

F B I

Date: 10/16/68

Transmit the following in PLAIN TEXT
(Type in plaintext or code)Via TELETYPE URGENT
(Priority)

TO DIRECTOR (44-38861)

FROM MEMPHIS (44-1987) 3P

MURKIN.

"THE COMMERCIAL APPEAL," MEMPHIS MORNING NEWSPAPER, HAD ARTICLE ON PAGE ONE, OCT. SIXTEEN, SIXTY EIGHT, CAPTIONED AS FOLLOWS: "LECTURE BY FBI AGENT ANGERS RAY'S ATTORNEY." THIS ARTICLE WRITTEN BY CHARLES EDMUNDSON, WHO WAS ONE OF REPORTERS CITED FOR CONTEMPT BY JUDGE W. PRESTON BATTLE IN SEPT., SIXTY EIGHT.

ARTICLE PREPARED BY EDMUNDSON QUOTES HANES AS COMPLAINING COURT ORDER "PROTECTS THE PROSECUTION AND ONLY MUZZLES THE DEFENSE." ARTICLE FURTHER STATES THAT HANES HAS DECLARED PROSECUTION WITNESSES HAVE BEEN MAKING PUBLIC STATEMENTS CONVICTING HIS CLIENT AND HE HAS HAD NO CHANCE TO COUNTER THEM. HANES REPORTEDLY CITED A LECTURE BY GEORGE BONEBRAKE, AN FBI FINGERPRINT SPECIALIST, IN WICHITA, KANSAS, SEPT. ELEVEN, AND QUOTED ON PAGE ONE OF THE WICHITA BEACON. THE BEACON IDENTIFIES BONEBRAKE AS A MAN WHO "LED THE SEARCH THROUGH THOUSANDS OF FINGERPRINTS ON FILE WITH THE FBI HEADQUARTERS IN WASHINGTON SEEKING IDENTIFICATION OF THE KILLER."

Airtel.....

Teletype.....

A. M. BONEBRAKE QUOTED AS SAYING IN WICHITA, "I WAS ABLE TO
44-1987-Sub-D-53A. M. S. D.
RGJ:ME

Spec. Del. (1)

Reg. Mail.....

Registered.....

Approved: RGJ

Special Agent in Charge

Sent

9:52a M

Per

cab

F B I

Date:

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(Type in plaintext or code)Via _____
(Priority)

PAGE TWO

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."

BONEBRAKE REPORTEDLY WAS ADDRESSING A WITCHITA AREA POLICE SEMINAR ON FINGERPRINT IDENTIFICATION. ARTICLE CONTINUES BY STATING THAT FRANK GAROFOLLO, ASST. CITY EDITOR OF THE WITCHITA BEACON, SAID YESTERDAY, "NEWSMEN WERE PERMITTED TO ATTEND THE LECTURE AND NOTHING WAS PUT OFF THE RECORD AT THE POLICE SEMINAR. A MAJOR IN THE WITCHITA POLICE DEPARTMENT OBJECTED THE NEXT DAY, MR. GAROFOLLO SAID, THAT THE SPEECH HAD BEEN QUOTED TOO MUCH IN DETAIL.

JUDGE W. PRESTON BATTLE HAS ACKNOWLEDGED, ACCORDING TO THE ARTICLE, THAT HIS POWER TO LIMIT PUBLICITY APPLIED ONLY IN THE BOUNDARIES OF HIS JUDICIAL DISTRICT, SHELBY COUNTY, TENN.

HANES HAS SAID THAT THE ORDER HAS A DIFFERING EFFECT AND IS QUOTED AS FOLLOWS: "WHILE THE ACCUSED AND HIS ATTORNEYS HAVE BEEN ORDERED NOT TO GIVE INTERVIEWS, KEY WITNESSES FOR THE PROSECUTION, SUCH AS MR. BONEBRAKE, HAVE BEEN FREE TO MAKE STATEMENTS."

ATTORNEY GEN. RAMSEY CLARK STATED ON TELEVISION THAT RAY COMMITTED THIS CRIME WITH NO CONSPIRACY INVOLVED. WHEN I SAY THE CONTRARY

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

F B I

Date:

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(Type in plaintext or code)Via _____
(Priority)

PAGE THREE

I AM HELD IN CONTEMPT."

THIS MORNING, DON OWENS (FORMER FBI AGENT), WHO WAS MEMBER OF PANEL OF ATTORNEYS WHO ASSISTED JUDGE BATTLE IN CONNECTION WITH CONTEMPT HEARINGS, CONTACTED SAC.

OWENS STATED THAT PANEL OF ATTORNEYS WOULD MEET THIS MORNING AND DISCUSSION WOULD BE HELD REGARDING STATEMENTS ATTRIBUTED TO BONEBRAKE WHICH APPEARED IN NEWSPAPER. OWENS SAID THAT AMONG THE QUESTIONS THAT WOULD BE ASKED OF HIM WOULD BE:

(1) DID BONEBRAKE MAKE THE STATEMENTS AS ATTRIBUTED TO HIM IN THE PRESS?

(2) WHO IS BONEBRAKE?

(3) WHERE WERE THESE STATEMENTS MADE, IF MADE AT ALL?

(4) WHEN WERE THEY MADE AND WHY WERE THEY MADE?

OWENS HAS ADVISED THAT HE WOULD APPRECIATE A PROMPT ANSWER, IF POSSIBLE, TO HIS QUESTIONS SO THAT HE WILL BE IN A BETTER POSITION TO CLARIFY SITUATION AS REPORTED IN THE NEWSPAPERS.

END

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

UNITED STATES GOVERNMENT

Memorandum

TO : File (44-1987)

DATE: 10/18/68

FROM : ASAC C. O. HALTER

SUBJECT: MURKIN

ReButel to Memphis, 10/17/68, furnishing information to be made available to Attorney DON OWENS based upon position of Fingerprint Examiner BONEBRAKE.

I gave this information to Mr. OWENS, 10/18/68. Mr. OWENS was very glad to have the information and also stated he would like to have a copy of the newspaper article so that he could make a comparison of the information which appeared in the newspaper article in Wichita with the article which appeared in the Memphis Commercial Appeal. He stated that he would not need this article until Monday, October 21, 1968.

Through telephonic contact with the Kansas City Office, I was informed that copies of the Wichita article were being forwarded to the Memphis Office, 10/18/68.

I telephonically communicated with Mr. NORMAN McDANIEL of the Identification Division of the Bureau, 10/18/68, at which time he was informed of the above. He stated he did not see any objection to our making a copy of the Wichita newspaper article available to Mr. OWENS.

