telephone or other means while he worked at a Winnetka, Ill., restaurant or elsewhere, it was learned Thursday.

The disclosure came from Harvey Klingeman, who for 35 years has operated Indian Trail Restaurant in Winnetka, a Chicago suburb. Ray, accused of murdering the Rev. Dr. Martin Luther King Jr., worked at the restaurant in 1967.

Klingeman's wife was asked about phone calls made to the restaurant for Ray during the May 3—June 24, 1967, period, when he worked as a dishwasher and kitchen helper, Klingeman said.

Mrs. Klingeman also was asked about persons who went to the back door of the restaurant, while Ray was working, and waited to talk to him outside, the restaurateur said.

Klingeman said that because of the time that had elapsed his wife wasn't able to be of much help to the Federal Bureau of Investigation agents who interrogated her.

At the time Ray worked at the restaurant, he was a fugitive from justice because of his escape from the Missouri State Prison.

He was living in Chicago and commuting most of the way to Winnetka by the Chicago Transit Authority elevated system, Klingeman said.

Klingeman said FBI agents did not disclose the identity of the voices on the tapes. He speculated, however, that they were those of relatives or others who might have been involved with him at some time prior to the murder of Dr. King in Memphis April 4.

Klingeman said visitors interrupted Ray at work on at least two occasions that he could recall. He did not see the callers, Klingeman reported, adding that none of the current employes did either.

The whereabouts of Ray during this time in his life came to light when William Bradford Huie, an author Ray hired to write his life story, went to the restaurant last August to interrogate the Klingemans about the employe they knew as John L. Rayns.

After that visit, the Klingemans went to the Winnetka police and told them of the writer's visit.

One of the reasons given by Huie in pursuing the restaurant period in Ray's life was his desire to knock down stories that linked him with prostitutes and cast a bad light on his habits.

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

Page 1

The Commercial Appeal

Memphis, Tenn.

Date: 10-25-68
Edition: Final
Author:
Editor: Frank R. Ahlgren
Title:

Character:
or
Classification: 44-1987
Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-226

[illegible] market at [illegible] just up the street, said teenagers frequently cause trouble to businessmen in the area.

"But murder, now that's something else."

The Weather

U.S. DEPARTMENT OF COMMERCE

FOR MEMPHIS and Vicinity — Fair and cool Friday and colder Friday night. Partly cloudy and continued cool Saturday. High Friday about 60. Winds northerly 10 miles per hour. Low Friday 36.

Sunrise 7:14; Sunset 6:14

YESTERDAY'S REPORT

High, 65 degrees at 2:25 p.m.
Low 47 degrees at 7:20 a.m.
Mean (midway between high and low), 56. Normal mean for date, 60.

HOURLY READINGS

4 a.m.	55	4 p.m.	63
6 a.m.	50	6 p.m.	59
8 a.m.	49	8 p.m.	54
10 a.m.	50	10 p.m.	51
Noon	61	Midnight	46
2 p.m.	63	2 a.m.	42

Temperature 7 a.m., 49; 7 p.m., 56.
Precipitation at Airport, none.
Dewpoint (condensation temperature) at midnight 33; barometer reading at midnight 30.05, rising.
Precipitation Jan. 1-Oct. 23 40.94 inches which is 1.32 inches above normal.

A YEAR AGO YESTERDAY

Maximum temperature, 79; minimum, 52; rainfall, .10 inch.
Precipitation Jan. 1-Oct. 24 36.80 inches, which was 2.91 inches below normal.

(Map, Forecast on Page 36)

[illegible] on law and [illegible] ve got to have some [illegible] and order in this country. This is a sad day when the greatest city in the world has fear not only in Madison Square Garden but also in every school in the city," he began.

Referring to New York's school integration troubles further, Wallace said that if he were elected, "Not one penny of federal money would be used to bus anybody you don't want bused."

