

## U. S. Department of Justice

(MATERIAL MUST NOT BE REMOVED FROM OR ADDED TO THIS FILE)

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PENDING LITIGATIONFIELD OFFICE FILE  
FOIPA PROCESSED

## FEDERAL BUREAU

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of

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 10-31-01 BY SP1C/K/PO

## INVESTIGATION

Bureau File Number

44-38861

"DO NOT DESTROY:  
HISTORICAL VALUE,  
NATIONAL ARCHIVES"

See also Nos.

SEE INSIDE  
FOR LITIGATION

Legal Documents

CLASSIFICATION NO.

Serials

Volume Number

44-1987-Sub-B  
1-93

See next Section

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

JAMES EARL RAY  
Alias Eric Starvo Galt,  
Alias John Willard,  
Alias Harvey Lowmeyer,  
Alias Harvey Lowmyer.

NO. 16645 Murder First Degree

NO. 16819 Carrying Dangerous Weapon

ORDER ON COURTHOUSE AND COURTROOM PROCEDURES AND PUBLICITY

The Constitutions of the United States and the State of Tennessee guarantee defendants in criminal cases due process of law and the right to a fair trial by an impartial jury. It is the duty of the trial Court to see that every defendant receives all his constitutional rights.

From the world wide attention attracted to this case at bar resulting in massive and pervasive publicity in the news media, the Court is of the opinion that the following rules are necessary to a constitutionally guaranteed, orderly and fair trial by an impartial jury, and therefore orders:

I.

The term "Criminal Courts Buildings" as used herein shall mean the Criminal Courts Building, 150 Washington, and the adjoining Shelby County Building, 157 Poplar Avenue, Memphis, Tennessee.

All entrance ways, corridors, and approaches to Court rooms, offices and other rooms in the Criminal Courts Buildings will be kept clear at all times for free access thereto by those using them in the course of their employment or those having business to transact therein.

II.

No cameras, photographic, television, radio or sound equipment, including tape recorders, will be permitted in the Criminal Courts Buildings or upon the alley-ways, parking lots

yards or grounds immediately surrounding said buildings. No photographs will be taken of the Jury, nor will they be televised. No sketches will be made in the Criminal Courts Buildings.

III.

All persons seeking admission to the Courtroom will submit voluntarily to a search of his person before being admitted.

IV.

No one will enter the Courtroom after a session has begun without permission of the Court, but must wait until the next recess. No one will leave the Courtroom except at recess or adjournment except in an emergency. At noon recess and adjournment, and at any other time the Jury is retiring from the second floor, or the prisoner is being removed to the jail, the spectators shall remain seated in the Courtroom until the Jury and prisoner have had ample time to withdraw, and said spectators have been given permission to disperse.

V.

The bar of the Court within the rail is reserved for the defendant, counsel, members of the Bar, Court personnel and such witnesses as counsel may desire to be within the bar for consultation purposes. No one else will enter without permission of the Court.

VI.

No one except attorneys of record, their agents, Court personnel, witnesses and Jurors may handle exhibits except by order of the Court.

VII.

All lawyers participating in this case, their assistants, office associates, staff members, investigators and employees under their supervision and control are forbidden to take part in interviews for publicity and from making extra-judicial statements about this case from this date until such time as a verdict is returned in this case in open Court.

VIII.

The County Medical Examiner, Jury Commissioners, Criminal Court Clerk, County Sheriff, Police Officials and other law enforcement officers, employees of this Court, all other persons employed in the "Criminal Courts Buildings", their associates, deputies, assistants, staff members and personnel under their supervision and control are forbidden to participate in interviews for publicity and from making extra-judicial statements about this case from this date and until such time as a verdict in this case is returned in open Court.

IX.

All witnesses, persons subpoenaed to Grand Jury or Court, jurors, and those persons summoned but excused from serving as jurors, are forbidden to participate in interviews for publicity and from making extra-judicial statements about this case from this date and until such time as a verdict in this case is returned in open Court.

X.

Nothing in this order shall prohibit any witness from discussing any matter in connection with the case with any of the attorneys representing the defendant or the State, or any representative of such attorneys.

W. Preston Battle

JUDGE, DIVISION III

Criminal Court of Shelby County, Tennessee

Date: July 18, 1968

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- 11-13

44-1987 Sub-~~11-13~~

Director, FBI

7/19/68

SAC, Memphis (44-1987) (P)

MURKIN

Submitted herewith to the Bureau, for information purposes only, is one Xerox copy of an "Order on Courthouse and Courtroom Procedures and Publicity," issued by Judge W. PRESTON BATTLE, Division III, Criminal Court of Shelby County, Tennessee, July 18, 1968, in case of State of Tennessee vs. JAMES EARL RAY.

2 - Bureau (Enc.-1)

① - Memphis

RGJ:ME

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*44-1987-Sub-A-100*  
*-C-2*

STATE OF TENNESSEE }  
Shelby County }

I, J. A. BLACKWELL, Clerk of the Criminal Courts of Shelby County, Tennessee,  
do hereby certify that the foregoing FOUR (4) pages of writing contain a full,  
Order on Contempt of Court  
complete, true and perfect copy of ~~all the proceedings~~ had in the case of the State of  
Tennessee, vs. B 16645 and  
Docket No. B 16819

JAMES EARL RAY

Indictment for MURDER IN THE FIRST DEGREE & CARRYING A DANGEROUS WEAPON

as the same now appears on file, and of record in my office.

WITNESS my hand and the seal of said Court, at office in Memphis,

this, the 30th day of JULY 19 68

J. A. BLACKWELL, Clerk

SEAL

By: *Sam M'Clary* D. C.

44-1987-Sub-A-37  
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IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

JAMES EARL RAY  
Alias Eric Starvo Galt;  
Alias John Willard,  
Alias Harvey Lowmeyer,  
Alias Harvey Lowmyer.

NO. 16645 Murder First Degree

NO. 16819 Carrying Dangerous Weapon

AMENDMENT TO ORDER

The order heretofore entered in this cause on the eighteenth day of July, 1968, and headed "Order on Courthouse and Courtroom Procedures and Publicity" is hereby amended as follows:---

In paragraphs VII, VIII and IX of said Order, the terms "interviews for publicity" and "extra-judicial statements" shall be limited to such interviews and statements as are prejudicial to a fair trial by an impartial jury in the case.

This is done by the Court on its own motion, this twenty-third day of July, 1968.

W. Preston Battle

JUDGE, Division III

Criminal Court

44-1987-Sub. H-34  
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FBI - NEW YORK  
JAN 1968

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

JAMES EARL RAY  
Alias Eric Starvo Galt,  
Alias John Willard,  
Alias Harvey Lowmeyer,  
Alias Harvey Lowmyer.

NO. 16645 Murder First Degree

NO. 16819 Carrying Dangerour Weapon

O R D E R

In this cause, the Court having heretofore appointed a committee of eight members of the Bar to act as amici curiae and said committee having this day filed a report that there is probable cause to believe that this Court's Order of July 18, 1968, as amended July 23, 1968, has been violated by certain individuals in certain circumstances, to-wit:

(1) Certain statements attributed to Arthur B. Hanes, Esq., to the effect that the shooting of Doctor Martin Luther King, Jr. involves a Communist conspiracy, to the effect that his client's rights were being trampled in Jail, and to the effect that himself, his family and servants are being threatened by "them", as quoted in the Memphis Press Scimitar of Saturday, July 27, 1968, and the Commercial Appeal of Sunday, July 28, 1968;

(2) Certain statements in Memphis Press Scimitar of July 27, 1968, attributed to William Morris, Sheriff of Shelby County, Tennessee, concerning the cost and expenses for the security of the prisoner and the treatment of the prisoner, and the prisoner's demeanor and attitude while in confinement.

(3) Certain statements appearing in the Memphis Press Scimitar of Saturday, July 27, 1968, attributed to Russell X. Thompson, Esq. concerning his opinion as to the guilt or innocence of the defendant,

and said report further pointing out that to the extent that Ramsey Clark, Attorney General of the United States is a "Law Enforcement Officer" or "a lawyer participating in this case" through his staff, assistants, office associates, investigators or employees under his supervision, the statements attributed to him and the United States Department of Justice as referred to in the Commercial

-1A-

of July 28, 1968 are in probable violation of the principles  
set out in Sheppard vs. Maxwell, 384 U.S. 333, 16 L.Ed. 2d 600,  
86 S. Ct. 1507 (1966), <sup>Said statements being</sup> to the effect that there was no evidence  
of a conspiracy in the shooting of Doctor Martin Luther King, Jr.

The Court, in the interest of preserving the constitutional rights of all concerned and protecting the orderly preparation and progress of the trial, reserves further inquiry and disposition of each and all of the above instances until a later date.

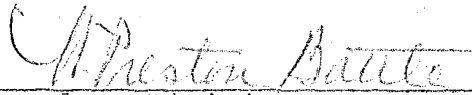
And whereas it is the desire of the Court to avoid any possible misunderstanding of its orders heretofore made, said orders of July 18 and July 23 respectively are herewith supplemented as follows:

All lawyers participating in this case, their assistants, associates, staff members, investigators and employees under their supervision and control, County Medical Examiner, Jury Commissioners, Criminal Court Clerk, County Sheriff, Police Officials and other law enforcement officers, employees of this Court and all other persons employed in the "Criminal Courts Buildings", their associates, deputies, assistants, staff members and personnel under their supervision and control, are forbidden to take part in interviews or press conferences for publicity and are enjoined from making extra-judicial statements about this case which involve: (1) the personal belief of the Declarant as to the guilt or innocence of the accused; (2) the plans of the Declarant relating to the preparation or conduct of the trial, the theory, techniques and strategy of the Declarant in the preparation and trial of the case; (3) the jurors or potential jurors who may serve; (4) the comments of the Declarant about the merits of the case and about any evidence which may be presented; (5) the credibility of or information concerning any known or intended witnesses or the treatment, acts and attitude of the defendant, and are further enjoined from making any and all other statements which may be prejudicial to a fair trial by an impartial jury in this case, whether specified herein or not.

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

The Court recognizes the wide and pervasive publicity which has been and will be an inevitable incident of this trial. The Court further recognizes that there are many individuals who are beyond the jurisdiction of this Court, but who may be interested in the outcome of this trial, and whose statements may have been violative of this Order had the Court jurisdiction over such parties. As to such persons, the Court urges self-imposed compliance with this Order in the interests of a fair trial to the defendant and to the State of Tennessee.

In accordance therewith the Court orders a certified copy of this Order to be sent by the Clerk of this Court to all persons named herein or subject hereto, and all newspapers of general circulation, radio and television stations within the jurisdiction of this Court.