COH:ME
(1)

me

Q

44-1987-Sub-O-53

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 21 1968	
FBI - MEMPHIS	

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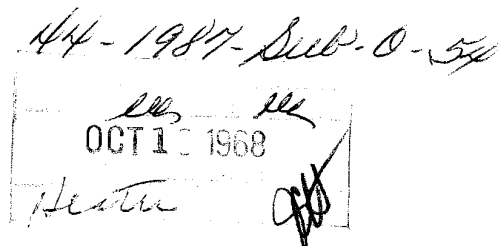
5010-108

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

George Bonebrake is a Fingerprint Expert who presented detailed testimony in open court in London, England, in connection with the extradition of Ray. The testimony received widespread publicity in news media throughout the world.

During a police school conducted by Bonebrake at Wichita, Kansas, September 9 - 13, 1968, in a closed session, members of the class attempted to query Bonebrake as to details of fingerprint testimony. Bonebrake gave no facts other than what had already been quoted by the press concerning his London testimony and this in only very brief fashion. No members of the press were present. On one occasion during the school, members of the press were briefly invited to take photographs and to collect data for a story concerning the school. A member of the class remarked to a reporter that Bonebrake was fingerprint expert in the Ray case. The reporter then said he recalled Bonebrake's name. No further discussion occurred at this session or any other sessions of the class.

Bonebrake states unequivocally that any quotations in the press otherwise are outright fabrications and falsehoods. When Bonebrake testified in London, such testimony became public source material and any further elaboration from any other source is pure fabrication.



FBI MEMPHIS

FBI WASH DC

922AM URGENT 10-17-68 BJP

TO MEMPHIS 44-1987

FROM DIRECTOR 44-38861 2P

MURKIN

REURTEL OCTOBER SIXTEEN CONCERNING ARTICLE APPEARING IN
"THE COMMERCIAL APPEAL." INFORM DON OWENS GEORGE BONEBRAKE
IS FINGERPRINT EXPERT WHO PRESENTED DETAILED TESTIMONY IN OPEN
COURT IN LONDON, ENGLAND, IN CONNECTION WITH EXTRADITION OF
RAY. TESTIMONY RECEIVED WIDESPREAD PUBLICITY IN NEWS MEDIA
THROUGHOUT WORLD. DURING POLICE SCHOOL CONDUCTED BY BONE-
BRAKE AT WICHITA, KANSAS, SEPTEMBER NINE THROUGH THIRTEEN
LAST IN A CLOSED SESSION MEMBERS OF CLASS ATTEMPTED TO QUERY
BONEBRAKE AS TO DETAILS OF FINGERPRINT TESTIMONY. BONEBRAKE
GAVE NO FACTS OTHER THAN WHAT HAD ALREADY BEEN QUOTED BY
PRESS CONCERNING HIS LONDON TESTIMONY ALD THIS IN ONLY VERY
BRIEF FASHION. NO MEMBERS OF PRESS WERE PRESENT. ON ONE
OCCASION DURING SCHOOL, MEMBERS OF PRESS WERE BRIEFLY IN-
VITED TO TAKE PHOTOGRAPHS AND TO COLLECT DATA FOR STORY
END AGE ONE

given Owens
10/18/68
COZ

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44-1987-Sub-D-55

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SERIALIZED	<i>ll</i>
FILED	<i>ll</i>
OCT 18 1968	
FBI - MEMPHIS	

Hester

PAGE TWO

CONCERNING POLICE SCHOOL. MEMBER OF CLASS REMARKED TO A REPORTER THAT BONEBRAKE WAS FINGERPRINT EXPERT IN RAY CASE. REPORTER THEN SAID HE RECALLED BONEBRAKE'S NAME. NO FURTHER DISCUSSION OCCURRED AT THIS SESSION OR ANY OTHER SESSIONS OF CLASS. BONEBRAKE STATES UNEQUIVOCALLY THAT ANY QUOTATIONS IN PRESS OTHERWISE ARE OUTRIGHT FABRICATIONS AND FALSEHOODS. WHEN BONEBRAKE TESTIFIED IN LONDON SUCH TESTIMONY BECAME PUBLIC SOURCE MATERIAL AND ANY FURTHER ELABORATION FROM ANY OTHER SOURCE IS PURE FABRICATION.

END

MEN

FBI MEMPHIS

@

(Mount Clipping in Space Below)

Identifying King Assassin Suspect Explained

By BERNIE WARD
Beacon Staff Writer

One man sitting in a Memphis, Tenn., jail cell knows only too well what kind of an expert George Bonebrake is.

James Earl Ray, awaiting trial as the accused assassin of Dr. Martin Luther King last spring, is in that cell largely through the efforts of Bonebrake.

Bonebrake, one of the FBI's most respected fingerprint experts, is in Wichita conducting a seminar on fingerprint identification for area law enforcement agencies.

FOLLOWING the assassination of Dr. King, Bonebrake led the search through thousands of fingerprints on file at the Washington, D.C., FBI headquarters for the identification of the killer.

After Ray was arrested earlier this summer in London, England, Bonebrake was the government's star witness in the extradition proceedings that followed. And it was his expert testimony that identified the man being held by Scotland Yard as the fugitive — James Earl Ray.

DURING THE PAUSE in the seminar

here Wednesday, Bonebrake, a quiet, unassuming man, discussed the Ray case and others he has been involved in during his 27 years with the FBI.

"My testimony in the extradition hearing was two-fold," Bonebrake said, "since Ray was refusing to admit his true identity.

"I was able to testify that the latent prints 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.

"Therefore," Bonebrake continued, "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 PICKED up a large chart showing side-by-side blow-ups of two fingerprints. "This one," he pointed to a blurred photo of a fingerprint, "is a latent print, or one which was found at a crime scene. The other is an ink print, one taken from a suspect when he was arrested.

1 Wichita Beacon

Wichita, Kansas

Date: 9/12/68
Edition: Daily
Author: Bernie Ward
Editor:
Title:

Character:

or

Classification:

Submitting Office: Kansas City

☐ Being Investigated



"When I am called to testify in court, I point out to the jury how the two are identical.

"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."

BONEBRAKE SAID 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," he said. "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 Gault, bought the rifle under another name and registered at the flophouse in Memphis using the name John Willard."

Once the latent prints were obtained, he said, an exhaustive comparison search was launched of thousands of prints of known offenders and known fugitives.

"This way," Bonebrake added, "We were able to come up with Ray's name and eventually to identify him in London."