LeMay preceded Wallace to the stand and called for a "drastic change" if the United States" is to win the war in Vietnam and end crime in the streets."

He said both Republican candidate Richard M. Nixon and Democratic candidate Hubert H. Humphrey "offer the same coddling of criminals and anarchists and the same no-win policy" in Vietnam.

Wallace flew here from Durham, N.C., where he charged Nixon is creating a "credibility gap" with his statements about debating other presidential candidates.

On Wednesday Wallace waived his equal time rights to clear the way for a Nixon-[illegible] early Thursday morning, fulfilled the wish of both her father and mother, who wanted a gra[illegible]aughter since they already have a 16-month-old grandson by their younger daughter, Luci Nugent.

"It was a dream come true," the President said.

Mrs. Johnson, who was with her husband when he made the announcement, said she did not know what the baby would be named.

Johnson said he had spent very anxious moments while awaiting the birth.

Lynda, 24, arrived at the hospital at 7:30 p.m. (Memphis time) Thursday after her physician, Capt. Walter M. Ionergan, chief of obstetrics and gynecology at Bethesda, examined her at the White House and determined she was in labor.

Lynda's husband, Marine Capt. Charles S. Robb, stationed at Da Nang, South Vietnam, was told of the birth by telegram. He had been informed earlier that Lynda was in labor.

Johnson happily munched on chocolates as he chatted with reporters about his new granddaughter.

Private hospitals have been treating most of the charity patients who normally go to Gaston—at an estimated total cost to private hospitals of about $10,000 a day. Most faculty and interns and residents from UT, who work at Gaston, have also been shifted to other facilities.

"Recruitment still worries us," said Dr. Callison. "But with this (hospitals closing) we think we can restore the teaching program almost to where it was."

"This (hospitals closing) certainly doesn't mean the employment program was a failure," said Mr. Horton, who ordered a crash program to hire 300 nurses and skilled workers last week. "It means we can concentrate our medical services in one unit."

He declined to say how many of the 300 persons had been hired.

Mr. Horton also said the safety of nonstriking hospital employes was a consideration in the closing. Picketing this week by striking members of the American Federation of State, County and Municipal Employes (AFL-CIO) has been marked by arrests during picket line strife.

J. B. Trotter, international field representative for the union yesterday called the hospital closing order an attempt to evade the strike issue. "They (city officials) are trying to isolate a condition rather than the cause of the strike."

To be shifted are about 85 employes from Crump and 160 from Bowld. Dr. Callison said they would be transferred as units, rather than be integrated individually into Gaston's operation to make the moves more palatable to nurses and patients who want to remain together in the new quarters.

Bowld has about 40 patients and Crump about 70, said Dr. Callison, and as many of these as possible will be discharged.

About 50 Negroes gathered at Methodist Hospital's parking lot yesterday afternoon and passed out handbills. "We're not advocating a strike," said C. B. Smith, AFSCME organizer. "All we're showing is what we're asking for—more money, better working conditions and recognition of the union (by Methodist Hospital)."

(Additional Story on Page [illegible])

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By ART PETACQUE
The Commercial Appeal-Chicago Daily News Service

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Klingeman's wife was asked about phone calls made to the restaurant for Ray during the May 3—June 24, 1967, period, when he worked as a dishwasher and kitchen helper, Klingeman said.

Mrs. Klingeman also was asked about persons who went to the back door of the restaurant, while Ray was working, and waited to talk to him outside, the restaurateur said.

Klingeman said that because of the time that had elapsed his wife wasn't able to be of much help to the Federal Bureau of Investigation agents who interrogated her.

At the time Ray worked at the restaurant, he was a fugitive from justice because of his escape from the Missouri State Prison.

He was living in Chicago and commuting most of the way to Winnetka by the Chicago Transit Authority elevated system, Klingeman said.

Klingeman said FBI agents did not disclose the identity of the voices on the tapes. He speculated, however, that they were those of relatives or others who might have been involved with Ray at some time prior to the murder of Dr. King in Memphis April 4.