Judge, Division III  
Criminal Court of Shelby County, Tennessee

Date: July 30, 1968

8/2/68

**AIRTEL**

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

ReMElet to Bureau 7/19/68 and MEtel to Bureau 7/30/68 concerning court orders issued by Shelby County Criminal Court Judge W. PRESTON BATTLE, and ATlet to Bureau 7/29/68 concerning the disposition of the 1966 Mustang abandoned by JAMES EARL RAY in Atlanta, Ga.

Enclosed herewith for the Bureau for information is one xerox copy of an "Amendment to Order" dated 7/23/68 and an "Order" dated 7/30/68, both of which concern "Order on Courthouse and Courtroom Procedures and Publicity" issued by Shelby County Criminal Court Judge W. PRESTON BATTLE.

On 8/2/68 the Honorable PHIL M. CANALE, District State Attorney General, Memphis, Tenn., advised SA ROBERT F. BOYLE that he does not see any need for the physical presence in Memphis of the 1966 Mustang abandoned by JAMES EARL RAY in Atlanta, Ga.; however, he desires that this automobile not be disposed of until completion of the murder trial of RAY scheduled to commence in Memphis on 11/12/68.

He stated that under state law the defense counsel is afforded an opportunity to examine any potential evidence and in this particular instance would be given an opportunity to examine this automobile if he so desires. Mr. CANALE stated, however, that since this automobile is the property of JAMES EARL RAY he would offer no objections if Mr. ARTHUR B. HANES, RAY's attorney, initiates any action to have this automobile turned over to HANES.

- 3 - Bureau (Encs. 2)
- 1 - Atlanta (44-2386) (Info)
- 2 - Birmingham (44-1740)
- ② - Memphis

RFB:LF  
(8)

44-1987-Sub-H-39  
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**ME 44-1987**

**LEAD**

**BIRMINGHAM DIVISION**

**AT BIRMINGHAM, ALA.**

In view of the fact that there is still outstanding a federal complaint charging JAMES EARL RAY with conspiracy, it is suggested that the Birmingham Division, unless advised to the contrary by the Bureau, consult with the appropriate USA who authorized the federal conspiracy complaint against RAY to determine if he has any particular views on disposition of the 1966 Mustang.

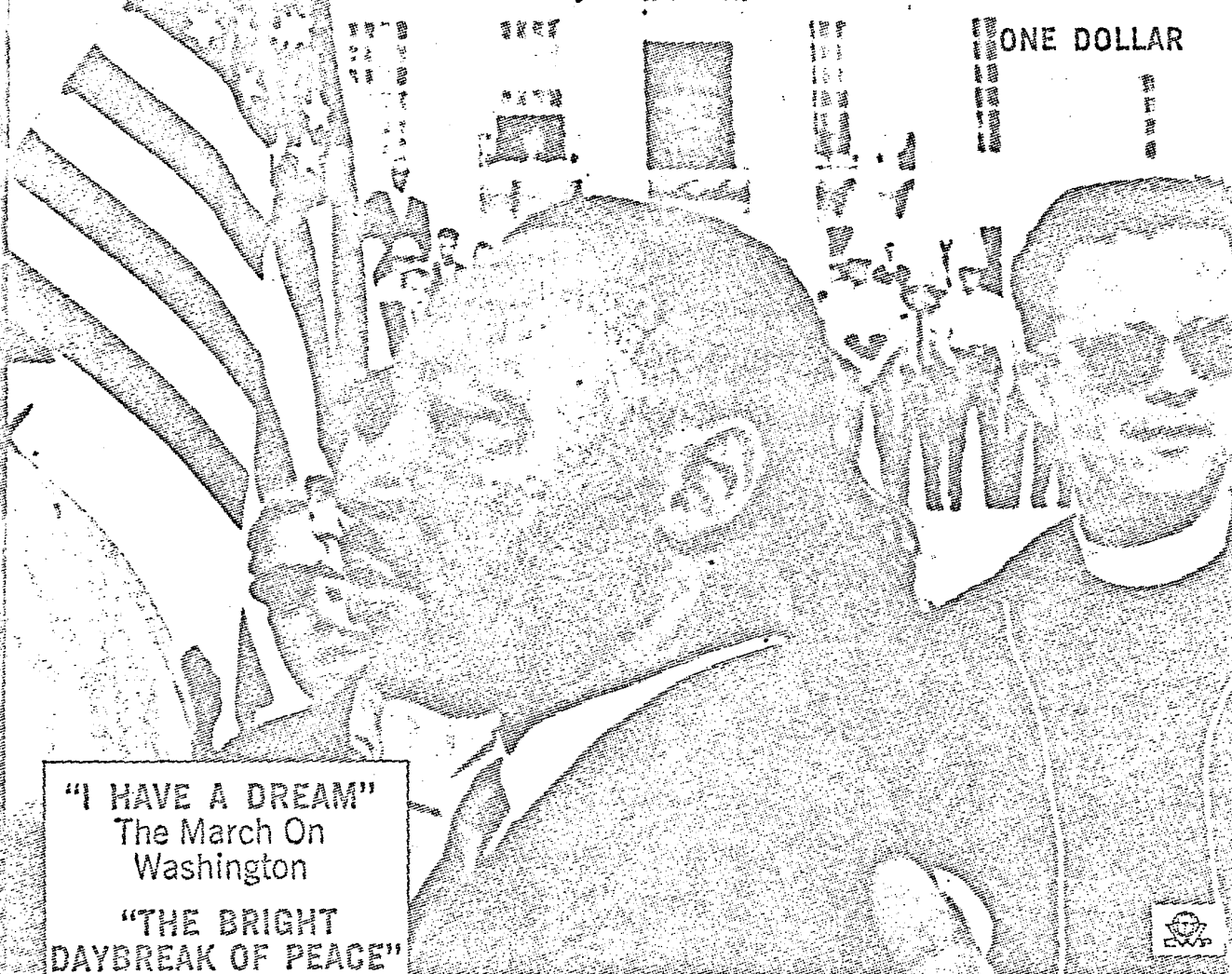
Since the 1966 Mustang is in custody of the Atlanta Division, a copy of this airtel is being forwarded for their information.



# MEMORIAL MARTIN LUTHER KING

# INNOVATION

ONE DOLLAR



**"I HAVE A DREAM"**  
The March On  
Washington

**"THE BRIGHT  
DAYBREAK OF PEACE"**  
King Receives The  
Nobel Peace Prize

**"WE MUST USE THE  
WEAPON OF LOVE"**  
He Inspired His  
Followers With Faith

**"I HAVE SEEN THE  
PROMISED LAND"**  
King's Vision Of  
The Future

THE ASSASSINATION—Photographs  
Memphis—King's Last Hours  
A Family Mourning—Mrs. Martin Luther King  
and Her Children  
A Shocked and Grieving Nation  
Pays Its Last Respects  
Jacqueline Kennedy  
"I weep for Mrs. King and for her children"  
"I may get me caught, I may even die, but  
I will not back down in the struggle for freedom  
to make our free world a better place"

44-1987-Sub-O-3C

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IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

FILED 8/16/68  
J. A. BLACKWELL, CLERK

NO. 16819 BY W. H. H. H. D. C.

VS.

(Carrying a dangerous weapon)

JAMES EARL RAY, ALIAS,

MOTION FOR LEAVE TO WITHDRAW PLEA  
AND TO QUASH INDICTMENT

Comes the defendant in the above styled case, by and through his attorney of record, and respectfully moves This Honorable Court for leave to withdraw the plea heretofore entered, and if that be granted, defendant further moves that the Indictment heretofore filed be quashed and as grounds therefor assigns the following:

1. Defendant was brought within the geographical jurisdiction of this court from England by virtue of proceedings under an international extradition treaty with Great Britain, to face only the charge of murder.
2. The Indictment in the present case charges defendant with carrying a dangerous weapon with the intent to go armed.
3. Said charge is not one with which defendant was charged in the proceedings for his extradition from Great Britain, thereby rendering This Honorable Court without jurisdiction to hear, try or proceed further with this case.

Respectfully Submitted

Arthur J. Hanes, Jr.  
HANES & HANES  
Attorney for Defendant

*I hereby CERTIFY THAT I HAVE SERVED A COPY OF  
THE ABOVE MOTION UPON THE ATTORNEY GENERAL FOR THE  
STATE IN THIS CASE ON THIS THE 16 DAY OF AUGUST, 1968.*

*Arthur J. Hanes, Jr.*

44-1987-Sub. O-2D

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IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

JAMES EARL RAY, Alias.

No. 16645

(Murder)

FILED 4/11/68  
J. A. BLACKWELL, CLERK

BY W. L. D. C.

MOTION FOR LEAVE TO WITHDRAW PLEA  
AND TO QUASH INDICTMENT

Comes now the defendant in the above styled case, by and through his attorney of record, and respectfully moves This Honorable Court for leave to withdraw his plea heretofore entered and, if that be granted, defendant further moves that the indictment heretofore returned in this case be quashed and as grounds therefor assigns the following:

1. There have been written reports, articles and publications in magazines, newspapers and books of wide and general circulation published and distributed within the jurisdiction of this court, throughout the State of Tennessee and throughout the United States concerning defendant, the alleged crime committed and the purported victim thereof, said reports, articles and publications being calculated to and having the effect of creating widespread public excitement and animosity toward crimes of the type herein alleged and toward the defendant and his alleged crime in particular.

2. Radio and television networks and stations within the jurisdiction of this court, throughout the State of Tennessee and throughout the United States have from, to-wit, April 4, 1968, until the present date, by way of both regular and special programming, frequently and continually broadcast programs and parts

thereof which so canonized and so depicted the victim of the crime herein charged, and so described the crime and defendant herein charged that widespread public outrage and hatred have been generated toward any person charged with the crime alleged herein and toward this defendant in particular.

3. Said publications and broadcasts have been so pervasive and widespread within this jurisdiction and throughout the entire United States that most if not all prospective jurors chosen within the jurisdiction of this court or within the jurisdiction of any court throughout the United States will have read and/or heard the said prejudicial matter on many occasions and will have been repeatedly exposed to published matter tending to influence public opinion in favor of defendant's guilt and tending to remove the presumption of innocence which must accompany him to trial.

4. Defendant has not had opportunity to confront or cross-examine the persons who have published and broadcast said prejudicial matter or the persons who revealed information upon which said publications and broadcasts were purportedly based, and has had no opportunity to rebut said publications and broadcasts; further, that said publications and broadcasts have represented as fact matters which are controverted and controvertible and prejudicial matters which are not relevant to or admissible in the trial of this case.

5. The above stated publications and broadcasts, as shown in part by the exhibits attached hereto and hereby incorporated, have created such widespread prejudicial publicity that defendant

has been effectively precluded from receiving a fair and impartial trial within any jurisdiction.

Respectfully submitted,

Arthur J. Hanes, Jr.  
Attorney for Defendant.

I hereby certify that I have served a copy of the foregoing motion on the Attorney General for the State in this case. This the 16 day of August 1968.