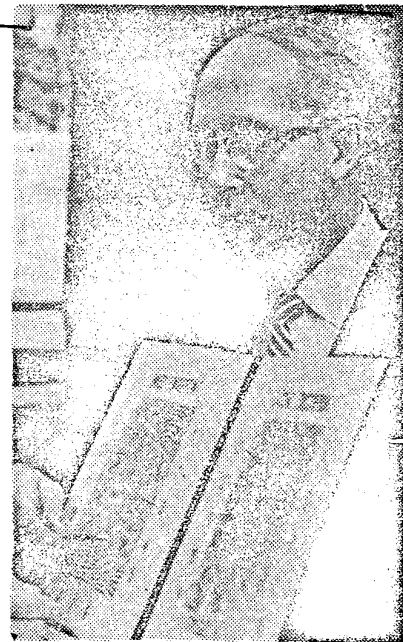
BONEBRAKE SAID he anticipated going to Memphis to testify on the fingerprint identification during Ray's upcoming trial.

"There's no doubt in my mind that he (Ray) at least handled the murder weapon," Bonebrake commented.

During the week-long seminar here, Bonebrake is instructing lawmen from several South Central Kansas police and sheriff's departments on the proper identification of latent prints.

The class is designed to teach officers to go to a crime scene and develop the crime scene or latent prints using various processes.

Wednesday, the law officers compared latent prints found at a prepared crime scene with those of known offenders and established identifications. Today, they were instructed on the means of preparing that evidence for trial. Friday they will present the evidence during a mock trial.



George Bonebrake

(Mount Clipping in Space Below)

Beacon Story Ignites Ray Trial Controversy

By BERNIE WARD
Beacon Staff Writer

A front-page story in the Wichita Beacon on Sept. 12 has become the center of a controversy in Memphis, Tenn., over public statements made by the defense and prosecution in the case of James Earl Ray, accused assassin of Dr. Martin Luther King.

The Beacon story quoted FBI fingerprint expert George Bonebrake, the agent who identified Ray at an extradition hearing in London last summer, as saying: "There is no doubt in my mind that he (Ray) at least handled the murder weapon."

IN A STORY TODAY in the Memphis, Tenn., Commercial Appeal, Ray's attorney, Arthur J. Hanes, charged that a court order restricting pre-trial publicity in the case, "protects the prosecution and only muzzles the defense."

Hanes cited specifically The Beacon interview story here with Bonebrake as an example of prosecution witnesses who have made public statements "convicting my client and we have had no chance to counter them."

On Sept. 30, Hanes, private detective Renfro Hays, hired by the defense, and two Memphis reporters, Roy Hamilton of the Memphis Press — Scimitar and Charles Edmundson of the Commercial Appeal were cited for contempt of court for trial-related statements made outside of court.

W. Preston Battle, criminal court judge in Tennessee's Shelby County, issued the contempt citations.

The contempt findings came after complaints Hanes and Hays had voiced about the unusually strict guard placed on Ray. The two newsmen reported the complaints in their Memphis papers.

Hanes had complained the strict security surrounding his client had



Arthur Hanes



Judge Battle

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

1 Wichita Beacon

Wichita, Kansas

Date: 10/16/68
Edition: Daily
Author: Bernie Ward
Editor:
Title:

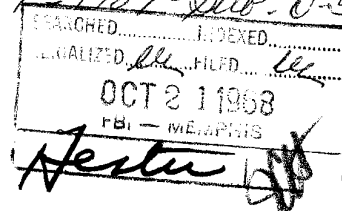
Character:

or

Classification:

Submitting Office: Kansas City

☐ Being Investigated



threatened Ray's sanity and called the security measures "cruel and unusual punishment."

LAST WEEK, Time Magazine in reporting the conflict between Judge Battle and the four defendants in the contempt action, reported Hanes also had talked to the press about the possibility of Communist conspiracy in the King murder.

The Time report said that Judge Battle had found no violation of Ray's rights and had described the security precautions as "reasonable."

The judge further stated that out-of-court suggestions that Ray's sanity may be in danger were "extremely prejudicial and constitute a clear and present danger" to picking an impartial jury and holding a fair trial.

In issuing the contempt citation, Battle found statements by Hanes and Hays and the subsequent news stories by the two reporters were violation of his order prohibiting any prejudicial out-of-court discussions of the case.

IN TODAY'S STORY in the Memphis Commercial Appeal, Hanes referred extensively to the interview here with Bonebrake. The FBI expert was here to conduct a seminar on fingerprint identification for local law enforcement agencies.

At that time, Bonebrake told a Beacon reporter he had testified at the Ray extradition hearing 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."

"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 ALSO STATED that FBI agents had 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 all found abandoned near the Memphis crime scene.

In the Commercial Appeal Story, Hanes referred to Bonebrake's statements as an example of how Judge Battle's order limiting pre-trial publicity has different effects on the defense and prosecution.

He added that any effort at successfully limiting the press would have to be at a nation-wide level.

A REPORTER FOR the Commercial Appeal told The Beacon an attempt had been made to contact Bonebrake but the Washington, D.C., FBI office said the fingerprint expert was out of town and could not be reached.

The reporter also said Hanes told him he received a copy of The Beacon story in the mail from an unidentified sender, apparently from Wichita.

Hanes, a Birmingham, Ala., attorney, is in Memphis continuing his investigation of items of evidence the state is expected to introduce when Ray goes to trial Nov. 12.

The Beacon today attempted to contact Hanes at his Memphis motel for comment on his charges against the court but the attorney could not be reached.

F B I

Date: 10/18/68

Transmit the following in _____
(Type in plaintext or code)Via AIR TEL AIR MAIL _____
(Priority)

TO: SAC, MEMPHIS (44-1987)
FROM: SAC, KANSAS CITY (44-760) P
MURKIN

Re telephone call from Memphis 10/16/68
re article appearing in Wichita Beacon Wichita, Ks.

Enclosed is one xerox copy of each
of the following articles:

News article appearing in Wichita Beacon,
Wichita, Ks., 9/12/68, by Bernie Ward.

News article appearing in Wichita
Beacon, Wichita, Ks., 10/16/68, by
Bernie Ward.

2 - Memphis (AM)
Enc. 2 *llh*
2 - Kansas City
hmg
(4)

*Copy
of news article
of same to Dan
10/21/68
m*

44-1987-Sub-C-58

SEARCHED	llh
SERIALIZED	llh
OCT 21 1968	
FBI - MEMPHIS	

Hester

Approved: *K. E. [Signature]* Sent _____ M Per _____
Special Agent in Charge

F B I

Date: 10/23/68

Transmit the following in PLAIN TEXT
(Type in plaintext or code)Via TELETYPE URGENT
(Priority)

TO DIRECTOR (44-38861)

FROM MEMPHIS (44-1987) 3P

MURKIN

RE MEMPHIS TELEPHONE CALL THIS DATE.