Klingeman said visitors interrupted Ray at work on at least two occasions that he could recall. He did not see the callers, Klingeman reported, adding that none of the current employes did either.

The whereabouts of Ray during this time in his life came to light when William Bradford Huie, an author Ray hired to write his life story, went to the restaurant last August to interrogate the Klingemans about the employe they knew as John L. Rayns.

After that visit, the Klingemans went to the Winnetka police and told them of the writer's visit.

One of the reasons given by Huie in pursuing the restaurant period in Ray's life was his desire to knock down stories that linked him with prostitutes and cast a bad light on his habits.

5

44-1987-Sub-C-226

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Frank Lenti, who operates a grocery and market at 802 Vance, just up the street, said teenagers frequently cause trouble to businessmen in the area.

"But murder, now that's something else."

The Weather

U.S. DEPARTMENT OF COMMERCE

FOR MEMPHIS and Vicinity — Fair and cool Friday and colder Friday night. Partly cloudy and continued cool Saturday. High Friday about 60. Winds northerly 10 miles per hour. Low Friday 36.

Sunrise 7:14; Sunset 6:14

YESTERDAY'S REPORT

High, 65 degrees at 2:25 p.m. Low 47 degrees at 7:20 a.m. Mean (midway between high and low), 56. Normal mean for date, 60.

HOURLY READINGS

4 a.m.	55	4 p.m.	63
6 a.m.	50	6 p.m.	59
8 a.m.	49	8 p.m.	54
10 a.m.	50	10 p.m.	51
Noon	61	Midnight	46
2 p.m.	63	2 a.m.	42

Temperature 7 a.m., 49; 7 p.m., 56.
Precipitation at Airport, none.
Dewpoint (condensation temperature) at midnight 33; barometer reading at midnight 30.05, rising.
Precipitation Jan. 1-Oct. 23 40.94 inches which is 1.32 inches above normal.

A YEAR AGO YESTERDAY

Maximum temperature, 79; minimum, 52; rainfall, .10 inch.
Precipitation Jan. 1-Oct. 24 36.80 inches, which was 2.71 inches below normal.

(Map, Forecast on Page 36)

discarded his text and concentrated on law and order. "We've got to have some law and order in this country. This is a sad day when the greatest city in the world has fear not only in Madison Square Garden but also in every school in the city," he began.

Referring to New York's school integration troubles further, Wallace said that if he were elected, "Not one penny of federal money would be used to bus anybody you don't want bused."

LeMay preceded Wallace to the stand and called for a "drastic change" if the United States" is to win the war in Vietnam and end crime in the streets."

He said both Republican candidate Richard M. Nixon and Democratic candidate Hubert H. Humphrey "offer the same coddling of criminals and anarchists and the same no-win policy" in Vietnam.

Wallace flew here from Durham, N.C., where he charged Nixon is creating a "credibility gap" with his statements about debating other presidential candidates.

On Wednesday Wallace waived his equal time rights to clear the way for a Nixon-

the hospital early Thursday evening, fulfilled the wish of both her father and mother, who wanted a granddaughter since they already have a 16-month-old grandson by their younger daughter, Luci Nugent.

"It was a dream come true," the President said.

Mrs. Johnson, who was with her husband when he made the announcement, said she did not know what the baby would be named.

Johnson said he had spent very anxious moments while awaiting the birth.

Lynda, 24, arrived at the hospital at 7:30 p.m. (Memphis time) Thursday after her physician, Capt. Walter M. Ionergan, chief of obstetrics and gynecology at Bethesda, examined her at the White House and determined she was in labor.

Lynda's husband, Marine Capt. Charles S. Robb, stationed at Da Nang, South Vietnam, was told of the birth by telegram. He had been informed earlier that Lynda was in labor.

Johnson happily munched on chocolates as he chatted with reporters about his new granddaughter.