Arthur J. Hanes, Jr.

# SEPIA

JULY, 1968 35¢

Another Viet  
ARE OU  
ON DOP

EXPOSE!!!

CRIME P.  
FOR DISI  
CHIROPI

Poor people bil

## THE MAN WHO KILLED MARTIN LUTHER KING

JOHN AM MAKER

Includes information with  
special commentary on the

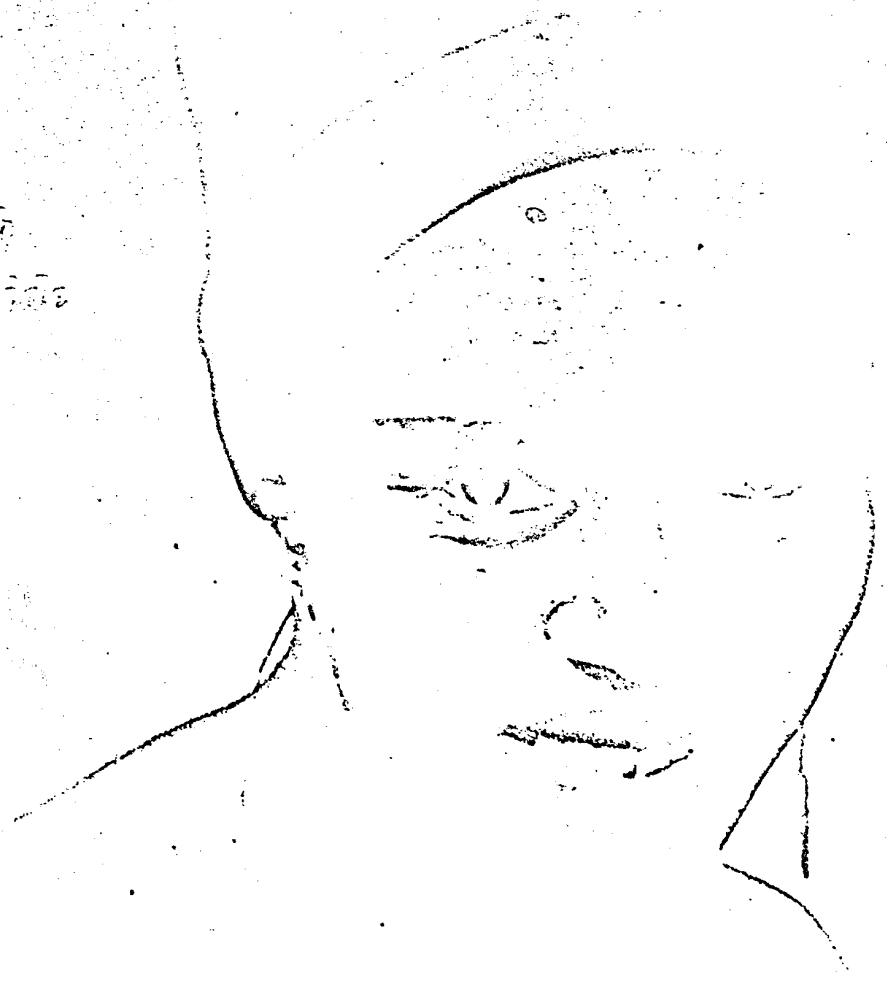


EXHIBIT A-1



# JAMES EARL RAY:



Prison identification picture of James Earl Ray was taken in 1966. An escaped convict, career of crime. His first arrest came at an early age, and his last known crime was the mu

## THE MAN WHO KILLED MARTIN LUTHER

Has vanished into 'thin air' in spi

EXHIBIT A-3

Actually, Ray is 40 years old.

Confused? So are the authorities.

Also, two white Mustangs showed up . . . and two rifles as well as two driver's licenses and other confusing "evidence."

The assassin has been reported in Mexico . . . Cuba . . . South America . . . and at the bottom of a lake attached to a large concrete block.

The FBI, although keeping fairly mum about its investigation, has looked into the possibility that some of the "clues" may have been planted to throw the investigation off on the wrong track.

If so, there goes the first theory that the killer acted alone in this crime.

One theory popped up concerning the Memphis police department. The department was charged in some quarters as being "nigger haters" and some even went so far as to suggest that persons within the department either committed the crime, helped set it up, or aided the actual killer in his attempt.

And speaking of fingerprints, when James Earl Ray escaped from prison a year ago, an erroneous set of fingerprints was circulated to law enforcement agencies. The warden said a new set of prints was sent out later but law enforcement officials in Georgia and Alabama said they never received the second set.

So far, in the search for Ray, all trails lead to the same place - nowhere.

James Earl Ray, the man being sought around the world for the slaying of Dr. King, has been described as a drunken drifter, prone to thievery and violence, a failure at everything.

#### HIGH SCHOOL DROPOUT

Ray was born March 10, 1928, in Alton, Ill., a manufacturing town of 53,000 persons, along the Mississippi River, 20 miles north of St. Louis.

Records of Madison County show that James Earl Ray was one of several Rays who



a. A similar restriction on gun sales was enacted last month.

Final action on the bill was postponed until Monday. Still pending are many of the more than 100 amendments that have been offered, both to strengthen and to weaken the bill.

**Senate Passage Predicted**

Congressional leaders predict that the bill will emerge from the House virtually intact, would then go to the Senate for almost certain passage.

Supporters of strong gun legislation are expected to seek to attach a registration amendment to the bill in the Senate. However, they face almost certain defeat.

Gun registration went down to defeat in the House on two decisive votes.

Representative Robert McClellory, Republican of Illinois, continued on Page 11, Column 2

North Vietnamese troops were expected to conclude tomorrow morning.

This hope was disclosed by United States officials said that the two Presidents would discuss the question of a cessation of bombing and of the "essential elements of a peace settlement," but one of the officials expressed doubt that firm decisions would be taken at the meeting.

The chances that Saigon will obtain either commitment are slim. The United States has resisted the concept of a South Vietnamese veto on diplomatic step all bombing in the North policy as consistently as South Vietnam has tried to obtain it over the years.

[In Saigon, the military command warned of a possible terrorist campaign in the next 24 hours during the annual South Vietnamese observance of the anniversary of the signing of the 1954 Geneva accords.]

Continued on Page 4, Column 3

## Memphis Jail Under Heavy Guard After Return to U.S.



James Earl Ray, handcuffed to belt, is led to cell in Memphis jail by Sheriff William N. Morris. Ray wears a bullet-proof vest and what was described as "safety pants."

New York Times - Front Page, July 20, 1968

EXHIBIT B

EATHER  
warm, humid.  
igh in 80s,  
w in 60s.  
s on Page 5-AA

# THE PLAIN DEALER

OHIO'S LARGEST NEWSPAPER

7TH YEAR—NO. 182

\* \* \*

CLEVELAND, SUNDAY, JUNE 30, 1968

236 PAGES

25 C

## Ray Learned Life in Slums, Jail

DORIS O'DONNELL

mystery of James Ray is as cryptic as a puzzle whose pieces ttered over half of the States, Canada and of Europe.

matter that Ray — the name of Ramon Sneyd — sits today London jail charged elling Rev. Dr. Martin Luther King in Memphis, last April 4.

The fact does not solve the enigma of the man who joblessly lived it up as a fugitive from the Missouri State Prison for nearly a year before the slaying of the Nobel Peace Prize winner.

THAT FACT of the accusation, with fingerprint evidence on the murder rifle produced by the U.S. government in the Bow Street magistrates' court last

Thursday, does not shed light on why Ray allegedly killed Rev. Dr. King. Whether it was a lone assassin or a domestic, political or international conspiracy.

Who is this slum boy who grew to manhood in prison cells?

Where did Ray get money for alligator shoes? For a white 1966 Mustang? For

To find what kind of man is James Earl Ray, accused of the murder of Rev. Dr. Martin Luther King Jr., The Plain Dealer assigned Reporter Doris O'Donnell to take his trail. She visited Jefferson City, Mo., where he escaped prison; St. Louis, where he spent part of his life, and Toronto, where he lived before fleeing to Europe.

cross-country trips? For airplane tickets? Who kept Ray on ice, safe from the long arm of the Missouri state officials for 13 months after he escaped from the old

walled penitentiary at Jefferson City, Mo.?

There is one man who knows all the answers. That is Ray himself.

THE REST IS a patch-

work of random facts, guesses, conjectures and projections.

The Plain Dealer tried to pull the strings of the mystery bag of James Earl Ray together.

Newspaper reporters all over the country, in Canada, England and Portugal have backtracked on Ray's activities which already were closely examined by

the FBI, the Royal Canadian Mounted Police and Scotland Yard, not to mention supporting roles of local police the world over.

The Plain Dealer backtracked, too, and came up with more details to put flesh and blood on the formerly flat image of James Earl Ray, alias James McBride, James Walton, W. C. Herron, James O'Connor, Eric Starvo Galt, Paul

Bridgman, John Harvey Lowmyer course, Sneyd.

TO FILL IN the about Ray, The PD find persons who kr—in prison, in his ol borhood in South St in Toronto.

Fred T. Wilkinsor tor of the Missouri ment of Correction Continued on Page

## Nixon Primes lege Guns for is Campaign

By JOHN P. LEACACOS

Plain Dealer Washington Bureau Chief

NEW YORK — Richard M. Nixon will go on the of-



## Asks Soviet Aid

## LBJ Seeks End to Missile Race

NASHVILLE, Tenn. — President Johnson called upon the United States and the Soviet Union yesterday

viet Union to continue on the present course — of piling weapons system on weapons system — diverting billions upon billions of dollars — while adding nothing

—a term he had before but has not en upon recently—John the United States concentrate on peace reation areas

# Ray Learned Life in Slums and Prisons

★ From First Page

erson City, knew Ray as one of about 1,500 men behind the walls, a few short blocks from the state capitol and the governor's mansion on the Missouri River.

"He was as near a non-entity as any person I ever met," Wilkinson said. "He was innocuous."

Wilkinson is an expert in his field. He has spent 30 years in the federal prison system, including a five-year term with the Bureau of Prisons in Washington.

"HE WAS LIKE anyone else," Wilkinson said. "His pattern of existence in the penitentiary. Owens got ships, no enemies. He was a passive personality. He gave the appearance of indolence. His attitude was 'Here I am, so what?'"

Ray, incidentally, had been arrested with an accomplice, James Owens, for the robbery of a Kroger Co. store on Ohio Avenue in South St. Louis, he was sentenced on two counts — armed robbery and auto theft — to 20 years in the penitentiary. Owens got only seven years. During the fifth day of his trial before Circuit Court Judge John C. Casey in St. Louis, Ray tried to escape. He was caught by sheriff's deputies in an elevator in the Municipal Court Building.

Attempted jail escapes, said Wilkinson, took Ray out of the innocuous class several times.