U. S. ATTORNEY THOMAS L. ROBINSON, WDT, MEMPHIS, TELEPHONICALLY CONTACTED THIS OFFICE AND ADVISED AS FOLLOWS:

ROBINSON SAID A MR. BROWN FROM THE DEPT. OF JUSTICE HAD TELEPHONICALLY CONTACTED HIM. BROWN REPORTED¹⁴ SAID HE HAD RECEIVED INFORMATION FROM A NEWSPAPER ~~ACQUAINTANCE~~ ^{SOURCE} IN WASHINGTON, D.C. THAT JUDGE BATTLE HAD CITED OR PLANNED TO CITE AN FBI ~~AGENT~~ ^{EMPLOYEE} WHO COMMENTED REGARDING THIS CASE SOMEWHERE IN OKLAHOMA. BROWN ALSO ADVISED ROBINSON THAT HIS INFORMATION INDICATED THAT SOMETHING MIGHT BE SENT TO THE ATTORNEY GENERAL REGARDING THIS MATTER.

USA ROBINSON WAS REFERRED DIRECTLY TO DON OWENS, FORMER FBI AGENT AND ONE OF THE SEVEN ATTORNEYS WHO ARE ACTING ON BEHALF OF JUDGE BATTLE IN PREPARING VARIOUS PETITIONS AND ORDERS RESTRICTING PUBLICITY, ETC. IN INSTANT CASE. COPIES OF PREVIOUS ORDERS IN THIS CASE HAVE BEEN FURNISHED TO THE BUREAU.

COPY OF SUPPLEMENTAL ORDER WHICH WAS PREPARED IN THIS CASE HAS BEEN SECURED FROM DON OWENS AND HAS BEEN SUBMITTED BY AIRTEL

RGJ:ME

(1) *ME*Approved: *R. Jensen*

Special Agent in Charge

Sent *Bur*

6:07 PM

Per *Hester*

F B I

Date:

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

PAGE TWO

TO THE BUREAU THIS DATE. SUPPLEMENTAL ORDER POINTS OUT TO COURT THAT IT DOES NOT HAVE JURISDICTION IN WASHINGTON, D.C., WHICH IS GIVEN AS ALLEGED RESIDENCE OF GEORGE BONEBRAKE. PETITION AS OF CLOSE OF BUSINESS THIS DATE HAS NOT BEEN FILED. DON OWENS HAS ADVISED THAT COPY OF PETITION WILL BE MADE AVAILABLE TO FBI, MEMPHIS. THIS PETITION WILL BE FORWARDED AMSD ON MORNING OF OCT. TWENTY FOUR, NINETEEN SIXTY EIGHT. THE SUPPLEMENTAL REPORT INDICATES THAT IN THE EVENT PETITION IS SERVED, IT IS PROPOSED ~~IT~~ ~~THIS~~ BE MAILED TO AG CLARK INASMUCH AS BONEBRAKE IS EMPLOYED BY DEPT. OF JUSTICE.

OWENS ALSO SAID SHORTLY BEFORE FIVE O'CLOCK THIS DATE THAT IN ALL PROBABILITY EVEN THOUGH PETITION WILL BE PREPARED, IT MAY NEVER BE FILED. OWENS ALSO SAID THAT IN ANY EVENT, IT IS FELT NO ACTION WOULD BE TAKEN BY JUDGE UNTIL AFTER TRIAL.

OWENS IS COGNIZANT OF FACT THAT BONEBRAKE DID TESTIFY PUBLICLY IN LONDON AND THAT HIS TESTIMONY THERE IS MATTER OF RECORD. OWENS HAS ALSO STATED THAT IT DID NOT APPEAR TO HIM THAT ANY PROBLEM WOULD BE PRESENTED IN THAT STATEMENTS ATTRIBUTED TO BONEBRAKE APPEAR TO BE THOSE TO WHICH HE TESTIFIED PUBLICLY IN LONDON.

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

F B I

Date:

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

Via _____
(Priority)

PAGE THREE

BUREAU WILL BE KEPT ADVISED OF FURTHER DEVELOPMENTS. P.

END

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

10/23/68

AIRTEL

TO : DIRECTOR, FBI (ATTN: INSPECTOR NORMAN J. McDANIEL,
(44-38861) IDENTIFICATION DIVISION)
FROM : SAC, MEMPHIS (44-1987) (P)
SUBJECT: MURKIN

Submitted herewith for the Bureau's information are two copies of a report submitted by the committee of seven attorneys in instant case. It is noted this report deals with an article which appeared in the "Commercial Appeal" on 10/16/68 under the caption, "Lecture by FBI Agent Angers Ray's Attorney." GEORGE BONEBRAKE, FBI Fingerprint Examiner, is quoted in this article.

As of the close of business, October 23, 1968, a petition based on this supplemental report has not been filed before the Court. Immediately on establishing that the petition is filed, a copy will be secured and submitted for the Bureau's information.

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

me *PJ*

O *llh*

llc

44-1987-Sub-O-60

Hester *[Signature]*

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE, Ø

Plaintiff, Ø

Vs. Ø

NO. 16645 and 16819

JAMES EARL RAY, ALIAS Ø

ERIC STARVO GALT, ALIAS Ø

JOHN WILLARD, ALIAS Ø

HARVEY LOHMEYER, Ø

Defendant. Ø

FILED 10-23-68
J. A. BLACKWELL, CLERK
BY W. F. Kester D. C.

SUPPLEMENTAL REPORT OF AMICI CURIAE

The following is a unanimous supplemental report of the Amici Curiae appointed by the Honorable W. Preston Battle, Judge of Division III of the Criminal Court of Shelby County, Tennessee, in the above-styled cause.

Your Amici Curiae find and report as follows:

1. That on October 16, 1968, there appeared in the Commercial Appeal an article under the headline: "Lecture By FBI Agent Angers Ray's Attorney", in which one George Bonebrake, an FBI fingerprint specialist, is extensively quoted. Mr. Bonebrake is also quoted in the Memphis Press-Scimitar of October 16, 1968 in an article under the headline: "Hanes Denounces Court Group As 'Hypocrites'", and again in an article in the Commercial Appeal of October 17, 1968 under the headline: "Hanes Resumes Verbal Onslaught".