Private hospitals have been treating most of the charity patients who normally go to Gaston—at an estimated total cost to private hospitals of about $10,000 a day. Most faculty and interns and residents from UT, who work at Gaston, have also been shifted to other facilities.

"Recruitment still worries us," said Dr. Callison. "But with this (hospitals closing) we think we can restore the teaching program almost to where it was."

"This (hospitals closing) certainly doesn't mean the employment program was a failure," said Mr. Horton, who ordered a crash program to hire 300 nurses and skilled workers last week. "It means we can concentrate our medical services in one unit."

He declined to say how many of the 300 persons had been hired.

Mr. Horton also said the safety of nonstriking hospital employes was a consideration in the closing. Picketing this week by striking members of the American Federation of State, County and Municipal Employes (AFL-CIO) has been marked by arrests during picket line strife.

J. B. Trotter, international field representative for the union yesterday called the hospital closing order an attempt to evade the strike issue. "They (city officials) are trying to isolate a condition rather than the cause of the strike."

To be shifted are about 85 employes from Crump and 160 from Bowld. Dr. Callison said they would be transferred as units, rather than be integrated individually into Gaston's operation to make the moves more palatable to nurses and patients who want to remain together in the new quarters.

Bowld has about 40 patients and Crump about 70, said Dr. Callison, and as many of these as possible will be discharged.

About 50 Negroes gathered at Methodist Hospital's parking lot yesterday afternoon and passed out handbills. "We're not advocating a strike," said C. B. Smith, AFSCME organizer. "All we're showing is what we're asking for—more money, better working conditions and recognition of the union (by Methodist Hospital)."

(Additional Story on Page 11)

FBI Tries To Tag Voices In Ray Case

By ART PETACQUE
The Commercial Appeal-Chicago Daily News Service

CHICAGO, Oct. 24. — The United States Justice Department is using tape recordings of voices of James Earl Ray's acquaintances to determine whether they contacted him by telephone or other means while he worked at a Winnetka, Ill., restaurant or elsewhere, it was learned Thursday.

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One of the reasons given by Huie in pursuing the restaurant period in Ray's life was his desire to knock down stories that linked him with prostitutes and cast a bad light on his habits.

44-1987-Sub-C-326

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

(Mount Clipping in Space Below)

FBI Aide Cited By Court Panel

Battle Orders Fingerprint Expert To Show Cause In Publicity Order

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

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

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

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

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

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

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

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

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

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

Copies to Bureau Sent by airtel 10/25/68

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

Page 25

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 10-25-68

Edition:

Author:

Editor: FRANK E. ALLEN

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub C-227

SEARCHED.....INDEXED.....

SERIALIZED.....FILED.....

OCT 25 1968

FBI — MEMPHIS

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

(Mount Clipping in Space Below)

Fingerprint Expert Ordered To Appear in Contempt Case

An FBI fingerprint expert has been ordered to appear Dec. 6 before Criminal Court Judge W. Preston Battle to show cause why he should not be held in contempt in connection with the court's order against pre-trial publicity in the James Earl Ray case.

Battle issued the order yesterday on a contempt petition brought against FBI agent George Bonebrake, by the court's seven-lawyer advisory committee.

In issuing the order, Battle said he did not set a hearing in advance of Ray's trial, scheduled to begin Nov. 12, because the earliest date he could hear the matter would be Nov. 1, just 11 days before the trial.

RULING

"The reason for orders on publicity and hearings on their alleged violations is to deter prejudicial publicity from infecting the community from which the jury must be drawn," Battle wrote. "In the nature of things, hearings on alleged violations of publicity orders result in pervasive dissemination of prejudicial publicity and are, to that extent, self defeating."

The bar association committee cited a story appearing Sept. 12 in the Wichita, Kan., Beacon in which Bonebrake was quoted as saying fingerprints taken of Ray in London matched "latent prints" taken by police in Memphis shortly after Dr. Martin Luther King was slain.