But officials finally discovered that a 3x5-foot bread box, in which bread was trucked twice a week from the prison to the prison farms, was Ray's hiding place to the outside.

Wilkinson said he is convinced Ray had the aid of another inmate, who also worked in the kitchen with Ray.

RAY, WORKING in the kitchen slicing bread, wore white clothes, not the green dungarees with black stripes worn by regular prisoners.

No one knows, Wilkinson said, how Ray left Jefferson City. No leads have developed on whether he left by foot, car or airplane.

A brother, John Larry Ray, had visited Ray for 4½ hours the day before Ray disappeared. He made his escape about 8:30 a.m. and a check was not made until 1 p.m.

John Ray told a St. Louis Post-Dispatch reporter that: "He and I both are strong supporters of George Wallace," former Alabama governor and a states rights candidate for president.

Wilkinson saw nothing significant in the Ray brothers talking politics or talking George C. Wallace.

"FOUR AND A half hours is a long time," Wilkinson said. "Even the closest of relatives run out of things to talk about."

Wilkinson said sometimes a probing bar is used in the bread boxes when the truck is in the sally port, a tunnel through which the truck



RAY'S PLACE—The Grapevine Tavern in south St. Louis which is operated by John Larry Ray.

Pen claim Ray could have left with a bankroll as high as \$2,000.

One prisoner told me: "I saw a man with \$7,500 on him the other night."

But Wilkinson's records show the most Ray ever "had on the books" was two entries of \$5 each which he sent to a brother in 1963.

"THAT'S THE biggest money he ever dealt with," Wilkinson said.

Ray ordered items from Sears, Roebuck and tennis

Ryan, and his grandmother as Mrs. Mary Mahler, 1913 Hickory Street, St. Louis.

Both women are dead, but they are not forgotten on the hot, dusty street in South St. Louis.

NO. 1913 Hickory Street is a doorless rundown two-story brick house with the French architectural influence of 75-100 years old. This section off Missouri Avenue was once the proud tre-tre-lined properties of well-to-do merchants.

he's gained lots of weight."

(One of the London boarding house landlords claimed a hypodermic needle was left in Ray's room.)

But the neighbors on Hickory Street had to admit they saw little of James Earl Ray during the past 12 years.

Ray enlisted in the Army in 1946 and was out in 1948. He served three months at hard labor for being drunk and resisting arrest.

IN 1949, HE was given a 90-day sentence for being

Ray a "loser, a punk," at his prison colleagues describe him as a "real

"HE HAD money in prison," an ex-convict said. "Guys like that are always targets. But no one ever stole or tried to steal from Ray. There was something about him. Like he'd kill, if you'd try anything."

Ray's brother, John Larry Ray, operates a bar at the corner of Arsenal and Illinois avenues, in South St. Louis. The liquor license is in the name of Mrs. Carol Pepper, Ray's sister, who reportedly "is married very well."

The bar, the Grapevine, catering to neighborhood walk-in trade, is a down-at-the-heel place. A padlock was on the front door the day I waited about 10 hours to see John Ray. He never even opened the bar that day.

John L. Ray is described as a "weirdo" by persons who know him and the Grapevine saloon.

"THERE'S SOMETHING in his head that doesn't connect too well," a friend of his said. "He blows up fast. You have to be careful what you say to him. He'd shoot you as soon as talk to you."

John Ray recently was acquitted on a shooting scrape.

Neither John nor Jerry Ray — like James Earl — is married. But all have reputations for liking women. In fact, the FBI all-points alert for Ray included the information that he would likely be seen in

THE GRAPEVINE receipts might rolled James brother an state cided to one known Ray

Up the river Louis is the town across the River, another the United States

July 13 1967, the Alton was held up men wearing masks. The to \$27,000.

"RAY HAD nothing with it," said Ed the Alton Evening graph, who works Ray angle

Bank employee shown Ray's picture FBI. It was hard identify him or any the employee said, of the fact caused by the nylon.

No one knows Ray held up the was never caught jobs before.

"If Ray and got \$27,000, Ray said said Ray's friend. "That's the guy he was Or he money by hiding who couldn't report it to the gambling game. Things like that."

Prisoners ten lawn at the prison sion in did not believe King. Even per authority doubted dered King The.

LIFE MAGAZINE, MAY 3, 1968

# LIFE

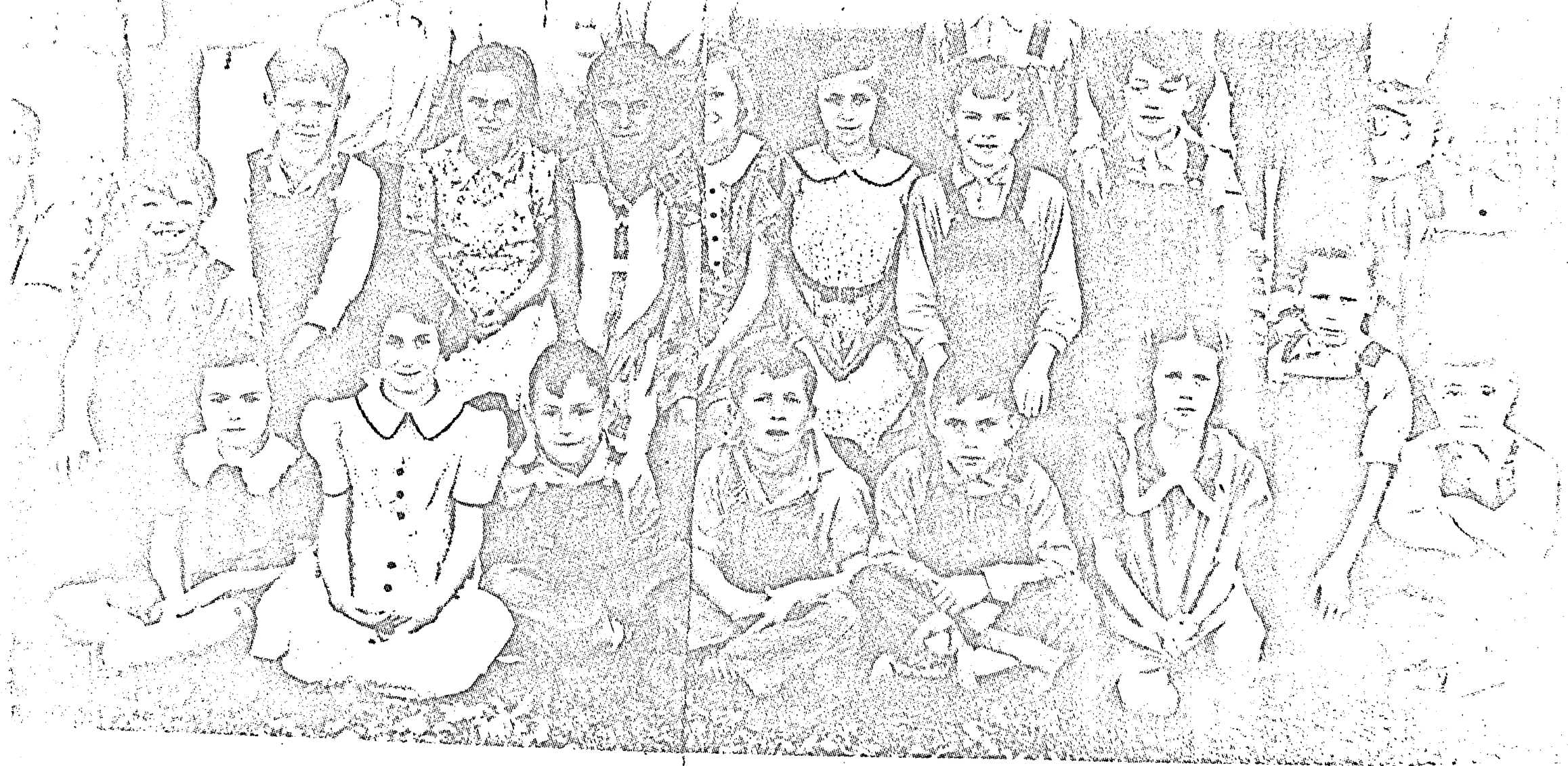
THE ACCUSED KILLER

## RAY alias GALT

The  
Revealing Story  
of a Mean Kid







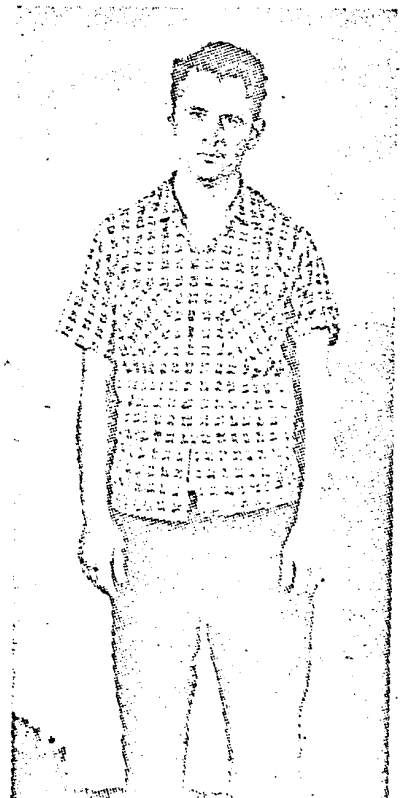
Character Shaped by a Mean Life

1968

Vol. 64, No. 16 May 3, 1968



When the Ewing, Mo. grade school gathered for the picture at left in 1938, third-grader James Earl Ray (in third row at left of girl in polka dot dress) peered half-hidden over a classmate's head. Among the two dozen former schoolmates and teachers who identified Jimmy Ray was Carlisle Washburn (front row, far right), who once broke Ray's leg playing football. Today Washburn (above) is Ewing's postmaster. Ray is shown below after his 1959 arrest in St. Louis for armed robbery.