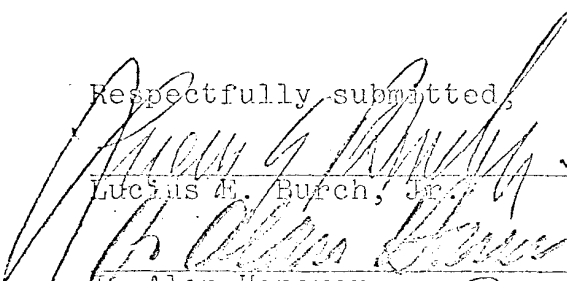
Your Amici Curiae are of the opinion that there is probable cause to believe that the statements allegedly made by George Bonebrake are in violation of this Court's orders regarding pre-trial publicity in the above case. However, your Amici Curiae believe that the said George Bonebrake is a resident citizen of Washington, D. C. and as such is not immediately amenable to the processes of this Court. Therefore your Amici Curiae propose to file a petition in this Court

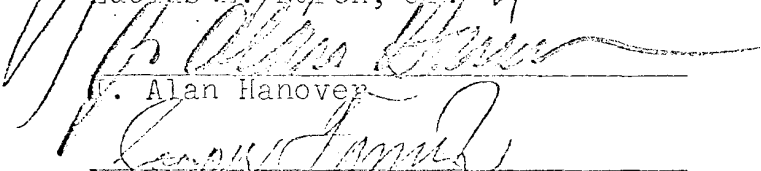
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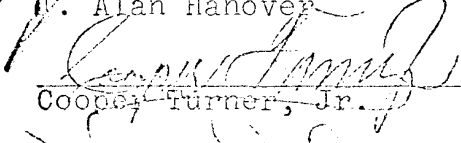
requiring the said George Bonebrake to show cause why he should not be adjudged in contempt of this Court for violation of this Court's orders, and further propose to mail a copy of the petition to the Honorable Ramsey Clark, the Attorney General of the United States, Department of Justice, by whom said George Bonebrake is believed to be employed, requesting that the said George Bonebrake submit himself voluntarily to the jurisdiction of this Court so that a proper hearing may be held. In the event said voluntary submission is not forthcoming, the petition will recommend that this Court issue its process at such time as the said George Bonebrake shall come into this Court's jurisdiction.

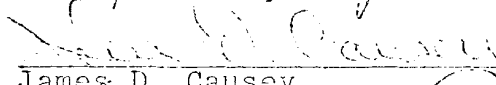
2. That your Amici Curiae are currently investigating the manner and occasion by which the above-referred-to comments alleged to have been made by the said George Bonebrake on September 11, 1968 in Wichita, Kansas came to be quoted in the news media of Memphis, Tennessee on October 16 and 17, 1968. Your Amici Curiae would advise the Court that, upon the completion of this investigation, we shall again report to this Court regarding any additional recommended action against other parties.

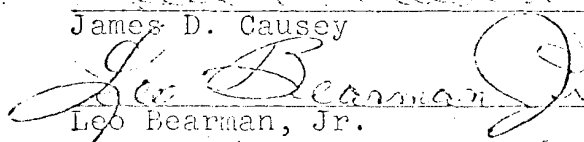
Respectfully submitted,

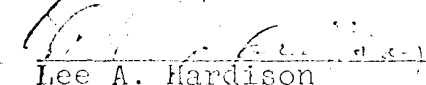

Lucius M. Burch, Jr.

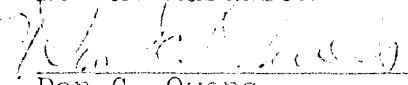

W. Alan Hanover


Cooper Turner, Jr.


James D. Causey


Leo Bearman, Jr.


Lee A. Hardison


Don G. Owens

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE,

Plaintiff,

Vs.

NO. 16645 and 16819

JAMES EARL RAY, ALIAS
ERIC STARVO GALT, ALIAS
JOHN WILLARD, ALIAS
HARVEY LOHMEYER,

Defendant.

FILED 10-23-68
J. A. BLACKWELL, CLERK
BY E. K. Kester D. C.

SUPPLEMENTAL REPORT OF AMICI CURIAE

The following is a unanimous supplemental report of the Amici Curiae appointed by the Honorable W. Preston Battle, Judge of Division III of the Criminal Court of Shelby County, Tennessee, in the above-styled cause.

Your Amici Curiae find and report as follows:

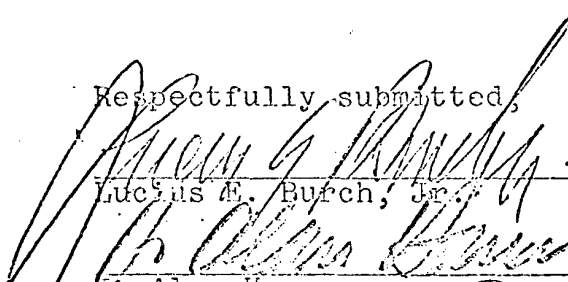
1. That on October 16, 1968, there appeared in the Commercial Appeal an article under the headline: "Lecture By FBI Agent Angers Ray's Attorney", in which one George Bonebrake, an FBI fingerprint specialist, is extensively quoted. Mr. Bonebrake is also quoted in the Memphis Press-Scimitar of October 16, 1968 in an article under the headline: "Hanes Denounces Court Group As 'Hypocrites'", and again in an article in the Commercial Appeal of October 17, 1968 under the headline: "Hanes Resumes Verbal Onslaught".

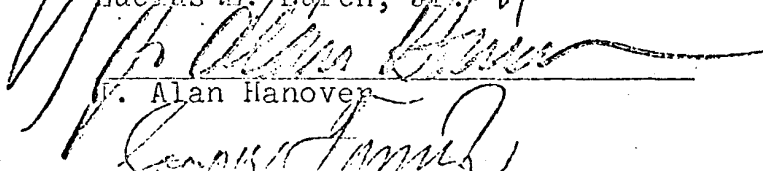
Your Amici Curiae are of the opinion that there is probable cause to believe that the statements allegedly made by George Bonebrake are in violation of this Court's orders regarding pre-trial publicity in the above case. However, your Amici Curiae believe that the said George Bonebrake is a resident citizen of Washington, D. C. and as such is not immediately amenable to the processes of this Court. Therefore your Amici Curiae propose to file a petition in this Court

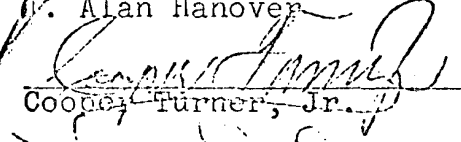
requiring the said George Bonebrake to show cause why he should not be adjudged in contempt of this Court for violation of this Court's orders, and further propose to mail a copy of the petition to the Honorable Ramsey Clark, the Attorney General of the United States, Department of Justice, by whom said George Bonebrake is believed to be employed, requesting that the said George Bonebrake submit himself voluntarily to the jurisdiction of this Court so that a proper hearing may be held. In the event said voluntary submission is not forthcoming, the petition will recommend that this Court issue its process at such time as the said George Bonebrake shall come into this Court's jurisdiction.