PUBLICATION

The story was picked up earlier this month by The Press Scimitar and the Commercial Appeal. It also prompted Arthur J. Hanes, Ray's attorney, to blast the court's injunction as unfair to the defense and the committee was called "Harper Valley P-TA hyprocrites."

Hanes, along with a private investigator, Renfro Hays, and two reporters, Roy Hamilton of the Press Scimitar and Charles Edmundson, of the Commercial Appeal, had been held in contempt earlier by the judge in connection with other stories. Battle did not pass sentence, however, stating he wanted to hold the case under consideration until after the trial. The two newspapers have taken steps to appeal his ruling as it affects coverage of the news.

A copy of the judge's latest order is being forwarded to Bonebrake's boss, U.S. Atty. Gen. Ramsey Clark in Washington. It asks that Bonebrake submit himself voluntarily to the court's jurisdiction.

Battle's anti publicity injunction prohibits out of court comments on the Ray case by all those with official connections in the case, including attorneys, investigators and witnesses.

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

Page 12

Memphis Press-Scimitar

Memphis, Tenn.

Date: 10-25-68
Edition: Final
Author:
Editor: Charles H. Schneider
Title:

Character:
or
Classification: 44-1987
Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub C-223

FD-350 (Rev. 7-18-63)

(Mount Clipping in Space Below)

Judge Declines Comment On New Ray Story

Criminal Court Judge W. Preston Battle today declined comment on a national magazine story suggesting James Earl Ray, charged with the murder of Dr. Martin Luther King, was approached to participate in a mysterious international conspiracy.

Arthur J. Hanes, attorney for Ray, and Lucious Burch, Memphis attorney who frequently has been spokesman for the Memphis-Shelby Bar Association committee which recommended Judge Battle's ban on pre-trial "publicity," said they had not read the story and also had no comment.

The article, by William Bradford Huie, Alabama author, is published in the Nov. 12 issue of Look Magazine. A spokesman for the magazine in New York said details of the copyrighted story were not available for the press until 6 p.m. today.

Burch said that he was sure that if there were anything in the article that violated the court's order on "publicity," the bar committee would meet and go into it.

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

Page 1

Memphis Press-Scimitar

Memphis, Tenn.

Date: 10-28-68
Edition: Home
Author:
Editor: Charles H. Schneider
Title:

Character:
or
Classification: 44-1987
Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-329

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

(Mount Clipping in Space Below)

Huie Article On Possible Conspiracy Is Published By Look Magazine

By CHARLES THORNTON

Criminal Court Judge W. Preston Battle yesterday ordered witnesses in the James Earl Ray murder case not to read, listen to or watch news accounts of the case, beginning when testimony starts in the trial.

Meanwhile, despite Judge Battle's order to control pretrial publicity, a national magazine, Look, presented yet another version of a possible conspiracy to kill Dr. Martin Luther King Jr.

The possibility of a conspiracy has been tossed about by publications in this country and Europe since The Commercial Appeal disclosed a supposed police chase minutes after the slaying, between a white Mustang and a blue Pontiac may have been a hoax.

In the Look first-of-a-series titled "The Plot to Assassinate Martin Luther King," author William Bradford Huie says Ray wrote in notes to him from his Shelby County Jail cell that he was tempted out of a Canadian hideout before the killing by a $12,000 offer to make a mystery mission to Birmingham.

Neither Mr. Huie nor Look is known to be within the court's jurisdiction and may not be until the Ray trial opens, if then. Judge Battle's authority stops at the Shelby County line.

In the sequestering order, Judge Battle, who will preside over the trial, said:

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

Page 1

The Commercial Appeal

Memphis, Tenn.

Date: 10-29-68
Edition: Final
Author:
Editor: Frank R. Ahlgren
Title:

Character:
or
Classification: 44-1987
Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-230