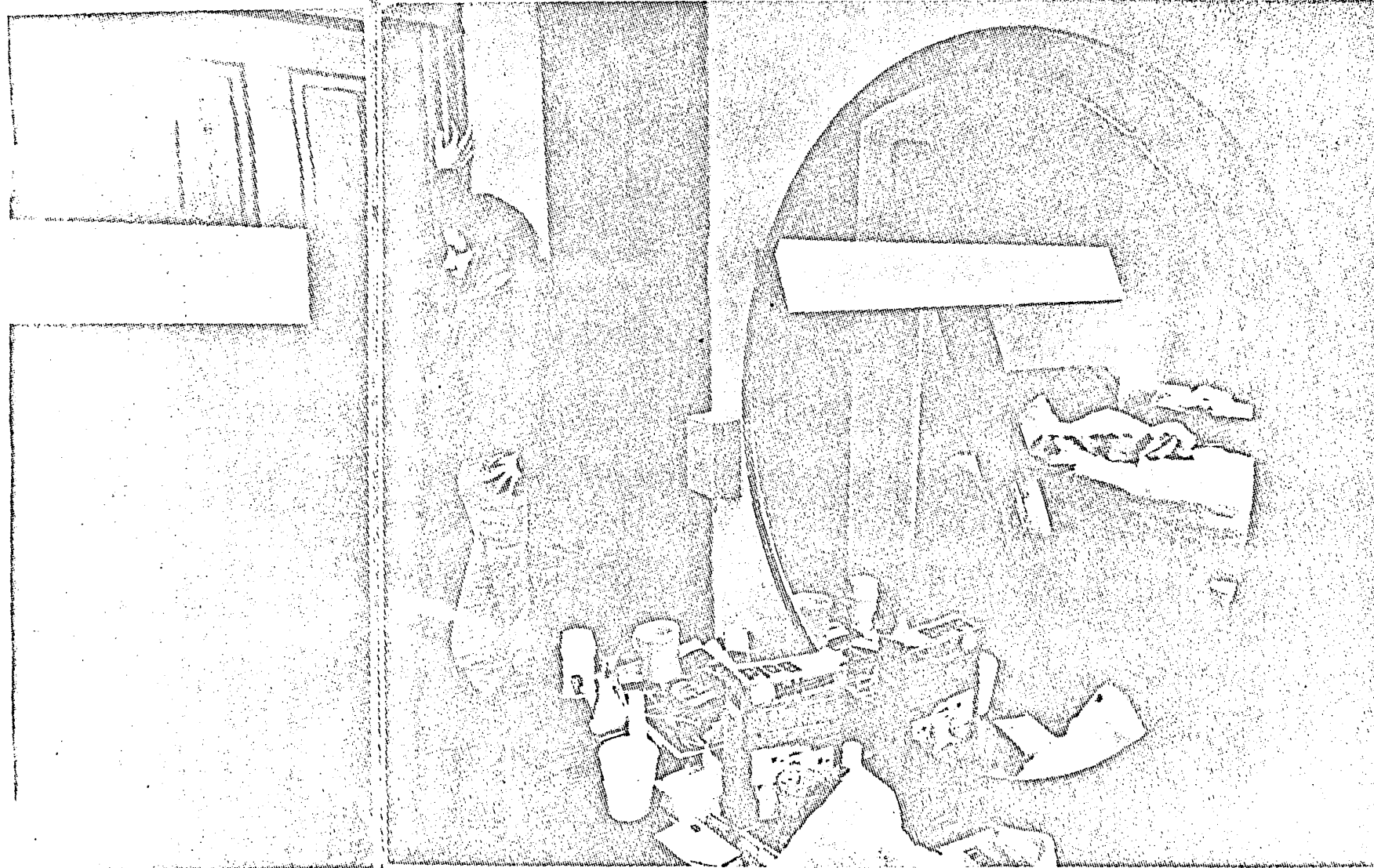


Mean Life



# Growing up

# in a series of ramshackle river towns



CONTINUED

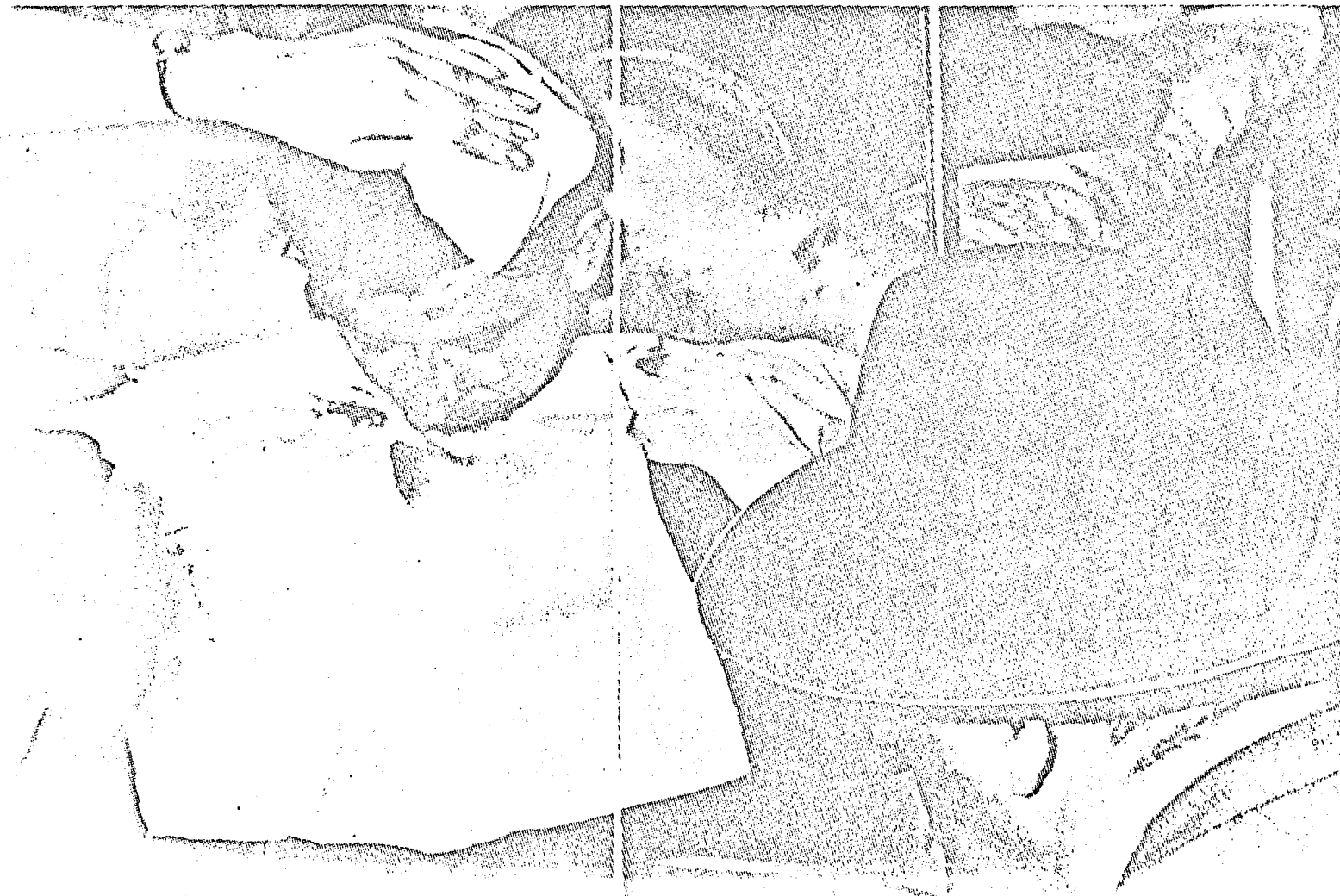
in Alton, Ill., he was the eldest of nine children of George and Lucille Maher Ray, a Catholic family that was to drift from river town to town throughout the Depression. When he was one year old, the family moved upriver to Quincy, Ill.; when he was 6, they moved across the river to Ewing, Mo., and when he was 16 and out of the eighth grade, they moved again to Quincy. The sight of the large, shiftless family coming where work was scarce was hardly a welcome one for communities with already too little to share. The family even began to think of itself with the same carelessness as the towns themselves had: they were identified as the Rayns, the Raynes or the Raines, either because of the way Ray was drawled out or from confusions with past families. The children cared little in any case and often went to school under different names.

Jimmy was the eldest, but he already seemed to be wearing hand-me-downs; in rural poverty, no age is ever old enough; there is always someone before you. Virgil Oscar Graves, who was principal of the Ewing school, recalls Ray: "He was a rebel. He rebelled against authority and his approach to most of his teachers was very bad. He always seemed to have trouble getting his assignments in on time. But he was a sensitive boy. I remember he came up to my desk one day wearing patched overalls and asked whether I thought the other kids would pay attention to his appearance."

The school record was considerably more brusque. James Earl Ray was only in the second grade

the head-on encounter

with cops after another



CONTINUED

remembers a local resident. "I've seen the time when they had a sack of potatoes to eat—that's all, just a sack of potatoes."

As they grew up, the Ray children were either to drift off or to be routinely placed in foster homes, seldom again seeing another member of the family. Even today, Gerald Ray, a brother, insists their father's name was George, while Jimmy Ray's birth certificate shows it was James. An uncle, William E. Maher, of Alton, says of the Rays: "We tried to stay away from them. They always seemed to want something."

Besides Jimmy, there were Marjorie Ray (who died as a child after setting herself on fire with a box of matches), John, Melba, Carol Jean, Gerald, Franklin "Buzzy" Delano (who was killed in 1964 when he and a girl friend ran their car off a bridge into the river at Quincy; the funeral provided one of the few Ray family reunions), Susan Jane and Max. The father died in 1951, most probably of chronic alcoholism; the mother in 1961. Of the other surviving Rays of Quincy, Melba Ray was in a succession of foster homes and today spends most of her time in the lobby of the decaying Virginia Hotel on Oak Street. Occasionally, she goes to her \$30-a-month room upstairs to fondle a giant wooden cross which she has painted red, white and blue and lettered "hugged cross." She once walked it down Maine Street in Quincy. "I made it," she says. "I took my cross. After what happened to Gerald, just a few years ago, I took my cross."

parents. The father, however, never's example.

Susan Jane, 34, who has now been joined with the scattered Ray family of common notoriety, is locked screen door, and their laments of fate and against Jimmy Ray. But it is clear which the family hate most: that Ray who responsible for such a horror that their neighbors learn the truth of their life in Ewing and Quincy. Or perhaps, after years of obsec estrangement, this event in the Rays together again.

Then there is Gerald (who says simply, "Jimmy brother." Over the years, been in trouble as often my. But Jerry, who lives in Quincy, Ill., today has grown accustomed to their separation. the family is probably die brother. "After we were he says, "about the only could see him" who visiting me in jail, or who visit him. One of the who was in jail most of the time wrote me a lot."