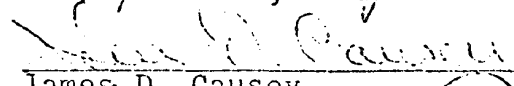
2. That your Amici Curiae are currently investigating the manner and occasion by which the above-referred-to comments alleged to have been made by the said George Bonebrake on September 11, 1968 in Wichita, Kansas came to be quoted in the news media of Memphis, Tennessee on October 16 and 17, 1968. Your Amici Curiae would advise the Court that, upon the completion of this investigation, we shall again report to this Court regarding any additional recommended action against other parties.

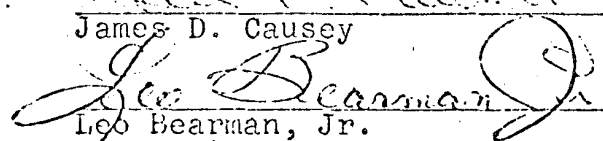
Respectfully submitted,


Lucius E. Burch, Jr.

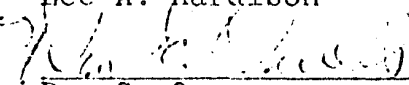

F. Alan Hanover


Cooper Turner, Jr.


James D. Causey


Leo Bearman, Jr.


Lee A. Hardison


Don G. Owens

10/23/68

AIRTEL

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

Re Memphis teletype to Bureau, 10/23/68.

Subsequent to dispatch of referenced teletype, a copy of petition prepared in instant case was secured. Two Xerox copies being submitted at this time so that Bureau will have benefit of most recent petition issued in instant case.

As of 6:00 PM, October 23, 1968, petition forwarded with this Airtel has not yet been filed.

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

me

TL

44-1987-Sub-O-61

me

0

Hester

The earliest date hearing on this matter could be heard would be November 1, only eleven (11) days before the Ray trial.

The reason for orders on publicity and hearings on their alleged violation is to deter prejudicial publicity from infecting the community from which the jury must be drawn. 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. For these reasons, this matter has been set for hearing after the Ray trial.

W. Preston Battle
Oct. 24, 1968. Judge

44-1987-Sub-D-62

llh

llh

James D. Causey

Leo Bearman, Jr.

Lee A. Hardison

Don G. Owens

STATE OF TENNESSEE
COUNTY OF SHELBY

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

Notary Public

My commission expires:

F I A T

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

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

J U D G E

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

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

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

WHEREFORE, PREMISES CONSIDERED, PETITIONERS PRAY:

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

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

Lucius E. Burch, Jr.

J. Alan Hanover

Cooper Turner, Jr.

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

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

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

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

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

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

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

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

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

NO. 11645
MURDER - FIRST DEGREE

JAMES EARL RAY,
ALIAS ERIC STARVO GALT,
ALIAS JOHN WILLARD,
ALIAS HARVEY LOWMEYER,
ALIAS HARVEY LOWMYER

NO. 16819
CARRYING DANGEROUS
WEAPON

PETITION FOR CONTEMPT

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

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

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

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

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

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

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

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. Martin 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 "Katzenbach 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 jury in a court of law."

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

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

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

EDITOR: FRANK R. AHLGREN

44-1987-Sub-D-63

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
OCT 25 1968	
FBI - MEMPHIS	

Hester 11/1/68

Two letter copies
to Bureau 10-15-68

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. 11645
MURDER - FIRST DEGREE

NO. 16819
CARRYING DANGEROUS
WEAPON

FILED 10-24-68
J. A. BLACKWELL, CLERK

BY E. E. Koster D. C.

PETITION FOR CONTEMPT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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


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

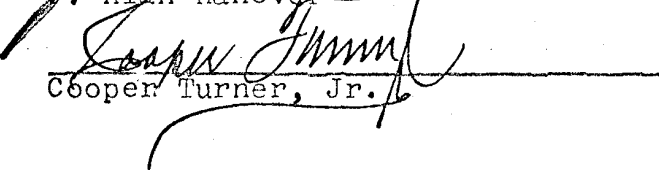
WHEREFORE, PREMISES CONSIDERED, PETITIONERS PRAY:

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

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


Lucius F. Burch, Jr.


F. Alan Hanover


Cooper Turner, Jr.

James D. Causey
James D. Causey

Leo Bearman, Jr.
Leo Bearman, Jr.

Lee A. Hardison
Lee A. Hardison

Don G. Owens
Don G. Owens

STATE OF TENNESSEE
COUNTY OF SHELBY

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

Marion D. Bush
Notary Public

My commission expires:

MY COMMISSION EXPIRES JAN. 10, 1972

F I A T

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

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

W. Preston Battle
J U D G E

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 say-

ing in Wichita, "that the latent fingerprints we found in Memphis matched those taken of the man arrested in London, and that the same prints matched those taken of James Earl Ray while he was at the Missouri Penitentiary."

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

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

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

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

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

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

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

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

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

*Commercial
Appeal
10/16/68*

"Exhibit A"

Memphis Press-Scimitar

FINAL
EDITION

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

PRICE TEN CENTS

88TH YEAR—NO. 299

MEMPHIS, TENN., WEDNESDAY, OCTOBER 16, 1968

TELEPHONES

NEWS AND GENERAL 526-2141
WANT ADS 525-6122
CIRCULATION 525-7601

'Like the Harper Valley P-TA,' Attorney Charges Hanes Denounces Court Group as 'Hypocrites'

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

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

Hanes called the committee 'hypocrites' because he

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

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

"Sheriff (William) Morris said in a press conference that the man's (Ray's) cell is fine. I said I disagreed."

Atty. Gen. Ramsey Clark stated on television that Ray committed this crime with no conspiracy involved," Hanes said.

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

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

long as that bunch (the committee) could live with their consciences."

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

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

Hanes complained that Battle's court order limiting publicity favors the prosecution and only limits the defense. He cited an interview with George Bonebrake, an

FBI fingerprint expert, in Wichita, Kan., which was reported in the Wichita Beacon.

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

Bonebrake was quoted in the story as saying the fingerprints found in Memphis matched those "taken of the man, arrested in London" and those taken of James Earl Ray while he was at the Missouri Penitentiary. "Therefore, my testimony tended to implicate him in the murder of Dr. King as well as identify him as the

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

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

"This was a real break for Turn to Page 5—HANES

"Exhibit B"

MINNAPOLIS, WEDNESDAY, OCTOBER 16, 1968

Hanes Complains About Photograph

From Page 1

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 cage," 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.

"Exhibit B"

Commercial Appeal 10/17/68

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."

"Exhibit C"

10-25-68

AIRTEL

AM

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

FROM: SAC, MEMPHIS (44-1987) P

MURKIN.

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

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

Xerox copies of the newspaper article are enclosed.