Jerry is, with his brother, low professional ("A

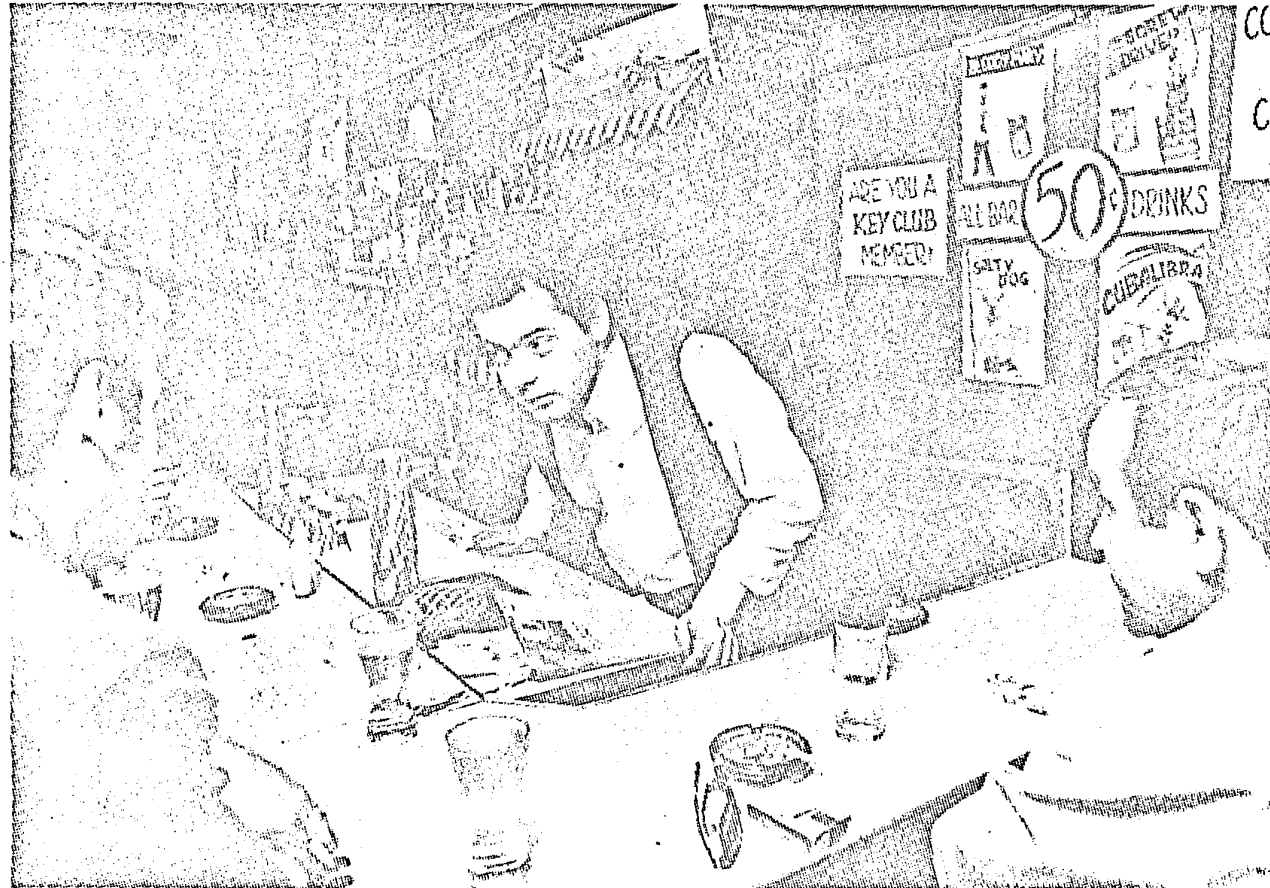
the it was at 50, hence to use kindness, until, in early spring,

then that he began to commit an almost childish series of crimes, angry and desperate. As a hapless

But a Ray thundered, got caught and returned only to lose another day, he did so with persistence.

Can both time finally, with his feet drenched and bleeding, he ran some two miles to a relative's house.

## A spell of high living with a roll of 20s



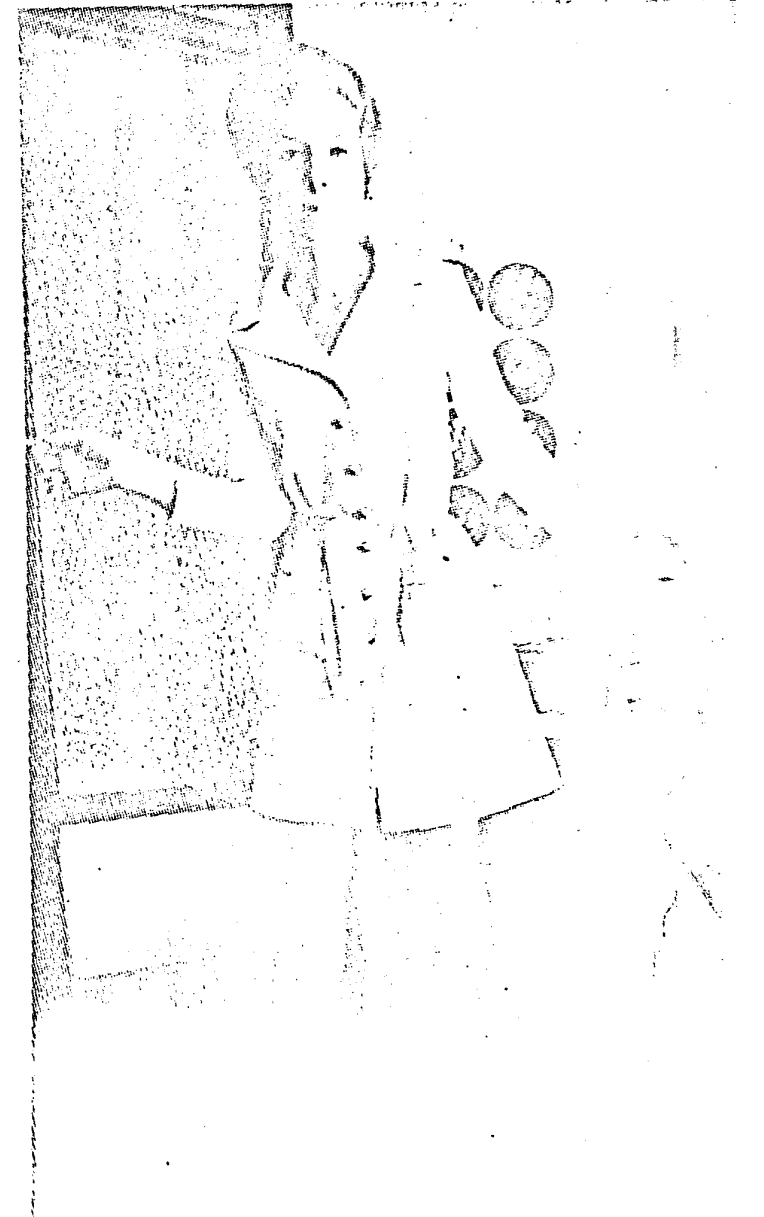
Los Angeles who got to know Ray as Eric Galt last year, after him as a loner, who would cash. Songwriter (above, left) de-

those Irish 20s and never counted his change." Tomas Reyes Lau (upper left), to whom Ray paid \$245 for a four-week bartending course, found him an apt pupil: "Self-confident with good hand coordina-

tion." By contrast Kathy Norton (right), one of his dancing instructors, remembers him as "clumsy" and socially inept. Bo Del Monte (above), bartender at the Rabbit's Foot Club where Ray often spent

his evenings drinking 50-cent screwdrivers, calls him "a meek kind of man"—except for the night he got into an argument with a woman about the race problem and loudly denounced all Negroes.

## and an assumed name



CONTINUED

broke loose and ran to an elevator," where he was caught.

For the next seven years in prison, Ray distinguished himself only by a series of solitary escape attempts which earned him the nickname "The Mole." For this quiet, angry figure the ventures were perhaps a source of amusement, per-

haps a way to do precisely what the skinny schoolboy in Ewing, Mo. had always wanted to have happen--to rebel, be recaptured and revolt again. "Hey, kids, it's THE MOLE!" Once he tried to scale a wall and was knocked unconscious when his makeshift ladder collapsed; another time, in

1966, he hid for two days in a ventilator shaft, then crawled to a rooftop only to have a guard spot his hands coming up over the top. He was trying to escape with \$4.15, razor blades, a broken mirror and a bag of assorted pills. Then, exactly a year ago, he finally did it.

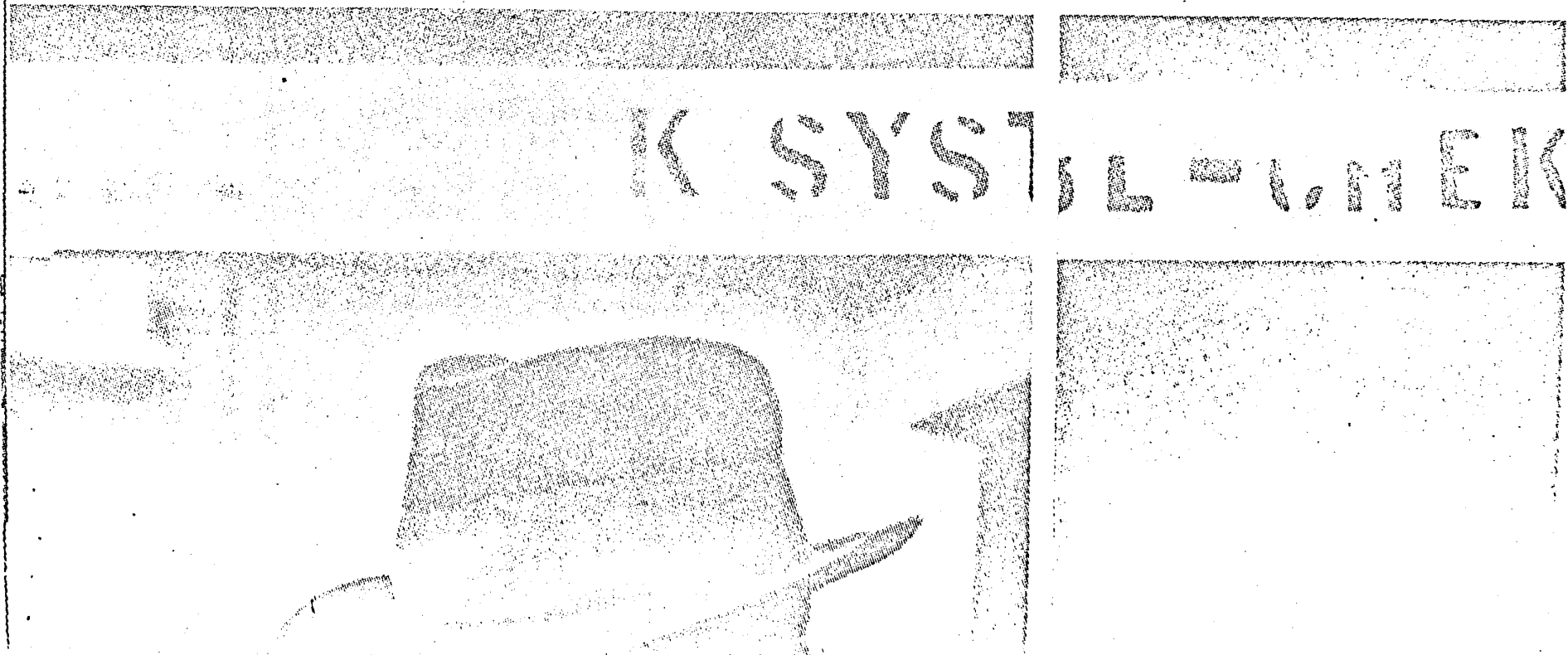
In the curiously lit world that includes a sleek, bleached strip of North Hollywood, Eric Starvo Galt might have seemed 34 or even 28 years old, depending on the shade, the time of day or how close he was sitting to the bar lamp at the Rabbit's Foot Club. Galt, who was 40, looked like a man learning to

## From a grocery store bandit caught by a hidden

*In the act of holding up a St. Louis grocery in 1959, Ray and accomplice Joseph Austin were pho-*

*tographed by a fixed-focus camera normally used to identify check cashers. Austin unknowingly*

*stood in front of the camera (left) before he and Ray lifted the cash register of \$1,200. Then he fol-*



swing; last November, he went on a marijuana-buying junket to Mexico. "Sharon," one of his ballroom dance instructors, had suggested to the girls at the National Dance Studios in Long Beach that her pupil had developed a crush; he trembled, she said, when he stood too close. But Galt fled in

his white Mustang after only an hour on Go-Go Night, and for \$245, paid in advance, enrolled in bartending school instead.

James Earl Ray had never had his picture among the "big dealers" in the warden's album in the Missouri State Penitentiary. In Prison, like any kid from Alton or

Quincy or Ewing or Shelbina, Mo., he had never mixed with the big boys from Kansas City and St. Louis. "He's innocuous," said the warden. "He's penny ante."

That is, James Earl Ray, slight and round-shouldered, who flinched, smiled a crooked, private grin and sometimes even

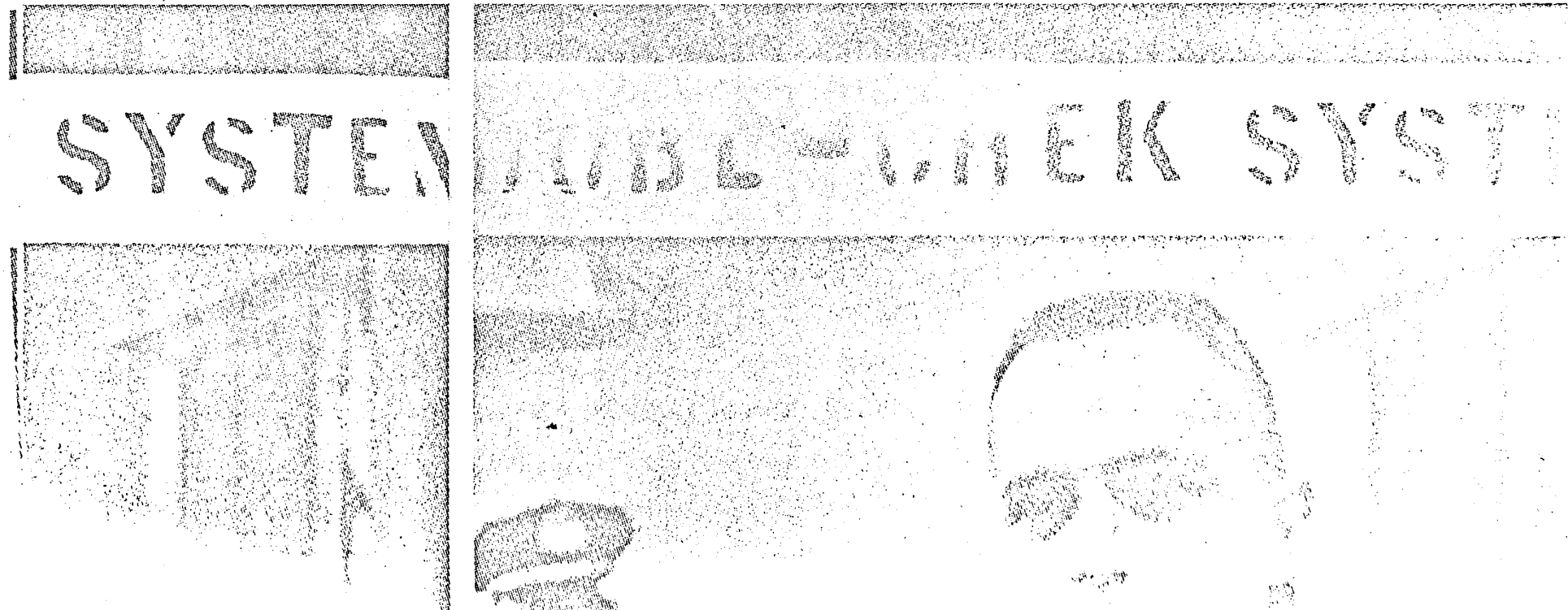
seemed to walk on a slant, was once penny ante. But, says the FBI, on April 4 in Memphis, at the moment Martin Luther King died, all the bills for the Mustang, the shoes, the dancing lessons and a \$150 30.06 Remington ---and maybe the bitter childhood ---came due.

## camera to the most hunted man in the country

lowed Ray out (center) as both stuffed their pockets. At right, a policeman holds their hats, lost in

the escape. Arrested two months later for another robbery, Ray was convicted and sentenced to 20

years in the Missouri penitentiary. He was serving this term when he escaped last year and vanished.



## How To Solve Guns And Law

Morrie Ryskind, Pulitzer Prize winning playwright, will substitute for William F. Buckley Jr. during the latter's vacation.

BY MORRIE RYSKIND

REASON WOULD suggest that the bullet which felled Senator Kennedy emerged from a gun which might have been unobtainable if a proper gun control law had been in effect. John Kennedy's slayer ordered his gun through the mail; the ex-convict who ~~killed Martin Luther King bought his~~ over the counter; the snipers who shot at policemen and firemen in the recent riots presumably got their weapons just as easily.

Noting which, I recently suggested it was high time for a federal law, one with harsh teeth in it, to prevent the indiscriminate sale of firearms.

Conceding my lack of expertise on this controversial subject, I saw no reason why a purchaser with a legitimate use for a gun should object to strict regulation, down to getting a police okay and being fingerprinted.

"Surely the rights guaranteed by the Second Amendment were not intended to provide criminals with an arsenal," I wrote, and added I realized no law could ever stop a determined killer from obtaining a gun, but that such a statute might cut our appalling crime rate.

The first response to that piece came from a reader in Amarillo who agreed courteously but vigorously about my lack of expertise on the matter, and predicted I'd get enough protests against my stand to last me a lifetime.

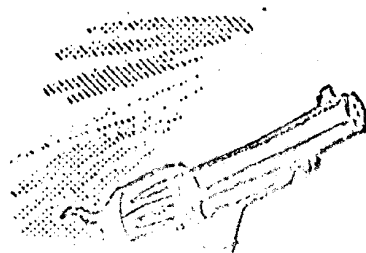
### Almost Unanimous

HOW RIGHT he was! To date, of 168 letters on that column, only two back me; the rest vary all the way from calling me misguided to hinting I'm guilty of subversion.

Some point out that our own Communists have long advocated just such a law; others that Hitler enacted a similar measure. The intent in both instances being to disarm the decent citizens and leave them defenseless against the weaponry of uniformed gunmen serving the police state.

I realize how touchy the subject is when such an implication can be read into my piece. I never even remotely suggested that the honest citizen be deprived of arms with which to defend himself against danger. I asked only, especially in view of recent happenings, that there be a strict supervision over the sale of firearms, lest they fall into bad hands — as obviously was the case in the slaying of Robert Kennedy.

As a matter of fact, I have strong personal motives for wishing those with bona-fide reasons to possess arms the right to do so. For my son, who lives in Washington, has for over a year had a



8/28/68

**AIRTEL**

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

Enclosed for the Bureau is one copy each of the following motions filed by Hanes and Hanes, attorneys for the defendant:

1. Motion to produce firearms, automobiles, records, etc., pertaining to this case which are now in the possession of the attorney for the State.
2. Motion for leave to withdraw plea and to quash indictment for carrying a dangerous weapon.
3. Motion for leave to withdraw plea and to quash indictment for murder

The Court has made no ruling on these motions.

Airtel \_\_\_\_\_

Teletype \_\_\_\_\_

A.M. 3 - Bureau (Encs. 3)

2 - Memphis

A.M.S. JCH:jap

(5)  
Spec. Del. jap

Reg. Mail \_\_\_\_\_

Registered \_\_\_\_\_

44-1987-Sub-C-3E

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

No. 16645  
(Murder)

JAMES EARL RAY, Alias

FILED *[Signature]*  
J. A. BLACKWELL, CLERK  
BY *[Signature]* D C.

MOTION TO PRODUCE

Comes the defendant in the above styled case, by and through his attorney of record, and respectfully moves This Honorable Court to require the attorney for the State to produce to the attorney for defendant, and allow him to inspect and/or duplicate, books, papers, documents or tangible objects obtained from or belonging to the defendant or obtained from others which are in possession of, or under the control of the attorney for the State or any law enforcement officer, including, but not limited to the following, to-wit:

1. Any firearm or other weapon belonging to defendant or allegedly used in committing the crime charged.
2. Any automobile allegedly owned or operated by defendant and any and all objects found therein.
3. Records of or documents pertaining to any hotel, motel, rooming house or other purported place of residence, temporary or permanent, of defendant or others.
4. All photographs purportedly showing defendant or others sought in connection with the crime herein charged.
5. Any and all penal records and files of defendant, including any and all medical, optometric, or psychiatric reports



contained therein or produced while defendant was in custody of any authority.

6. Any and all military records of defendant, including results of medical, optometric, or psychiatric tests and results of proficiency tests.

7. Passports, visas and applications therefor.

8. Records of entry and exit to and from this or any other country.

9. Documents, records or objects pertaining to transportation of or travel by defendant.

10. Evidence and test fingerprints of defendant.

11. Any sets of fingerprints used or displayed in any search for defendant.

12. Any fingerprints of defendant or other persons found on tangible objects named or produced herein.

13. Ballistic and weapons tests and reports thereof.

14. Expended slugs from a firearm, or fragments thereof.

15. Bullets, hulls, shells or casings, expended or unexpended.

16. Maps, papers or other objects purportedly used or handled by defendant.

17. Logs and records of calls made over the radio network of any law enforcement agency of Shelby County, Tennessee, during the period of April 4, 1968 through April 5, 1968.

18. The names and addresses of all witnesses for the State in this cause.

19. Any and all statements, signed or unsigned, attributed to or purportedly made by defendant and any and all statements

made in the presence of defendant to which note of his reaction was made.

20. Autopsy and toxicologists reports concerning any alleged victim of the crime charged herein.

21. The minutes and notes of Grand Jury proceedings in this case.

Respectfully submitted,

Arthur J. Hanes, Jr.  
Attorney for defendant.

I hereby certify that I have personally served a copy of the foregoing motion upon the Attorney General for the state in this case. This the 10 day of August 1968.