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

3 BUREAU(Enc. 4)(AM)

1 MEMPHIS

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

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

Mr. Fred M. Vinson, Jr.
Assistant Attorney General
Director, FBI

October 29, 1968

**ASSASSINATION OF
MARTIN LUTHER KING, JR.**

On October 24, 1968, W. Preston Battle, Judge of the Criminal Court, Shelby County, Tennessee, signed a petition requiring that George Bonebrake, a latent fingerprint examiner of this Bureau, appear before the Court December 6, 1968, to show cause why he should not be held in contempt of the Court. In accordance with your telephonic request of October 25, 1968, pertinent facts concerning this matter are set out below.

Mr. Bonebrake conducted an advanced latent fingerprint police school during the five-day period September 9 through 13, 1968, at Wichita, Kansas. This school was sponsored by the Wichita Police Department and seventeen officers from the Wichita Police Department and eight departments in the immediate area attended. This was a closed school for law enforcement officers and representatives of the press and public were not permitted. Mr. Bonebrake has advised that on one occasion during the class, at the instigation of the sponsored police department, members of the press were briefly invited during a recess period to take photographs and to collect data for a local press story on this school. One member of the class who seemed friendly with the reporter mentioned that Mr. Bonebrake had been the fingerprint expert who had given testimony in London. The reporter commented to Mr. Bonebrake that he thought he recalled Bonebrake's name. No further questions were asked and no other information was volunteered by Mr. Bonebrake.

Mr. Bonebrake states unequivocally that at no time has he discussed his fingerprint testimony with press representatives or unnecessarily aired fingerprint testimony of this case. On one occasion during the latent fingerprint school in Wichita, Kansas, members of the class, in a closed session, attempted to query Mr. Bonebrake as to details of the fingerprint testimony. Mr. Bonebrake states that he gave no facts other than what had

- ②- Memphis (Foregoing is furnished for your information and so that you may properly advise the prosecuting attorney in this case.)

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RVS*

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Mr. Fred M. Vinson, Jr.

already been quoted by the press concerning his London, England, testimony. No member of the press was present at this time.

Mr. Bonebrake presented expert testimony on June 27, 1968, in London, England, in connection with the extradition of James Earl Ray. He testified that three latent fingerprints developed in this case, the fingerprints of James Earl Ray taken by the Los Angeles Police Department, fingerprints of James Earl Ray taken by the Missouri State Penitentiary, and fingerprints of the subject of the extradition hearing taken by Scotland Yard, were fingerprints of one and the same individual. Such testimony thus became public source information and has since been quoted extensively in news media throughout the world.

(Jury Panel 10-28-68)

Turner, Horace

1960 Quinn

Turner, Jesse H.

1278 Gill

Upton, Paul H.

4375 Anna Dr.

Van Buren, Tommie J.

1646 Locust

Vaught, Pearl M.

462 Flynn Rd.

Vick, Robt. L.

2611 Darlene

Walker, Aaron L.

709 Georgia

Wallace, Jeff Jr.

85 E. Utah

Warr, Frank

1331 Lambert

Weston, Clyde C.

1178 Marcia Rd.

Wheeler, Eddie L.

5232 Helene

White, Joe

3575 Lanette

Whitmore, Alonzo

1120 Springdale

Wideman, James C.

1891 Marjorie

Wilbanks, Edw. D. Jr.1

1140 Wilbec

Williams, James

~~1298 Yazoo St.~~ 23 E. Bellehauen

Williams, Mrs. June M.

4536 Applestone

Williams, Theo C.

3001 Lawrence Kirk

Williamson, Louis

3528 Brantley Rd.

Williamson, Tommy L.

2963 Lark Rd.

Youngblood, Andrew J.

4409 Broadway.

44-1987-Sub-D-66

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10-30-68

AIRTEL

AMSD

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, MEMPHIS (44-1987)

Jury Panel ✓ indy

MURKIN.

Submitted herewith for the Bureau's information are two Xerox copies of list of regular jury panel for 10/28/68. Executive Assistant Attorney General ROBERT DWYER (NA) advised that the jury chosen to sit in the JAMES EARL RAY case will be selected from this list of names. He requested that if possible the Bureau search its files to ascertain whether or not there is any information concerning any of these people which would aggravate their use as jurors. Executive Assistant Attorney General DWYER indicated that he was very much interested in any affiliations that might be indicated showing Klan type association or other hategroup affiliations.

Mr. DWYER was informed that his request would be forwarded to the Bureau for an answer.

3 BUREAU (AMSD)
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[Handwritten mark]

Regular Jury Panel for October 28, 1968

Alley, Kenneth W.	3680 Irma
Anderson, C. A.	12512 Bragg Rd., Arlington
Anderson, George	822 King Rd.
Archer, Quinton	2253 Arlington
Askew, Mrs. Ruthie	1544 Monsarrat
Avery, Wm. Henry	1513 Ragan
Baker, Harold J.	36 Grovedale
Baker, Raymond E.	5258 Princeton
Bean, Lee A.	2235 Pratt
Bell, James L.	1301 Dogwood Dr.
Benson, Clem B.	408 Winton Rd.
Blair, Freeman	745 Tampa
Boyer, Chas. Guy	135 S. Reese
Breakstone, Richard	5691 Spooner Grove
Brown, Herbert H.	5345 Louise Dr.
Bryant, Andrew N.	1857 Glory Cir.
Buford, Percy G.	2320 Drake
Burks, Mrs. Virginia	2012 Nedra
Burnett, Frank O.	3195 Beauchamp Cove
Campbell, Bill F.	3556 Vanderwood Dr.
Canada, Natalie I.	Mullins Station Rd.
Caradine, John H.	7957 Harrold St., Millington
Chappell, Ben R.	4443 Opal Cove
Choate, Henry V.	528 E. Mallory
Clark, Luther D. Jr.	3294 Frayser View Dr.
Clemons, Chas. E.	1695 Clementine
Colter, Hynes	714 King Rd.
Counts, Homer Jr.	489 LaCleda
Dargie, Alex H.	4186 Kimball
Davis, James D.	6233 Acorn
Dyche, Louis G.	2024 Janis Dr.
Ezell, Resonor	900 Tampa

(Jury Panel 10-28-68)

~~Garrett, Walter G. Jr.~~

Geil, Dellmond A.

Godbold, Duncan L.

Guy, Anderson F.

Hall, Aubrey J.

Hawkins, Ralph M.

Jernigan, Roy M.

Keele, Kenneth A.

King, Edw. M.

~~Lacy, John W.~~

Lamberth, John M.

~~Malone, Leo~~

Marshall, Sam E.

Martin, Robt. B.

Maxwell, Wm. T.

~~May, Mason L.~~

McPherson, W. E. Jr.

Mitchell, Geo. A.