Arthur J. Hanes, Jr.

6/8/68

AIRTEL

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

Submitted herewith is a certified copy of the indictment returned by the Grand Jury, January Term of Criminal Court of Shelby County, Tennessee. Certification of Clerk of the Court J. A. BLACKWELL attached thereto. ✓

In addition, there is also submitted a certified copy of the warrant issued by Clerk of the Court based on the afore-said indictment for the arrest of JAMES EARL RAY, with aliases. Certification attached thereto also.

3 - Bureau (Enc.-2)  
1 - Memphis  
RGJ:ME  
(4)

Airtel.....  
Teletype.....  
A. M.....  
A. M. S. R.....  
Incc. Del.....  
Reg. Mail.....  
Registered.....

*RAI*

44-1987-Sub-~~4-4~~ <sup>8-4</sup>

? *llh*  
? *llh*  
? *llh*

F B I

Date: 9/6/68  
PLAINTEXTTransmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via TELETYPE \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI (44-38861)

FROM: MEMPHIS (44-1987) (4p)

MURKIN.

RE MEMPHIS AIRTEL TO BUREAU, AUGUST TWENTY EIGHT, LAST, FORWARDING ONE COPY EACH OF THREE MOTIONS FILED IN SHELBY COUNTY CRIMINAL COURT (SCCC), MEMPHIS, BY HANES AND HANES, ATTORNEYS FOR JAMES EARL RAY; AND ASSISTANT DIRECTOR AL ROSEN'S TELEPHONE CALL TO MEMPHIS THIS DATE.

ACCORDING TO THE SEPTEMBER SIX, INSTANT, ISSUE OF THE COMMERCIAL APPEAL, A MEMPHIS DAILY NEWSPAPER, ATTORNEYS FOR RAY HAD A TEN MINUTE MEETING WITH CHARLES QUITMAN STEPHENS, PROSECUTION WITNESS, AND STEPHENS' ATTORNEYS, MR. JAY FRED FRIEDMAN AND HARVEY GIBSON, IN FRIEDMAN'S LAW OFFICE, MEMPHIS, AFTERNOON OF SEPTEMBER FIVE, LAST. THIS ARTICLE RELATED THAT ARTHUR J. HANES, RAY'S ATTORNEY,

Airtel \_\_\_\_\_ WAS NOT SATISFIED WITH THE MEETING; HOWEVER, NEITHER  
Teletype \_\_\_\_\_ HANES NOR STEPHENS' ATTORNEYS WOULD COMMENT ON WHAT  
A.M. \_\_\_\_\_ WAS SAID. HANES REMARKED THAT STEPHENS' ATTORNEYS HAD  
A.M.S.D. \_\_\_\_\_ ARRANGED THE PRESENCE OF THE PRESS AND TELEVISION AT THE  
Spec. Del. \_\_\_\_\_ RFB:PEH  
Reg. Mail \_\_\_\_\_ (1)

Registered  
Approved: \_\_\_\_\_

Special Agent in Charge

Sent

5:06

M

Per

44-1987-sub 05

F B I

Date:

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via \_\_\_\_\_  
(Priority)

ME 44-1987

PAGE TWO

MEETING AND THAT HANES WAS SURPRISED AT THEIR PRESENCE AS HE DID NOT WANT THEM THERE AS "WE COULDN'T TALK WITH THEM THERE." STEPHENS' ATTORNEYS DENIED THIS ACCUSATION.

ON SEPTEMBER SIX, INSTANT, W. PRESTON BATTLE, SCCC JUDGE, MEMPHIS, DENIED DEFENDANT'S MOTIONS TO WITHDRAW PLEA AND TO QUASH INDICTMENTS FOR CARRYING DANGEROUS WEAPON AND FOR MURDER.

JUDGE BATTLE DID GRANT PORTIONS OF THE DEFENDANT'S "MOTION TO PRODUCE," A COPY OF WHICH WAS ENCLOSED WITH <sup>reauth</sup>~~REFEL~~. BATTLE INSTRUCTED THE SCCC CLERK TO ISSUE AN ORDER TO THAT EFFECT. THIS ORDER HAS NOT BEEN TYPED AS YET; HOWEVER, A COPY OF THE ORDER WILL BE OBTAINED AND FORWARDED TO BUREAU AT EARLIEST POSSIBLE DATE.

ROBERT K. DWYER, EXECUTIVE ASSISTANT, AG'S OFFICE, SHELBY COUNTY, MEMPHIS, WHO WAS PRESENT IN JUDGE BATTLE'S COURT FOR THE HEARING THIS DATE ADVISED THAT TO THE BEST OF HIS RECOLLECTION JUDGE BATTLE INSTRUCTED THAT DA'S OFFICE MAKE AVAILABLE TO THE DEFENSE ON SEPTEMBER

Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
Special Agent in Charge

F B I

Date:

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via \_\_\_\_\_  
(Priority)**ME 44-1987****PAGE THREE**

**EIGHTEEN, NEXT, THE WEAPON, AUTOMOBILE, ANY RECORDS OR DOCUMENTS RE RESIDENCY OF RAY BETWEEN PERIOD APRIL TWENTY THREE, LAST, AND JUNE EIGHT, LAST; RECORDS WHERE DR. MARTIN LUTHER KING, JR., RESIDED BETWEEN MARCH TWENTY FIVE, LAST, AND APRIL THREE, LAST; PHOTOS OF RAY; PENAL RECORDS FOR RAY INCLUDING MEDICAL AND PSYCHIATRIC REPORTS; MILITARY RECORDS; PASSPORT AND VISA APPLICATIONS AND RECORDS OF ENTRY AND EXIT TO AND FROM THIS OR ANY OTHER COUNTRY; AND OBJECTS HANDLED BY DEFENDANT SUCH AS MAPS, PAPERS, AND SO FORTH. DWYER STATED THAT THE JUDGE ORDERED THAT THE EVIDENCE EXAMINED BY THE FBI BE MADE AVAILABLE TO THE DEFENDANT; HOWEVER, THE DEFENDANT WAS NOT ENTITLED TO REPORTS CONCERNING THE OPINION OR CONCLUSIONS REACHED AS RESULT OF FBI EXAMINATION OF THE EVIDENCE.**

**DWYER STATED THAT THE ABOVE ITEMS WERE NOT THE ONLY ITEMS MENTIONED IN THE JUDGE'S INSTRUCTIONS TO THE SCCC CLERK; HOWEVER THESE ARE THE ONLY ITEMS HE COULD RECALL AT THE PRESENT TIME.**

Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
Special Agent in Charge

F B I

Date:

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via \_\_\_\_\_  
(Priority)

ME 44-1987

PAGE FOUR

DURING THIS HEARING, ACCORDING TO DWYER, HANES CONTINUED TO CRITICIZE WHAT HANES REFERRED TO AS THE INHUMANE TREATMENT OF RAY BY THE SHELBY COUNTY SO, MAINLY THE FACT THAT THE SHERIFF HAS LIGHTS AND TELEVISION CAMERAS ON RAY TWENTY FOUR HOURS A DAY, THAT RAY IS SEGREGATED FROM OTHER PRISONERS, AND AT LEAST TWO GUARDS ARE CONSTANTLY WITH RAY AT ALL TIMES. HANES ALSO ACCUSED THE SHELBY COUNTY AG'S OFFICE OF INSTRUCTING PROSECUTION WITNESSES NOT TO CONFER WITH OR DISCUSS DETAILS OF THEIR TESTIMONY WITH DEFENDANT'S ATTORNEYS.

A COPY OF THE ORDER ISSUED BY JUDGE BATTLE THIS DATE WILL BE FORWARDED TO BUREAU IMMEDIATELY UPON ITS AVAILABILITY. ~~AND WILL BE FORWARDED TO BUREAU IMMEDIATELY UPON ITS AVAILABILITY.~~ P. END.

Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
Special Agent in Charge

9/9/68

AIRTEL

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

OO MEMPHIS

Re Memphis teletype to the Bureau 9/6/68 concerning disposition of three motions made by the attorneys for JAMES EARL RAY before the Honorable W. PRESTON BATTLE, Shelby County Criminal Court Judge, Memphis, Tenn.

On 9/9/68 Mr. JAMES BEASLEY, Assistant State Attorney General, Memphis, Tenn., advised that the verbal instructions given to the State Attorney General's Office by the Honorable W. PRESTON BATTLE, Shelby County Criminal Court Judge, Memphis, on 9/6/68 have not been reduced to writing and will not be reduced to writing until sometime prior to 9/18/68, which is the date the Attorney General's Office is required to comply with these instructions.

Mr. BEASLEY stated that his office is reviewing the results of the investigation in their possession concerning the killing of Dr. MARTIN LUTHER KING, JR., in order to determine what evidence and documents are in possession of the Attorney General's Office. Upon completion of this review, the Honorable Judge W. PRESTON BATTLE will be furnished this information and at that time the Judge will finalize his order concerning exactly what items will be made available to the defense attorneys.

Airtel \_\_\_\_\_  
Teletype 3 - Bureau  
2 - Memphis  
RFB/ngm  
(5)  
A.M. \_\_\_\_\_  
A.M.S.D. ngm  
Spec. Del. \_\_\_\_\_  
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44-1987 Sub D-6  
B  
JAS  
JAS  
Hester



**ME 44-1987**

**Mr. BEASLEY stated that he will immediately make available to the Memphis FBI Office a copy of any order that Judge BATTLE signs that involves the final instructions in connection with a verbal order given on 9/6/68.**

**Memphis Division will follow this matter on a daily basis.**

9/11/68

AIRTEL

TO: DIRECTOR, FBI (44-38861)  
FROM: SAC, MEMPHIS (44-1987) -P-  
RE: MURKIN  
CR  
OO: ME

On 9/11/68, Mr. JAMES BEASLEY, Assistant State Attorney General, Memphis, Tennessee, advised that he is currently taking inventory of all evidence in possession of his office concerning the scheduled trial of JAMES EARL RAY in connection with the murder of Rev. MARTIN LUTHER KING, JR., scheduled for Shelby County Criminal Court, Memphis on 11/12/68.

Mr. BEASLEY stated that all evidence in possession of his office will be maintained in a locked safe that will be retained in his office. He stated that insofar as following instructions of a finalized order to be issued by the Honorable W. PRESTON BATTLE, Shelby County Criminal Court Judge, in relation to making evidence available to the attorneys for RAY, a system will be devised by his office to always maintain strict control of the evidence. He stated that any evidence with the exception of Ray's 1966 Mustang that the defense attorneys desired to review will have to be reviewed in the Attorney General's Office under strict security precautions, and any reproductions of same will be made under the same security precautions in the Attorney General's office.

Teletype

A.M. 3 - Bureau  
2 - Memphis (Sub O)

A.M. S.D. RFB/vtp  
Spec. Del (5)

Reg. Mail

Registered