Mobley, Noble

Moore, Henry

Morris, Dalton

Morris, W. R.

Myers, Franklin E.

Murphy, Deland T.

Newbern, James H.

Newman, Robinson Vernon Jr.

Newton, Walter C.

Norman, Freemont

Orman, John D.

~~4870 Scottsdale~~

884 Park Valley Rd.

4598 Dunn Rd.

2371 Pratt

4327 Carey Dr.

5139 Durant

3935 Michael Rd.

1746 Keyes Dr.

595 Shotwell

~~56 W. Waldorf~~

2512 Frayser Blvd.

~~3549 Brantley Rd.~~

2945 Churchill

3059 Guernsey

4490 Minden Rd.

~~3515 Sharpe~~

~~4886 Violet~~ 2079 *Waskom*

1404 Cameron St.

~~1396 Florida~~
~~1012 Hensarree, Apt 2~~

1141 Springdale

~~4069 Meadow Dr.~~ 4293 *Dunn*

~~673 Hewlett~~ 783 *Commodore*

2195 Theda Ave.

3030 *East Rd.*

~~4109 Vaughn Rd.~~ (304) *Estimote*

893 Hawthorne

1027 Homer

1858 Ozark St.

3878 Kimball

(Jury Panel 10-28-68)

Page, Lewis J.

Palmertree, Eli W.

Patterson, Willie L.

Payne, Aaron

Pearson, Willie J.

Perkins, Marvin T.

Price, J. Wm.

Price, Willie L.

Pryor, Joe A.

Purtle, Roosevelt

Pylant, Max G.

Quan, Jack M.

Randle, Calvin

Redditt, Paul

Reed, Thos. A.

Reed, Wallace James

Rivalte, Theo J.

Rodgers, Elton L.

Rodgers, Will

Rutherford, Joe

Sammons, Thos. D.

Sain, Albert Grady

Sanders, Sam

Smith, Fred

Smith, Jimmie P.

Sparks, Wm. T.

Spence, Luther

Tate, Wm. James

Thomas, Cleveland

Thompson, Andrew B.

Tippitt, Everett O.

Tucker, Earl B.

~~3280 Castleman~~
~~4282 Jamaica Dr.~~

2566 Harvard

1965 Glory Cir.

543 Edith

897 King Rd.

2713 Windsor Pkway

118 Farrow Ave.

219 Timberlane

1056 Saxon

1158 Saxon

3407 Freland

~~525 N. Graham~~ 574 Cadrona

737 Alaska

1234 Sardis

~~1062 Saxon~~ 531 Pontiac

1992 Laramie

~~907 Chambliss Rd.~~

397 Edith

401 Edith, Apt 4

5064 Spottswood

4035 Reed

4292 Greenmount

181 Vernelle Rd.

~~1134 Monroe~~ 980 St. Norwood

4957 Wm. Arnold Rd.

1702 Hartland

872 N. Barksdale

834 Annie Pl

1324 Sardis

1185 Vaughn Rd.

~~1716 Whitney~~ 3413 Mountain View

5332 Revere Rd.

10-30-68

AIRTEL

To: SAC, Chicago

From: Director, FBI (44-38861)

MURKIN

Re Memphis airtel to the Bureau dated 10-25-68.

You should interview Mr. and Mrs. Harvey Klingeman, owners of the Indian Trail Restaurant in Winnetka, Illinois, to determine the origin of the matter in relation to the statement in the "Commercial Appeal" newspaper stating FBI using tape recordings of voices of relatives and acquaintances of James Earl Ray to determine if they contacted Ray while he was employed at the Indian Trail Restaurant.

BULLEN containing results of interview in a form suitable for dissemination.

Insure that the Klingemans fully understand that the Bureau is not involved in any such activity as described.

1 - Memphis (44-1987)

44-1987-Sub-D-68

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FBI - MEMPHIS	

Hester *QW*

F B I

Date: 11-5-68

Transmit the following in PLAIN TEXT
(Type in plaintext or code)Via TELETYPE URGENT
(Priority)

TO DIRECTOR (44-38861)
 FROM MEMPHIS (44-1987) P
 MURKIN.

SHORTLY AFTER FOUR P.M., NOVEMBER FOUR LAST, THE COMMITTEE OF SEVEN ATTORNEYS ADVISING JUDGE W. PRESTON BATTLE ON PRETRIAL PUBLICITY IN THE RAY CASE FILED REPORT INDICATING THERE IS PROBABLE CAUSE THAT WILLIAM BRADFORD HUIE AND THE PUBLISHERS OF LOOK MAGAZINE ARE IN CONTEMPT OF THE COURT'S ORDERS AS A RESULT OF ARTICLE WRITTEN BY HUIE WHICH APPEARED IN NOVEMBER TWELVE / ~~1968~~ ^{SIXTYEIGHT} EDITION OF LOOK MAGAZINE. COMMITTEE RECOMMENDED THAT HUIE AND COWLES PUBLICATIONS BE CITED AT SUCH TIME AS THEY ARE WITHIN JURISDICTION OF THE COURT.

A COPY OF THIS REPORT BEING OBTAINED FROM COURT AND WILL BE FORWARDED TODAY TO BUREAU.

P.

END

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Airtel.....

Teletype.....

A. M.

A. M. S. D.

Spec. Del.

Reg. Mail.

Registered.

Special Agent in Charge

Sent 10:54A M Per Ad

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

DIVISION THREE

STATE OF TENNESSEE

Vs.

NOS. 16645 and 16819

JAMES EARL RAY, Alias
ERRIC STARVO GALT,
Alias JOHN WILLARD,
Alias HARVEY LOHMEYER

FILED 11-4-68
J. A. BLACKWELL, CLERK
BY [Signature] D. C.

REPORT OF AMICI CURIAE

Your amici curiae herewith submit the following additional report:

As a result of an article appearing in the November 12, 1968 edition of LOOK, distributed in Memphis, Tennessee on October 29, 1968, and an interview reported in the Commercial Appeal of November 1, 1968 under headline: "FBI IS GOING PAST RAY IN SEARCH FOR SUSPECTS", there is probable cause to believe that William Bradford Huie, Cowles Communications, Inc., publishers of LOOK, and others closely connected with or interested in this case are in contempt of this Court's orders regarding pre-trial publicity in the above-styled cause.

It further appearing to your amici curiae that some of the above-mentioned parties are not presently within the jurisdiction of this Court, and that the trial of the above matter is imminent, your amici curiae believe that no immediate action can or should be taken, but that a petition for scire facias should be filed at such time as the above parties are within the jurisdiction of the Court and after the jury in this cause is sequestered, requiring said parties to show cause why they should not be held in contempt of this

44-1987

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